CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS **April 22, 2013** **6:30 P.M.**

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Cimmino

ROLL CALL: Councilmembers present on roll call were:

MINUTES: April 8, 2013

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items #1 and #11 ONLY. Speaker sign-in required. (Comments offered here are limited to one (1) minute. Please sign in at the cart located at the back of the council chambers or at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For Items not on this agenda, public comment will be taken at the end of the agenda.)

1. **CONSENT AGENDA** -- Separations:

   A. **IT Conduit to 911 Center Project**

      1. **W.O. 13-05, IT Conduit to 911 Center Bid Award**; Recommend C & L Service, Inc.; $204,206.

      2. **Memorandum of Understanding** between the City of Billings and Yellowstone County for the IT Conduit to 911 Center Project. Yellowstone County to provide financial support of $84,733 in exchange for 50% ownership of 4" conduit.

   B. **Library Security System Service Agreement** with Kenco Security and Technology; $64,981.02.

C. **Compensation Agreement** with Stock Development for Private Contract P-647, Schedule 1, extension of sanitary sewer in South 44th Street West between King Avenue West and Monad Road (Lots 1 & 2, Block 1, Lenhardt Square Sub); compensation to be based on the final sanitary sewer utility construction costs-estimated $187,408.50.

D. **Amendment #1, W.O. 12-43:** Water Treatment Plant Backup Power, Phase III, Professional Services Contract, HDR Engineering, $53,600.

E. **Approval of Right-of-Way Deed for W.O. 09-12, Inner Belt Loop** for Parcel No. 8 located on the east half of the southwest quarter of Section 18, Township 1 North, Range 26 East; State of Montana Department of Natural Resources and Conservation; $8,400.

F. **Subordination of Housing Rehabilitation Loan** for Stefanie M. Ruegamer; $19,980.61.

G. **Acceptance of Donations** to Community Development Division for Project Homelessness; Stockman Bank - $500; First Montana Title - $500.

H. **Resolution of Intent** to create SID 1395, public improvements on Boca Raton Road between Annandale Road and Clubhouse Way, and set a public hearing for May 13, 2013.

I. **Resolution of Intent to De-Annex #13-05:** approximately 6.64 acres of undeveloped land described as Lot 20, Block 3, Rolle Subdivision; Robert Honaker, owner and petitioner; and set a public hearing for May 28, 2013.

J. **Final Plat** of Grand Peaks Subdivision, 3rd Filing.

K. **Bills and Payroll:**

1. March 25, 2013

2. April 1, 2013

3. January 1, 2013 - March 31, 2013 - Municipal Court

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** approving and adopting Third Quarter Budget Amendments for Fiscal Year 2013. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

3. **PUBLIC HEARING AND RESOLUTION** relating to Special Improvement District No. 1385 Refunding Bonds, Series 2013; authorizing the issuance and private negotiated sale. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

4. **PUBLIC HEARING AND RESOLUTION** creating SILMD 311, Rimrock Road from Forsythia Boulevard to Shiloh Road. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

5. **PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #OP-13-01:** A variance from Section 6-1203 of the Site Development Ordinance pertaining to off-street parking requirements at Great Harvest Bread Company, 907 Poly Drive. Bryan Layton, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

6. **PUBLIC HEARING** and approval of allocation of FY2013-2014 CDBG and HOME program funds and approval of the FY2013-2014 Action Plan. Staff recommends approval of the Community Development Board's recommendation and prioritization. (Action: approval or disapproval of staff recommendation.)

7. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #13-03:** Approximately 1.6 acres in Parcel 1, Certificate of Survey 1706, generally located on the southeast corner of the intersection of Bench Boulevard and Yellowstone River Road; Ryan and Jodi Rookhuizen Family Trust, owner and petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)

8. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #13-04:** A portion of existing Tract 2, Certificate of Survey 3295, composed of one parcel totaling approximately two acres generally located on the north side of Grand Avenue just west of the intersection of Grand Avenue and 48th Street West; Mary Beth Gregory, owner and petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)

9. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending the boundaries of Ward V to include recently annexed property in Annexation #13-01: two parcels totaling approximately 97 acres in Tract 1, C/S 2587, and Tract 1, C/S 3329, generally located northwest of the intersection of Hesper Road and Gabel Road; Industrial Planning Associates, L.P, owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

10. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation #13-02: a 63.32-acre parcel of land generally located south of the King Avenue West interchange with Interstate 90 and addressed as 1228 and 1236 Mullowney Lane; Elizabeth Zeiler, owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

11. **ACCEPTANCE OF THE CORNERSTONE DONATION** from the Masons for the new Billings Public Library. Library Board of Trustees recommends conditional approval. (Action: approval or disapproval of Library Board of Trustees 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 in at the cart located at the back of the council chambers or at the podium.)*

COUNCIL INITIATIVES

ADJOURN

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please notify Cari Martin, City Clerk, at 657-8210.

Consent **1. A. 1.**

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Bid Award: W.O. 13-05 IT Conduit to 911 Center
PRESENTED BY: David Mumford
Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Staff opened bids on March 26, 2013, for W.O. 13-05 IT Conduit to the 911 Center. At the April 8, 2013, Council Meeting, the bid award was delayed until April 22nd. This project will construct conduit from the MET Transfer Center to the Public Works Depot Building, the Parks and Recreation Building and the 911 Center. The conduit will allow the city to run new fiber optic lines to each of these buildings from City Hall.

ALTERNATIVES ANALYZED

The Council may:

- Award Work Order 13-05 IT Conduit to 911 Center to C & L Service, Inc. in the amount of $204,206; or
- Do not award Work Order 13-05. If not awarded, the city would have to re-bid or cancel the project.

FINANCIAL IMPACT

Funding for Work Order 13-05 IT Conduit to 911 Center is from reserve funds. $165,486 will come from the IT Fund reserves and $38,720 will come from the Central Telephone Fund reserves. Fourth quarter budget amendments will be needed to authorize this spending. Yellowstone County will share the project cost. Cost and ownership details are described in a Memorandum of Understanding (MOU) that is presented in a separate agenda item

The following bids were received and evaluated:

C & L Service, Inc.	$204,206
Tel Net Systems, Inc.	$243,220
Montana Lines, Inc.	$227,679

RECOMMENDATION

Staff recommends that Council award WO 13-05 IT Conduit to 911 Center to C & L Service, Inc. in the amount of $204,206.00.

APPROVED BY CITY ADMINISTRATOR

Consent **1. A. 2.**

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Memorandum of Understanding with Yellowstone County on Conduit Project
PRESENTED BY: Tina Volek
Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The City & County Information Technology Departments wish to work cooperatively on the "IT Conduit to 911 Center" project that was recently bid. The City of Billings proposes to contract with the winning bidder for the service and to share the cost and ownership with Yellowstone County through a memorandum of understanding (MOU). A MOU has been signed by Yellowstone County pledging to provide financial support in exchange for 50% ownership in the 4" conduit that will allow for fiber optic cable to be run from the Yellowstone County Courthouse and from City Hall to the 911 Center. Staff is requesting that the City Council consider and approve the MOU.

The new fiber runs are mission critical to sustained reliability of communications between the 911 Center and all City Offices, including all communications to and from the public safety mobile computers in the field, all E-mails in/out of the city, internet access to all City offices, CJIN/NCIC access to all authorized police personnel, disaster/recovery backups, access to high availability backup CAD/dispatch system, and more. The existing communications link is over 20 years old and will remain in service as a backup to the new fiber proposed in this project.

ALTERNATIVES ANALYZED

Council may:

- Approve the Memorandum of Understanding (MOU) with Yellowstone County. IT reserves will be used to fund the City's portion of the project. The County would have 50% ownership in the conduit.
- Not approve the MOU. IT reserves will be used for the entire project cost and the city will own 100% of the conduit & fiber. The City could choose to lease or sell conduit to the County in the future.

FINANCIAL IMPACT

The "IT Conduit to 911 Center" low bid is $165,486. The City of Billings & Yellowstone County have agreed to share equally in the total cost of the bid, minus a short 2" conduit run to the Parks & Rec offices valued at $5,020. In addition, the City and County have agreed to share in the cost of the Public Works project engineering costs of $9,000. The projected total of the conduit project and above mentioned services is $174,486. Yellowstone County has agreed through the MOU to pay $84,733 with the City using IT reserve funds to pay for the remaining $ 89,753.

Note: A fourth quarter budget amendment will be necessary for IT to have budget authority to fund this project from its reserve funds.

RECOMMENDATION

Staff recommends that Council approve the Memorandum of Understanding with Yellowstone County that will share the cost and ownership of the "IT Conduit to 911 Center" project.

APPROVED BY CITY ADMINISTRATOR

Attachments

Draft MOU

DRAFT

Memorandum of Understanding (MOU)

City/County Joint Conduit Project

1. Parties:

This memorandum of understanding (MOU) is made this _____day of _____, 20__ by and between the City of Billings, Montana, 210 North 27th Street, Billings, MT 59101 (City), and Yellowstone County, Montana, 217 North 27th Street, Billings, MT 59101 (County).

2. Purpose:

The City and County wish to work cooperatively on a project to install approximately 3,400 linear feet of 4" conduit, seven (7) pull boxes and any other miscellaneous items necessary to install fiber from the MET Bus Transfer Center, located at 220 North 25th Street, to the 911 Center, located at 2305 8th Avenue North.

3. Effective Date:

This MOU is effective upon written approval by both parties and payment to the City from the County. The City and County shall maintain equal ownership of conduit and share in all on-going maintenance costs for the life of the conduit. The conduit includes three (3) cells, one (1) of which will be owned by the City, one (1) owned by the County, and one (1) cell shared by the City and County for the initial fiber run from each of our main offices to the 911 Center.

4. Responsibilities:

The City shall be responsible for competitively bidding the project, coordination of construction and for full payment to contractor(s). The County shall be responsible for paying the City $84,733, which represents 50% of the total cost of the conduit project and the engineering fees minus the expense related to the extension of the conduit to the Parks and Recreation facility. The total amount shall be paid within thirty (30) days of final payment being made to the construction contractor and by invoice from the City to the County.

5. Contacts:

City of Billings: David Watterson, Chief Information Officer – 406-657-8330

Yellowstone County: Ross Cavazos, Information Services Director – 406-256-2713

6. Modifications and Amendments:

Any amendment or modification of this MOU or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this MOU.

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

CITY OF BILLINGS, MONTANA_____

By: Thomas W. Hanel, Mayor

YELLOWSTONE COUNTY, MONTANA_____

By: , Commissioner

APPROVED AS TO FORM:

By_____ By_____

Brent Brooks, City Attorney , County Attorney

Consent **1. B.**

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Library Security System Contract
PRESENTED BY: Bill Cochran, Library
Department: Library

Information

PROBLEM/ISSUE STATEMENT

In the Library's approved budget for the current fiscal year was a supplemental budget request for $16,989 for installation of a security camera system in the existing Library building. It was anticipated that the system would be moved and expanded in the new building. When Jackson Contractor Group projected a completion date for the new building that is earlier than the architect had anticipated, Library staff decided not to install a small system in the existing building and move it only a few months later, but instead to issue an RFP for the entire package of security systems for the new building.

The RFP was advertised in the Billings Times on December 27, 2012 and January 3, 2013, as well as on the City's website. A Staff RFP Committee reviewed the proposals on January 23, 2013 and recommended Kenco; the other proposer was Comtech.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the Services Agreement with Kenco for the Library Security System in the amount of $64,981.02; or
- Not approve a contract and reject both proposals. If the contract is not approved, the new Library may open without security systems in place.

FINANCIAL IMPACT

The Library will fund the security system using the current $16,989.00 supplemental budget request already approved for this fiscal year and an additional $47,992.02 in Library unobligated reserves, for which the Library will request a budget amendment within this fiscal year.

RECOMMENDATION

Staff recommends the City Council approve the Library Security System Service Agreement with Kenco in the amount of $64,981.02.

APPROVED BY CITY ADMINISTRATOR

Attachments

Kenco Security Contract

SERVICES AGREEMENT
LIBRARY SECURITY SYSTEM – DESIGN, PROCURE AND INSTALL

THIS AGREEMENT is made and entered into this ____ day of _____, 2013, by and between the **CITY OF BILLINGS, MONTANA,** a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 1178, Billings, Montana 59103, hereinafter referred to as "City," and **KENCO SECURITY AND TECHNOLOGY**, of 3416 1st Avenue North, Billings, Montana 59101, hereinafter referred to as "Contractor."

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

1. Purpose: City agrees to hire Contractor as an independent contractor to design, procure and install a security system at the new Library Building (510 North Broadway, Billings Montana), more accurately described in the Scope of Work attached hereto as Exhibit "A" and as designed and designated in the Floor Plans attached hereto as "Exhibit B", and by this reference made a part hereof.

2. Effective Date: This Agreement is effective upon the date of its execution and will terminate on November 30, 2013. The parties may extend this agreement for ninety (90) days, by mutual concurrence, in writing prior to its termination.

3. Scope of Work: The Contractor shall perform the services outlined in Exhibit "A". In performing these services, the Contractor shall at all times comply with all federal, state and local statutes, rules and ordinances applicable. These services and all duties incidental or necessary therefor, shall be performed diligently and completely and in accordance with professional standards of conduct and performance.

4. Payment: City agrees to pay Contractor sixty-one thousand five hundred ten dollars and fifty-four cents ($64,981.02) for the work described in the Scope of Work in Exhibit "A". :

1. **$15,433.18 for SLABQ1814 – Access System – 1/2 down and balance upon completion**
2. **$36,233.20 for SLABQ1813 – CCTV System – 1/2 down and balance upon completion**
3. **$13,314.64 for SLABQ1815 – Security System – 1/3 down and balance upon completion**

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

The final payment shall be made only after acceptance of final invoice by the City, and determination has been made by the City that the Scope of Work has been satisfactorily completed.

Upon satisfactory completion of payment as provided in this Agreement, title to the system(s) shall pass to City, except that title to any system(s) communicator and associated communicator software and associated circuitry shall remain the sole property of Contractor.

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

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

6. Indemnity and Insurance: Contractor agrees to indemnify, defend and save City, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of Contractor or its agents or employees. **For this purpose, Contractor shall provide City with:**

A. The following insurance:

(1) Workers' compensation and employer's liability coverage as required by Montana law.

(2) Commercial general liability, including contractual and personal injury coverage's -- $1,500,000 per occurrence.

(3) Commercial automobile liability -- $1,500,000 per accident.

(4) Professional liability in the amount of $1,500,000 per claim.

B. Each policy of insurance required by this Section shall provide for no less than 30 days' advance written notice to the City of Billings prior to cancellation.

C. The City of Billings SHALL be listed as an additional insured on all policies except Professional Liability and Worker's Compensation Policies. In addition, all policies except Professional Liability and Worker's Compensation shall contain a waiver of subrogation against Billings.

7. Warranty: Contractor warrants that all services and work will be performed in a good workman-like manner. Contractor acknowledges that it will be liable for any breach of this warranty for the lesser period of one (1) year from the time services are completed.

In the event that any part of the system(s) becomes defective, Contractor agrees to make all repairs and replacement of parts without cost to the Customer for a period of one year (365) days from the date of installation. Contractor reserves the option to either replace or repair the system(s) equipment, and reserves the right to substitute materials of equal quality at time of replacement, in fulfillment of this warranty. This warranty does not include damage by lightning, electrical surge, or other defect not caused by Contractor. This warranty does not cover any damage to material or equipment caused by accident, misuse, attempted or unauthorized repair service, modification, or improper installation by anyone other than Contractor. Except as set forth in this Agreement, Contractor makes no express warranties concerning the condition of the equipment, its merchantability, or its fitness for any particular purpose. Contractor does not represent nor warrant that the system(s) may not be compromised or circumvented, or that the system(s) will prevent any loss by burglary, hold-up, fire or otherwise.

8. Compliance with Laws: Contractor agrees to comply with all federal, state, and local laws, ordinances, rules and regulations. Contractor agrees to purchase a City business license and any applicable permits or licenses necessary for completion of this project.

This contract exceeds $25,000.00, which requires the Contractor to meet the statutory requirements of the Montana Prevailing Wage Requirements.

Unless superseded by federal law, Montana law requires that contractors and subcontractors give preference to the employment of Montana residents for any public works contract in excess of $25,000 for construction or nonconstruction services in accordance with sections 18-2-401 through 18-2-432, MCA, and all administrative rules adopted pursuant thereto. Unless superseded by federal law, each contractor shall ensure that at least 50% of the contractor's workers performing labor on a construction project are bona fide Montana residents. The Commissioner of the Montana Department of Labor and Industry has established the resident requirements in accordance with sections 18-2-403 and 18-2-409, MCA. Any and all questions concerning prevailing wage and Montana resident issues should be directed to the Montana Department of Labor and Industry.

In addition, unless superseded by federal law, all employees working on a public works contract shall be paid prevailing wage rates in accordance with sections 18-2-401 through 18-2-432, MCA, and all administrative rules adopted pursuant thereto. Montana law requires that all public works contracts, as defined in section 18-2-401, MCA, in which the total cost of the

contract is in excess of $25,000, contain a provision stating for each job classification the standard prevailing wage rate, including fringe benefits, travel, per diem, and zone pay that the contractors, subcontractors, and employers shall pay during the public works contract.

Furthermore, section 18-2-406, MCA, requires that all contractors, subcontractors, and employers who are performing work or providing services under a public works contract post in a prominent and accessible site on the project staging area or work area, no later than the first day of work and continuing for the entire duration of the contract, a legible statement of all wages and fringe benefits to be paid to the employees in compliance with section 18-2-423, MCA. Section 18-2-423, MCA, requires that employees receiving an hourly wage must be paid on a weekly basis.

Each contractor, subcontractor, and employer must maintain payroll records in a manner readily capable of being certified for submission under section 18-2-423, MCA, for not less than three years after the contractor's, subcontractor's, or employer's completion of work on the public works contract.

The nature of the work performed or services provided under this contract meets the statutory definition of a "public works contract" under section 18-2-401(11)(a), MCA, and falls under the category of Building Construction services. The booklet containing Montana's 2013 Rates for Building Construction is attached as "Exhibit C" and may be referenced at: http://erd.dli.mt.gov/labor-standards/state-prevailing-wage-information/current-prevailing-wage-rates.html.

9. Contractors' Gross Receipts Tax: Contractor understands that all contractors or subcontractors working on a publicly funded construction project, including any work requiring the installation, addition, placement, replacement, or removal of any equipment, parts, structures, or materials of any kind whatsoever, are required to pay or have withheld from earnings one percent (1%) of the gross contract price if the gross contract price is Five Thousand Dollars ($5,000) or more.

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

11. Default and Termination: If either party fails to comply with any condition of this Agreement at the time or in the manner provided for, the other party may, at its option, terminate this Agreement and be released from all obligations if the default is not cured within ten (10) calendar days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are

cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Agreement.

12. Liaison: City's designated liaison with Contractor is _____ and Contractor's designated liaison with City is _____.

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

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

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

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

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

CITY OF BILLINGS, MONTANA _____

CONTRACTOR (Print Name Above)

By_____
THOMAS W. HANEL, MAYOR

By_____

Print Name _____

Print Title_____

APPROVED AS TO FORM:

By_____
BRENT BROOKS, City Attorney

EXHIBIT A
SCOPE OF WORK

Contractor shall install the system(s) described above at the location described above. The City hereby authorizes Contractor's employees or agents to perform such installation, which may include drilling holes, stapling wire, attaching system(s) components, and doing any other act necessary or pertinent to the installation of the system(s).

New door hardware and door strikes are not part of this Agreement and will need to be provided separately from a door company. Assistance from the City's Information Technology Division will be necessary for network placement.

ACCESS:

Equipment to be installed per proposal SLABQ1814:

Qty	Manufacturer	Part Number	Description	Location
1	Stanley PAC	PACSE	Software, Standard Access #909021932	On stand-alone computer
1	Stanley PAC	512IP-B	Controller, 512 Series Door	In server room
2	Stanley PAC	512B	Controller, Readykey X Access W/Enclsr & Pwr Suply	In server room
1	Stanley PAC	USBRDR	Reader, USB Enrollment	Near computer
6	Stanley PAC	OPMUL	Reader, Oneprox Designer Mullion	
50	Stanley PAC	K3010	Tab, Each Tab KeyPac	

SCOPE OF WORK:

1. Install all devices listed herein.
2. Connect devices to the access control panel and test each device to ensure it is working properly.
3. Train the customer in the use of the access system.

CCTV:

Equipment to be installed per proposal SLABQ1813:

Qty	Manufacturer	Part Number	Description	Location
2	Nuvico Inc	EDP-1640	Recorder, DVR Apex Lite 16 chan 4T 480pps DVD-RW	server room (rack mount)
4	Bosch Security Sy	VDN-498V03-21S	Camera, 3-9mm OutDoor Vandl Flexidome VF DN	
18	Bosch Security Sy	VDC-445V04-20S	Camera, 4-9mm InDoor Flexidome Color	
2	Bosch Security Sy	VDC-445V03-20S	Camera, 2.6-6mm InDoor Flexidome Color	
2	Altronix	TV2416	Power Supply, 16 Cam 24vac 8amp	

1	Minuteman Power	EN600	UPS, 300 Watt 600va 3 Surge Outlets	

SCOPE OF WORK:

1. City shall provide a computer monitor with a VGA port for Contractor to connect near the DVR.
2. Includes software for up to four City computers.
3. Install wire and mounts necessary to support the cameras listed herein
4. Connect all cameras and adjust all cameras for optimal viewing; program cameras in to the recorder
5. Connect to network, computers and monitors.

SECURITY:

Equipment to be installed per proposal SLABQ1815:

Qty	Manufacturer	Part Number	Description
1	Bosch Security Sy	D7412GV3-C	Panel, Burg Comm/2-Drs Access Pckg
1	Bosch Security Sy	D1255B	Keypad, VFD White/Gray modern case
1	Bosch Security Sy	D8125	Expander, Popex Zone
4	Inovonics	EN1235S	Button, Panic Wrls 1 Button Belt Clip/Pendant
1	Inovonics	EN7280	Receiver, Serial Interface for Bosch & DMP Panels
1	Inovonics	EN5040T	Repeater, High Power Wireless W/Trnsfrmr
10	Nascom	N1178C/ST	Switch, Set 3/4" & Magnet 3/8" Brown or White
9	Optex	FX360	Detect, Motion PIR Celing Mnt
10	Bosch Security Sy	DS860	Detect, Motion Dual MW/PIR 60'x60'
29	Bosch Security Sy	D9127U	Popit, Fire Module W/O Tamper
1	AES Corporation	7058EP	Transceiver, Radio Full Size 8 Zone W/IntelliPro

SCOPE OF WORK:

1. Install all devices listed herein
2. Connect all devices to the alarm control panel and test each device to ensure that it is reporting to the Contractor's Central Monitoring Station
3. Train and/or instruct the customer and their employees in the use of the security system

EXHIBIT B
FLOOR PLANS

Kenco Proposals for Contract\Floor Plan with Devices Scan.pdf

Adobe Acrobat Document

EXHIBIT C
PREVAILING WAGE RATES
BUILDING CONSTRUCTION

http://erd.dli.mt.gov/labor-standards/state-prevailing-wage-information/current-prevailing-wage-rates.html.

Adobe Acrobat
Document

Consent **1. C.**

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: Compensation Agreement for Private Contract P-647, Schedule 1; Lots 1 and 2, Block 1 of Lenhardt Square Subdivision

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

In order to obtain sanitary sewer service, the developer, Stock Development, extended 153 feet of 18" sanitary sewer main and 1,217 feet of 15" sanitary sewer main in South 44th Street West between King Avenue West and Monad Road. This extension was not a planned project in the CIP so the developer will pay the entire cost of the project.

The City's Rules and Regulations for Water and Sanitary Sewer include compensation to developers for the entire cost of constructing sanitary sewer mains over 12 inches in size. As such, the developer desires to be compensated for these costs in full and the Public Works Department proposes that such compensation be accomplished through the attached agreement. The annual budget includes $300,000 for compensation agreements.

ALTERNATIVES ANALYZED

The Council may:

- Accept the compensation agreement; or
- Do not accept the compensation agreement. Rejecting the agreement would be contrary to the City's policy which compensates developers who install large diameter public mains as part of their development.

FINANCIAL IMPACT

Based on the lowest bid price for the installation of the sanitary sewer mains, it has been determined that the cost eligible to be recovered by the developer is $187,408.50. The timing of the City's participation in the project cost is determined in conformance with the budget approved by City Council.

RECOMMENDATION

Staff recommends that Council authorize the Mayor to execute the attached agreement. Compensation shall be based on the final sanitary sewer utility construction costs.

APPROVED BY CITY ADMINISTRATOR

Attachments

Compensation Agreement

Bid Tab

Exhibit

COMPENSATION AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 20 13 between THE CITY OF BILLINGS, Billings, Montana, hereinafter referred to as the "CITY", and Michael Stock of Stock Development, hereinafter referred to as "DEVELOPER".

WITNESSETH

WHEREAS, the CITY'S Water/Wastewater Extension Policy outlines the procedure and criteria the CITY uses in approving extensions of the public water and wastewater systems; and

WHEREAS, the CITY'S Utilities Fees Practice outlines how the CITY participates in construction of various water and wastewater facilities and applies water and wastewater construction fees and system development fees to developments; and

WHEREAS, no person, developer, customer or applicant shall acquire any vested rights under the terms and provisions of this agreement; and

WHEREAS, DEVELOPER has agreed to extend or replace water and/or wastewater facilities for the purpose of providing service through plans and specifications approved by the City on the 31st day of January, 2013. Said plans and specifications generally provide for the construction of water and/or wastewater facilities which are specifically described in Exhibit 1, attached hereto; and

WHEREAS, DEVELOPER is desirous of obtaining compensation for a portion of the water and/or wastewater facilities hereafter described; and

WHEREAS, the CITY is desirous of compensating the DEVELOPER for a portion of such water and/or wastewater facilities.

NOW, THEREFORE, CITY and DEVELOPER, in consideration of their mutual promises to each other hereinafter stated, agree as follows:

1. The water and/or wastewater facilities which are eligible for compensation to the extent set forth in this Agreement are specifically described in Exhibit 1, attached hereto, and by this reference incorporated herein as if fully set out.

2. With respect to DEVELOPER'S entitlement to compensation, the CITY and DEVELOPER agree that the conditions set forth hereinafter, must be met before DEVELOPER is entitled to or will receive any compensation. Said conditions are:

(a) The extent, timing, and manner of the CITY'S participation in a water and/or wastewater facilities extension or replacement is determined in conformance with the CITY'S Water/Wastewater Extension Policy, the CITY'S Utilities Fees Practice, and the DEVELOPER'S compliance with city, state and federal laws, rules, and regulations. These policies require necessary funds to be included in the current, approved Capital Improvements Projects (CIP) budget in order to be eligible for compensation back to the DEVELOPER. The DEVELOPER may choose to proceed with an extension or replacement project without waiting for funds to be made available in the CIP budget; in this case, the DEVELOPER is responsible for paying the entire cost of the construction. Extensions or replacements not eligible for compensation according to these CITY policies and practices must be constructed by the DEVELOPER at his expense.

(b) DEVELOPER shall provide to the CITY sufficient verifiable cost data to determine the appropriate amount of compensation within thirty (30) days of final inspection of the water and/or wastewater facilities and approval and acceptance by the CITY that all construction was completed according to the approved plans and specifications.

(c) DEVELOPER shall enter into a compensation agreement with the CITY at the time the CITY approves the DEVELOPER'S application for extension of water and/or wastewater facilities or, in the case of a replacement project, prior to submittal of preliminary plans and specifications by the DEVELOPER.

(d) Upon completion of the extension or replacement of the water and/or wastewater

facilities, the DEVELOPER must convey all right, title and interest in the facilities to the CITY.

(e) DEVELOPER shall, at all times, provide to the CITY a current address for purposes of mailing compensation to DEVELOPER.

(f) Extension or replacement of water and/or wastewater facilities must be done in compliance with all rules, regulations, resolutions and ordinances of the CITY, including but not limited to standards for design and construction of the facilities, competitive bidding and contract requirements for cities, prevailing wage rates, non-discrimination requirements, etc.

DEVELOPER agrees that it will not be entitled to any compensation whatsoever until the above conditions have been completely satisfied. DEVELOPER'S violation of any of the conditions set forth herein may, at the option of the CITY, result in denial of any and all compensation to the DEVELOPER.

3. In addition, it is expressly agreed that any compensation is conditioned upon the following:

(a) Compensation is limited to costs attributable to water and/or wastewater facilities described in Exhibit 1, less all administrative costs incurred by the CITY. In no event will compensation exceed the actual cost to the DEVELOPER of extending or replacing the water and/or wastewater facilities.

(b) Compensation shall not include any interest charges.

Acceptance of the water and/or wastewater facilities for purposes of compensation as set forth in this agreement shall be evidenced by written notice of a letter from the Public Works Department of the CITY and directed to the DEVELOPER at the address set forth in the first paragraph of this agreement.

4. The CITY, by this agreement, is not guaranteeing that full compensation by the CITY to the DEVELOPER will be made. The CITY is only agreeing that it will develop a plan under its Water/Wastewater Extension Policy and Utilities Fees Practice that will recommend that compensation for water and/or wastewater facilities which have been extended or replaced at the DEVELOPER'S expense will be made as set forth herein. Compensation does not apply to additional extensions or replacements of the water and/or wastewater facilities. Compensation shall be based upon the final total project costs.

5. The address for mailing compensation to the DEVELOPER shall be that address specified in the first paragraph of this agreement. Any change in address of the DEVELOPER shall be sent to the Public Works Director of the City of Billings at P.O. Box 1178, Billings, MT 59103. The designation of a new address shall be accompanied by a copy of this agreement.

6. This agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their successors and assigns.

DATED this _____ day of _____, 20___.

DEVELOPER

By _____
Michael D. Stock / Developer

CITY OF BILLINGS

By _____
Mayor

ATTEST:

_____
City Clerk

SANDERSON STEWART

Date: March 5, 2013
Project No.: 07054.10

City of Billings Contribution
for
Private Contract No. 647 Sanitary Sewer

Private Contract No. 647 Schedule I - Sanitary Sewer

Western Municipal Construction, Inc. January 22, 2013 Bid Price (less sanitary sewer services) (See Attached Bid Tab)	=	$156,340.00
Total Construction Cost	=	**$156,340.00**

Administrative Fees

Engineering Services* (Design, Staking, Construction Observation & Construction Admin.)	=	$27,160.00
Private Contract Fee (2.5% of $156,340.00)	=	$3,908.50
Total Administrative Fees	=	**$31,068.50**
Grand Total for P-647 Schedule I - Sanitary Sewer	=	**$187,408.50**

Notes:
**Engineering Service Fee is based on the August 27, 2012 and February 15, 2013 Agreements between Stock Development and Sanderson Stewart*

BID TABULATION

1/22/2013

PROJECT: **P-647 - Lots 1 & 2, Block 1, Lenhardt Square Subd., 1st Filing**
S.S. PROJECT NO.: **07054.10**

BID DATE: **January 22, 2013**
BID TIME: **2:00 PM CDST**

BID DATE: **January 22, 2013**
BID TIME: **2:00 PM CDST**

BY: SANDERSON STEWART
For: Stock Development

ITEM NO.	EST. QTY.	DESCRIPTION	Engineer's Estimate UNIT PRICE $	Engineer's Estimate TOTAL PRICE $	Western Municipal Construction UNIT PRICE $	Western Municipal Construction TOTAL PRICE $	COP Construction LLC UNIT PRICE $	COP Construction LLC TOTAL PRICE $	SS - Low Bid $	High $	Low $	Average $	Median $
SCHEDULE I - Utility Improvements													
101	1 LS	Mobilization and Insurance	$15,000.00 / LS =	15,000.00	$6,304.00 / LS =	6,304.00	$18,000.00 / LS =	18,000.00	8,696.00	18,000.00	0.00	2,571.43	0.00
102	1 LS	Traffic Control	$1.00 LS	1.00	$1.00 LS	1.00	$1,200.00 LS	1,200.00	0.00	1,200.00	0.00	171.43	0.00
103	1 LS	Dewatering	$45,000.00 LS	45,000.00	$51,000.00 LS	51,000.00	$46,000.00 LS	46,000.00	-6,000.00	46,000.00	0.00	6,571.43	0.00
104	1 EA	Connect to Existing 18-inch Sanitary Sewer Main	$3,500.00 EA	3,500.00	$1,700.00 EA	1,700.00	$5,000.00 EA	5,000.00	1,800.00	5,000.00	0.00	714.29	0.00
105	153 LF	18-inch Sanitary Sewer Main	$54.00 LF	8,262.00	$64.00 LF	9,792.00	$65.00 LF	9,945.00	-1,530.00	9,945.00	0.00	1,420.71	0.00
106	1,217 LF	15-inch Sanitary Sewer Main	$47.00 LF	57,199.00	$49.00 LF	59,633.00	$54.00 LF	65,718.00	-2,434.00	65,718.00	0.00	9,388.29	0.00
107	7 EA	Sanitary Sewer Manhole	$2,200.00 EA	15,400.00	$2,580.00 EA	18,060.00	$3,600.00 EA	25,200.00	-2,660.00	25,200.00	0.00	3,600.00	0.00
108	70 VF	Extra Depth Sanitary Sewer Manhole	$105.00 VF	7,350.00	$110.00 VF	7,700.00	$85.00 VF	5,950.00	-350.00	5,950.00	0.00	850.00	0.00
109	2 EA	Trench Plugs	$1,000.00 EA	2,000.00	$600.00 EA	1,200.00	$800.00 EA	1,600.00	800.00	1,600.00	0.00	228.57	0.00
110	1 EA	18-inch Sanitary Sewer Cap	$600.00 EA	600.00	$450.00 EA	450.00	$400.00 EA	400.00	150.00	400.00	0.00	57.14	0.00
111	1 EA	15-inch Sanitary Sewer Cap	$500.00 EA	500.00	$400.00 EA	400.00	$350.00 EA	350.00	100.00	350.00	0.00	50.00	0.00
112	1 EA	6-inch Sanitary Sewer Service	$1,000.00 EA	1,000.00	$350.00 EA	350.00	$650.00 EA	650.00	650.00	650.00	0.00	92.86	0.00
113	44 LF	6-inch Sanitary Sewer Pipe	$30.00 / LF =	1,320.00	$35.00 / LF =	1,540.00	$37.00 / LF =	1,628.00	-220.00	1,628.00	0.00	232.57	0.00
114	2 EA	8-inch Sanitary Sewer Service	$1,000.00 / EA =	2,000.00	$450.00 / EA =	900.00	$750.00 / EA =	1,500.00	1,100.00	1,500.00	0.00	214.29	0.00
115	110 LF	8-inch Sanitary Sewer Pipe	$35.00 LF	3,850.00	$35.00 LF	3,850.00	$39.00 LF	4,290.00	0.00	4,290.00	0.00	612.86	0.00
116	1 EA	6-inch Sanitary Sewer Cap	$500.00 EA	500.00	$30.00 EA	30.00	$100.00 EA	100.00	470.00	100.00	0.00	14.29	0.00
117	2 EA	8-inch Sanitary Sewer Cap	$600.00 EA	1,200.00	$50.00 EA	100.00	$125.00 EA	250.00	1,100.00	250.00	0.00	35.71	0.00
118	100 CY	Type II Bedding (If Required)	$20.00 CY	2,000.00	$1.00 CY	100.00	$10.00 CY	1,000.00	1,900.00	1,000.00	0.00	142.86	0.00
		TOTAL FOR SCHEDULE I - Utility Improvements		**$166,682.00**		**$163,110.00**		**$188,781.00**	**3,572.00**	**188,781.00**	**0.00**	**26,968.71**	**0.00**
		Percent Over Engineer's Estimate				-2.2%		11.7%					

c: Engineer, Owner, Bid Tabs Book

EXHIBIT 1

UNPLATTED

C/S 2828

C/S 3358

SEGMENT "D" ⟷ P-649

DRAINAGE DITCH RIGHT-OF-WAY

SHILOH DRAIN DITCH EASEMENT

203

202

MONAD ROAD

SEGMENT "C" ⟷ SEGMENT "D"

PROPOSED IMPROVEMENTS BY PRIVATE CONTRACT No. 649

TRACT 2A

LOT 1

BUILDING C

BUILDING D

GARAGES

PLAYGROUND

8

7

- BLOCK 2 -

6

5

4

MARILAC STREET

9

ST. VINCENT HEALTHCARE SUBDIVISION

PARK

HENRY CHAPPLE STREET

1

2

- BLOCK 4 -

3

4

OLYMPIC PARK SUB.

SHILOH ROAD

51

DECATHLON PARKWAY

SAINT VINCENT WAY

- BLOCK 3 -

- BLOCK 1 -

OLYMPIC PARK SUB.

52

C/S 2063 AM.

SEGMENT "C"

SEGMENT "B"

SEGMENT "A"

S. 44TH ST. WEST

TRACT 3A

LOT 2

- BLOCK 1 -

LENHARDT SQUARE SUBDIVISION, FIRST FILING

P-647 SCHEDULE I - SANITARY SEWER

LOT 3

LOT 2

SECOND FIL

LOT 4

200

201

205

206

NORTH

100 50 0 100 200

1" = 100'

ISSUED FOR CONTRUCTION - SCHEDULE I - SANITARY SEWER

FOR REVIEW ONLY - SCHEDULES II & III

PROJECT SURVEY CONTROL

Point #	Northing	Easting	Elevation	Description
51	36689.3426	47718.4134	3247.944	2J 2IN ACR MDOT CP 2002
52	35070.2337	47353.6324	3246.545	J10 31 2IN ACR MDOT CP 2009
200	35682.1282	45024.6759	3250.812	PC YCR 8377-S
201	35684.8853	45575.9599	3249.037	PC YCR 8377-LS
202	37616.4083	45571.5712	3254.391	PC YCR SSG ENG
203	37619.7684	45026.6458	3258.349	PC YCR SSG ENG
205	35000.5931	45000.1419	3251.958	QC S1/4 SEC10 3/4IN RBR NO CAP
206	35061.7773	45577.3935	3249.526	PC YCR SS 8377

NOTE:

-EXISTING UNDERGROUND INSTALLATIONS & PRIVATE UTILITIES SHOWN ARE INDICATED ACCORDING TO THE BEST INFORMATION AVAILABLE TO THE ENGINEER. THE ENGINEER DOES NOT GUARANTEE THE ACCURACY OF SUCH INFORMATION. SERVICE LINES (WATER, POWER, GAS, STORM, SEWER, TELEPHONE & TELEWSON) MAY NOT BE STRAIGHT LINES OR AS INDICATED ON THE PLANS. STATE LAW REQUIRES CONTRACTOR TO CALL ALL UTILITY COMPANIES BEFORE EXCAVATION FOR EXACT LOCATIONS.

-ALL IMPROVEMENTS SHALL BE PERFORMED IN ACCORDANCE WITH MONTANA PUBLIC WORKS STANDARD SPECIFICATIONS 6TH EDITION, APRIL, 2010, AND THE CITY OF BILLINGS STANDARD MODIFICATIONS MANUAL, DATED FEBRUARY, 2011.

-UNLESS OTHERWISE SPECIFIED, ALL CONSTRUCTION LAYOUT AND STAKING SHALL BE PERFORMED UNDER THE RESPONSIBLE CHARGE OF A LAND SURVEYOR LICENSED IN THE STATE OF MONTANA AND BY A PARTY CHIEF OR ENGINEERING TECHNICIAN EXPERIENCED IN CONSTRUCTION LAYOUT AND STAKING TECHNIQUES AS ARE REQUIRED BY THE SPECIFIC TYPE OF WORK BEING PERFORMED.

SANDERSON STEWART
www.sandersonstewart.com

MONTANA
PATRICK J. DAVIES 14101 PE
LICENSED PROFESSIONAL ENGINEER

PRIVATE CONTRACT No. 647
TO PROVIDE WATER, SANITARY SEWER, STORM DRAIN AND STREET IMPROVEMENTS FOR LOTS 1 AND 2, BLOCK 1, LENHARDT SQUARE SUBDIVISION, FIRST FILING
BILLINGS, MONTANA

OVERALL SITE PLAN

C.A.D. ATV
DATE: 03/01/13
REVISIONS:

APPROVED BY: PJD
QUALITY ASSURANCE: TB – 12/15/12

SCALE: AS SHOWN
FILE: 07054_10_P647-BASE
PROJECT NO.: 07054.10
SHEET 2 OF 13

P:\PROJ MANAGEMENT\07054_10 P647 Lenhardt Square PVT\CADD\CIVIL\BASE DWG\07054_10 P647 BASE.dwg, SHT 02, 2/20/2013 4:09:43 PM, swerkmeister, ARCH D (24.00 x 36.00 Inches)

Consent **1. D.**

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: W.O. 12-43 Water Treatment Plant Backup Power Phase III, Contract Amendment No. 1

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Staff is requesting that the City Council consider authorizing and executing a Contract Amendment for Professional Services with HDR Engineering to provide design and construction administration services for W.O. 12-43 Water Treatment Plant (WTP) Backup Power Phase III. The purpose of this project is to provide backup power and electrical upgrades to the Voelker, Willett, Chapple, Staples, and Leavens Pump Stations in the City's water distribution system.

Part of the original contract scope was to replace the variable frequency drives (VFDs) at the Chapple Pump Station. The VFDs are in the middle of the motor control center (MCC). However, since the MCC is over 30 years old and near the end of its useful life, staff recommends replacing the entire MCC and associated wiring.

In addition, provisions will be made for providing longer term backup power to the control panels and necessary instruments at the Staples and Walters Pump Stations. The existing control panels have short term backup power, but in the event of a system power outage backup power would be needed for a longer duration. Pump control valves will also be modified to make them more reliable at the Voelker Pump Station.

ALTERNATIVES ANALYZED

The Council may:

- Authorize Contract Amendment No. 1 with HDR Engineering in the amount of $53,600; or
- Do not authorize the Contract Amendment No. 1.

FINANCIAL IMPACT

Funds for Contract Amendment No. 1 are available from Water Funds budgeted in FY13. If approved, the Professional Services Contract with HDR Engineering will total $135,700.00.

RECOMMENDATION

Staff recommends that Council authorize Contract Amendment No. 1 with HDR Engineering in the amount of $53,600.00.

APPROVED BY CITY ADMINISTRATOR

Attachments

Contract Amendment No. 1

AMENDMENT NO. 1

TO

CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES

W.O. 12-43

WTP BACKUP POWER PHASE III

THIS AGREEMENT, made and entered into on December 17, 2012, by and between the following:

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

and

HDR Engineering, Inc.
2913 Millenium Circle
Billings, Montana 59102
Hereinafter designated the Contractor

WITNESSETH:

WHEREAS, the City and Contractor have entered into a contract dated December 17, 2012, for Contractor to provide engineering services to the City for Work Order 12-43 WTP Backup Power Phase III, and;

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

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

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

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

Part I, Section 4. is amended as follows:

Increase the amount of compensation by Fifty Three Thousand Six Hundred and no/100 DOLLLARS ($53,600.00) to One Hundred Thirty Five Thousand Seven Hundred and no/100 DOLLARS ($135,700.00).

Appendix A, Section 3. Add the following to the Scope of Work, Backup Power at Voelker Pump Station:

- Modify controls so that pump control valves are opened and closed from relay in MCC. Include timer for delaying pump shutting on off until pump control valve is closed. Make changes for all four pumps.
- Remove Devicenet

Appendix A, Section 3. Add the following to the Scope of Work, Chapple Pump Station Electrical Upgrades:

- Replace existing MCC.
- Replace wiring from MCC to first device.

Appendix A, Section 3. Add the following to the Scope of Work:

- Backup Power at Staples Pump Station and Walters Pump Station
  - Provide a small household generator to provide backup power to the Control Panel and any crucial instruments not powered by the Control Panel.
  - Provide new wiring and potentially a lighting panel to instruments requiring backup power
  - Provide an automatic transfer switch to switch the UPS power source from the MCC lighting panel to the household generator.

Appendix A, Section 3. Detail Scope of Services, Task 403. Change Construction Observation hours from 131 to 221.

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

CONSULTANT

NAME: _____

BY: _____

TITLE: _____

DATE: _____

CITY OF BILLINGS, MONTANA

BY: _____
Mayor

DATE: _____

Consent **1. E.**

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: W.O. 09-12, Inner Belt Loop -Right-of-Way Acquisition - Parcel No. 8
PRESENTED BY: David Mumford
Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

W.O. 09-12 Inner Belt Loop will construct an arterial road from Wicks Lane to Alkali Creek Road as part of the Phase I construction. No right-of-way exists through this corridor and therefore it must be obtained as part of the project. The subject parcel is located in the East half of the Southeast Quarter of Section 18, Township 1 North, Range 26 East, is owned by the State of Montana and is managed by the Montana Department of Natural Resources and Conservation (DNRC). Staff submitted the Right-of-Way Application to DNRC and the State Board of Land Commissioners approved the application.

City staff has been negotiating with the DNRC to purchase Right-of-Way. Right-of-Way to be acquired is shown in Exhibit A of the Right-of-Way Deed. The Right-of-Way for this parcel was appraised and the fair market value of the property was determined to be $8,400.00.

ALTERNATIVES ANALYZED

The Council may:

- Approve the Right-of-Way Deed with the Montana Department of Natural Resources and authorize the mayor to sign, or;
- Do not approve the Right-of-Way Deed with the Montana Department of Natural Resources. If the Right-of-Way Deed is not approved, the Inner Belt Loop cannot be constructed or would have to be rerouted.

FINANCIAL IMPACT

The cost of the right-of-way from the Montana Department of Natural Resources is $8,400.00. Arterial funds will be used to purchase the property.

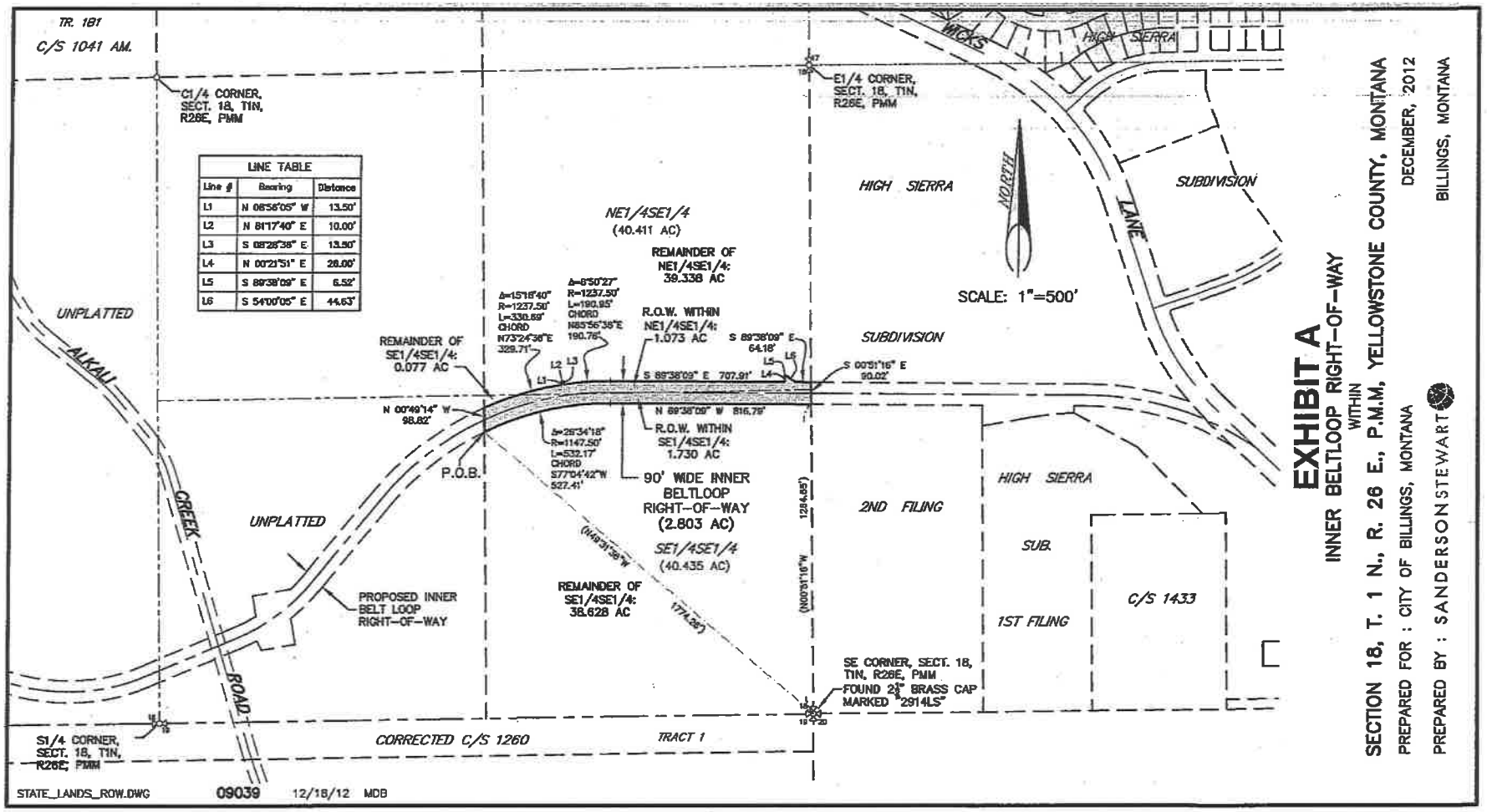
RECOMMENDATION

Staff recommends that the City Council approve the Right-of-Way Deed with the Montana Department of Natural Resources for $8,400.00 and authorize the Mayor to sign the Right-of-Way Deed.

APPROVED BY CITY ADMINISTRATOR

Attachments

Right-of-Way Exhibit


TR. 181
C/S 1041 AM.
C1/4 CORNER, SECT. 18, T1N, R26E, PMM
E1/4 CORNER, SECT. 18, T1N, R26E, PMM
S1/4 CORNER, SECT. 18, T1N, R26E, PMM
SE CORNER, SECT. 18, T1N, R26E, PMM FOUND 2½" BRASS CAP MARKED "2914LS"
LINE TABLE
Line # | Bearing | Distance
L1 | N 06°56'05" W | 13.50'
L2 | N 81°17'40" E | 10.00'
L3 | S 08°28'38" E | 13.50'
L4 | N 00°21'51" E | 28.00'
L5 | S 89°38'09" E | 6.52'
L6 | S 54°00'05" E | 44.63'
NE1/4SE1/4 (40.411 AC)
REMAINDER OF NE1/4SE1/4: 39.338 AC
R.O.W. WITHIN NE1/4SE1/4: 1.073 AC
REMAINDER OF SE1/4SE1/4: 0.077 AC
R.O.W. WITHIN SE1/4SE1/4: 1.730 AC
90' WIDE INNER BELTLOOP RIGHT-OF-WAY (2.803 AC)
SE1/4SE1/4 (40.435 AC)
REMAINDER OF SE1/4SE1/4: 38.628 AC
PROPOSED INNER BELT LOOP RIGHT-OF-WAY
P.O.B.
Δ=15°18'40" R=1237.50' L=330.69' CHORD N73°24'36"E 329.71'
Δ=8°50'27" R=1237.50' L=190.95' CHORD N85°56'38"E 190.76'
Δ=25°34'18" R=1147.50' L=532.17' CHORD S77°04'42"W 527.41'
S 89°38'09" E 707.91'
S 89°38'09" E 64.18'
S 00°51'15" E 90.02'
N 00°49'14" W 98.82'
N 89°38'09" W 816.79'
(N49°31'38"W 1774.26')
(N00°31'16"W 1264.65')
UNPLATTED
ALKALI CREEK ROAD
HIGH SIERRA
SUBDIVISION
LANE
WICKS
2ND FILING
SUB.
1ST FILING
C/S 1433
CORRECTED C/S 1260
TRACT 1
NORTH
SCALE: 1"=500'
EXHIBIT A
INNER BELTLOOP RIGHT-OF-WAY
WITHIN
SECTION 18, T. 1 N., R. 26 E., P.M.M, YELLOWSTONE COUNTY, MONTANA
PREPARED FOR : CITY OF BILLINGS, MONTANA
DECEMBER, 2012
PREPARED BY : SANDERSON STEWART
BILLINGS, MONTANA
STATE_LANDS_ROW.DWG
09039
12/18/12 MDB

Consent **1. F.**

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: Housing Rehab Loan Program - Subordination - Stefanie M. Ruegamer

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

Stefanie M. Ruegamer qualified for and received a Housing Rehabilitation Deferred Loan for $20,000 in August 2009. The loan was modified in January 2010 decreasing the principal balance to $19,980.61. The loan does not have to be repaid as long as Ms. Ruegamer remains the owner/occupant of the property. The loan is to be 100% repaid when the property is sold or when the owner no longer occupies the property. Ms. Ruegamer requested the City subordinate its lien to a new first mortgage with a lower current interest rate and will follow the City's subordination policy, which requires a 0% payback of the Rehabilitation Loan. Ms. Ruegamer will not roll over additional debt into the first mortgage and the City's position will not be affected by this action.

ALTERNATIVES ANALYZED

Council may:

- Approve the subordination request to subordinate $19,980.61 interest in the property in a second position to a new first mortgage;
- Do not approve the subordination request which could result in the homeowner not being able to refinance in order to benefit from the current low interest rates.

FINANCIAL IMPACT

Staff proposes that the City subordinate $19,980.61 of its interest to a new first mortgage from Little Horn State Bank not to exceed $98,000 that will refinance existing debt on the property. The property recently appraised for $129,400. The City will retain its $19,980.61 interest in the property in second position, and the City is still protected by the current value of the home.

RECOMMENDATION

Staff recommends that Council subordinate the City's lien securing a $19,980.61 CDBG Housing Rehabilitation Deferred Loan to Stefanie M. Ruegamer, 1648 Lewis Avenue.

APPROVED BY CITY ADMINISTRATOR

Attachments

Subordination Agreement - Ruegamer

Please Return To:

City of Billings
Community Development Division
P.O. Box 1178
Billings, Montana 59103

SUBORDINATION AGREEMENT

Comes now, The City of Billings, a Municipal Corporation, organized under the laws of the State of Montana, represents that it is the secured party under the provisions of a certain Trust Indenture dated July 31, 2009 executed by Stefanie M. Ruegamer as Grantor, and the City Attorney, Brent Brooks, as trustee, recorded August 11, 2009 under Document 3519613, which was made to secure an indebtedness of $20,000 and modified by an Agreement of Modification dated January 29, 2010 and recorder February 3, 2010 decreasing the principal balance to $19,980.61 in the records of the Clerk and Recorder for Yellowstone County, Montana

DO HEREBY SUBORDINATE the lien of said Trust Indenture and Agreement of Modification to the lien and obligation of a Trust Indenture wherein US Bank is named as Beneficiary, Stefanie M. Ruegamer is Grantor, and Universal Lending, ISAOA is Trustee, dated _____ and recorded _____ under document number _____ Yellowstone County Montana.

The intent of the undersigned is to subordinate the first above described Trust Indenture to the new lien not to exceed $98,000 ONLY as it is related to the below described real property; and to retain the priority position of the first above described Trust Indenture as to all other real property described herein; to wit:

> Lot 13, EXCEPT the South 5 feet thereof, Block 1, of Burg Subdivision, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document #461250

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____ 2013.

CITY OF BILLINGS

By:_____, Mayor

ATTEST:_____, City Clerk

ACKNOWLEDGEMENT

STATE OF MONTANA)
: ss.
County of Yellowstone)

On this _____day of _____, 2013, before me, a Notary Public for the State of Montana, personally appeared THOMAS W. HANEL and CARI MARTIN, known to be to be the Mayor and City Clerk respectively of the City of Billings, and whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

_____

Consent **1. G.**

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Donation Acceptance for Project Homelessness
PRESENTED BY: Brenda Beckett
Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The Community Development Division is requesting approval to accept $500 donations from Stockman Bank and First Montana Title (total $1,000) to support a Billings Metro VISTA Project initiative - Project Homelessness.

Since July 2012, two AmeriCorps VISTA members have been interviewing homeless children and young adults about their challenges and triumphs. Those interviews were given to two local playwrights to create a script about the realities of being young and homeless in Billings. The resulting play, “And I Know…” will be opening at Venture Theatre in April 2013 and was recently featured in the Billings Gazette.

These donations would: provide services to individuals experiencing homeless at the 2014 Billings Community Connect, formerly known as Project Homeless Connect; provide Youth Conservatory financial aid to disadvantaged children; and pay for production and marketing costs.

ALTERNATIVES ANALYZED

The City Council may accept the donations or not accept the donations. If unable to accept the donation, Billings Community Connect would not be able to receive funding which helps connect services to those in need in our community.

FINANCIAL IMPACT

The City is not required to match the donation. Financial impact is limited to costs incurred following donations specific to Project Homelessness and Billings Community Connect.

RECOMMENDATION

Staff recommends that the City Council accept the $500 donations from Stockman Bank and First Montana Title (total $1,000) to support Project Homelessness.

APPROVED BY CITY ADMINISTRATOR

Consent **1. H.**

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: SID 1395 Boca Raton Road Resolution of Intent to Create District and Set a Public Hearing

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Ron Hill, owner of 22 of the 27 lots proposed in the SID 1395 district boundary, has the desire to construct public improvements on Boca Raton Road between Annandale Road and Clubhouse Way and a short extension of Annandale Road. These improvements generally consist of water, sanitary sewer, storm drain, curb and gutter, and street improvements to Boca Raton Road and Annandale Road. Ron Hill will be paying a cash contribution for his lots which represents 68% of the total cost of the SID. This is necessary to meet the requirements of the City's Raw Land District Requirements (Resolution No. 87-15592). The city will be making a cash contribution in amount of $127,569.99 to the project. This will pay for the city's portion of Annandale Road due to the fact that it is classified as an arterial street.

ALTERNATIVES ANALYZED

The Council may:

• Approve the Resolution of Intent to Create SID 1395 and set a public hearing for the May 13, 2013, City Council Meeting; or
• Not approve the Resolution of Intent to Create SID 1395.

FINANCIAL IMPACT

The total estimated costs of the Improvements are $978,415.33. The costs of the Improvements are to be paid from the following sources: (1) $182,000.00 of Special Improvement District bonds; (2) $668,845.34 of cash contribution by Ron Hill, owner of 22 of the 27 lots in the District; and (3) $127,569.99 of cash contribution from the City of Billings out of storm drain and gas tax funds.

RECOMMENDATION

Staff recommends that Council approve the Resolution of Intent to Create SID 1395 and set a public hearing date for May 13, 2013.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution of Intent

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 SPECIAL IMPROVEMENT DISTRICT NO. 1395; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND** (the Resolution" was duly adopted by the City Council of the City at a meeting on April 22, 2013 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 Councilmembers voted in favor thereof: _____
_____;
voted against the same: _____
_____;
or were absent: _____.

WITNESS my hand officially this _____ day of _____, 20____.

_____
Cari Martin City Clerk

RESOLUTION NO. 13-_____

RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1395; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND

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

Section 1. Proposed Improvements; Intention To Create District. The City proposes to undertake certain local Improvements (the "Improvements") to benefit certain property located in the City. The Improvements consist of the construction of Boca Raton Road, as more particularly described in Section 5. The total estimated costs of the Improvements are $978,415.33. The costs of the Improvements are to be paid from the following sources: (1) $182,000.00 of Special Improvement District bonds hereinafter described; (2) $668,845.34 of cash contribution by Ron Hill, the owner of 22 of the 27 lots in the District; and (3) $127,569.99 of cash contribution by the City of Billings, as more particularly described in Sections 6 and 9(f). It is the intention of this Council to create and establish in the City under Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, a Special Improvement District (the "District") for the purpose of financing costs of the Improvements and paying costs incidental thereto, including costs associated with the sale and the security of Special Improvement District bonds drawn on the District (the "Bonds"), the creation and administration of the District, the funding of a deposit to the City's Special Improvement District Revolving Fund (the "Revolving Fund"). The total estimated costs of the Improvements, including such incidental costs, to be financed by the Bonds are $182,000.00. The Bonds are to be payable primarily from special assessments to be levied against property in the District, which property will be specially benefited by the Improvements.

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as Special Improvement District No. 1395 of the City of Billings, Montana.

Section 3. Boundaries of District. The limits and boundaries of the District are depicted on a map attached as Exhibit A hereto (which is hereby incorporated herein and made a part hereof) and more particularly described on Exhibit B hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on Exhibit F hereto (which are hereby incorporated herein and made a part hereof).

Section 4. Benefited Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibits A, B, and F are hereby declared to be the Special Improvement District and the territory which will benefit and be benefited by the Improvements and will be assessed for the costs of the Improvements as described in Section 7.

Section 5. General Character of the Improvements. The general character of the Improvements, as shown in Exhibit E, is the construction of curb and gutter, sanitary sewer mains, sanitary sewer services, water mains, water services, and necessary street improvements fronting Lots on Boca Raton Road between Clubhouse Way and Annandale Road

Section 6. Engineer and Estimated Cost. The Engineer for this project will be Sanderson Stewart who was chosen from a list of pre-approved consultants. Sanderson Stewart has estimated that the costs of the Improvements, including all incidental costs, are $978,415.33.

Section 7. Assessment Methods.

7.1. Property to be Assessed. All properties within the district are to be assessed for the costs of the Improvements, as specified herein. The costs of the Improvements shall be assessed against the property in the District benefiting from the Improvements based on the equal amount methods described in Section 7-12-4162, M.C.A., as particularly applied and set forth in this Section 7.

7.1.1 Equal Amount Method.

Assessment #1 will include the construction of water and water service, sanitary sewer and sanitary sewer services, and street improvements in Boca Raton Road and Annandale Road. The properties to be assessed for these improvements include Lake Hills Subdivision 14th Filing, Block 44, Lot 13, Block 46, Lots 18-27, Block 47, Lots 1-7, 20; Lake Hills Subdivision 15th Filing, Block 47, Lots 8-10, Block 46, Lots 15-17, Block 19, Lots 6 & 7. For the purposes of equitably apportioning special benefit to each lot, tract or parcel of land in the District, as above-mentioned, the Engineer has determined that each lot, tract, or parcel of land, receiving water, sanitary sewer, and street improvements, shall equally bear the costs of the water, sanitary sewer, and street improvements as set forth in Part III hereto to arrive at an equal cost for the water, sanitary sewer, and street improvements. The total estimated cost of Assessment #1 is $182,000.00 and shall be assessed against each lot, tract, or parcel of land within the District, as above-mentioned, receiving water, sanitary sewer, and street improvements and not paying a cash contribution, on an equal amount basis based on the bid price to be received. The equal amount assessment is estimated to be $36,400.00. The remaining parcels within Assessment #1 are owned by Ron Hill, which will be making a cash contribution for their assessment for a total of $668,845.34.

7.2. Assessment Methodologies Equitable and Consistent With Benefit. This Council hereby determines that the methods of assessment and the assessment of costs of the specific improvements against the properties benefited thereby as prescribed in this Section 7 are equitable in proportion to and not exceeding the special benefits derived from the respective improvements by the lots, tracts, and parcels to be assessed therefore within the District.

Section 8. Payment of Assessments. The special assessments for the costs of the Improvements shall be payable over a term not exceeding 15 years, each in equal semiannual installments of principal, plus interest, or equal semiannual payments of principal and interest, as this Council shall prescribe in the resolution authorizing the issuance of the Bonds. Property Owners have the right to prepay assessments as provided by law. Further, all owners shall have the opportunity to prepay their assessments prior to sale of the SID bonds.

Section 9. Method of Financing; Pledge of Revolving Fund; Findings and Determinations. The City will issue the Bonds in an aggregate principal amount not to exceed $182,000.00 in order to finance the costs of the Improvements. Principal of and interest on the Bonds will be paid from special assessments levied against the properties in the District. This Council further finds 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 Revolving Fund and hereby authorizes the city to enter into the undertakings and agreements authorized in Section 7-12-4225 in respect of the Bonds.

In determining to authorize such undertakings and agreements, this Council has taken into consideration the following factors:

(a) **Estimated Market Value of Parcels**. The estimated market value of the lots, parcels, or tracts in the District as of the date of adoption of this resolution, as estimated, by the County Assessor for property tax purposes ranges from $4,086.00 to $4,897.00, and is set forth in Exhibit F. The average market value is $4,421.56 with the median being $4,402.00. The special assessments to be levied under Section 7 against each lot, parcel, or tract in the District is less than the increase in estimated value of the lot, parcel, or tract as a result of the construction of the Improvements.

(b) **Diversity of Property Ownership**. There are a total of 27 parcels within the district boundaries. No improvements, public or private, are located on any of the parcels within the District. Twenty-two (22) of these parcels are owned by Ron Hill. Schneiter Enterprises owns two parcels, and the remaining 3 parcels are owned by separate owners.

(c) **Comparison of Special Assessments and Property Taxes and Market Value**. Based on an analysis of the aggregate amount of the proposed, any outstanding special assessments (whether or not delinquent), and any delinquent property taxes (as well as any known industrial development bonds theretofore issued and secured by a mortgage against a parcel in the District) against each lot, parcel, or tract in the District in comparison to the estimated market value of such lot, parcel, or tract after the Improvements, the City concludes that, overall, the estimated market value of the lots, tracts, or parcels of land in the District exceeds the sum of special assessments, delinquent property taxes, and current assessments and is set forth in Exhibit F.

(d) **Delinquencies**. An analysis of the amount of delinquencies in the payment of outstanding special assessments or property taxes levied against the properties in the District shows that of 27 properties, zero (0) properties were delinquent, and is set forth in Exhibit F.

(e) **The Public Benefit of the Improvements**. The total estimated costs of the Improvements are $978,970.88. The costs of the Improvements are to be paid from the following sources: (1) $182,000.00 of Special Improvement District bonds hereinafter described; (2) $666,400.90 of cash contribution by Ron Hill, the owner of 22 of the 27 lots in the District; and (3) $130,569.99 of cash contribution by the City of Billings. One property is zoned Community Commercial, one property is zoned Residential 6000, and the remaining properties within the District are zoned Residential 9600. The public improvements contemplated under the terms of this proposed District are required by the City Subdivision, Site Development and Zoning Ordinances in order for the parcels to develop.

(f) **Other Factors**. As previously noted, Ron Hill., owner of 22 of the 27 lots in the District will pay a cash contribution of $668,845.34 and the City of Billings will pay a cash contribution of $127,569.99 to the project. The cash contribution represents 81 percent of the construction and administrative costs of the Improvements. This condition is necessary to satisfy the City's Special Improvement District Policy regarding raw land subdivision.

As shown on Exhibit F, four properties are being assessed for SID 1368 which will be paid off in the year 2021. SID 1368 constructed storm drain improvements serving these properties.

Section 10. Reimbursement Expenditures.

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

10.02. Prior Expenditures. Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a "de minimus" amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Improvements have been paid by the City before the date 60 days before the date of adoption of this resolution.

10.03. Declaration of Intent. The City reasonably expects to reimburse the expenditures made for costs of the Improvements out of the proceeds of Bonds in an estimated maximum aggregate principal amount of $182,000.00 after the date of payment of all or a portion of the costs of the Improvements. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

10.04. Budgetary Matters. As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Improvements, other than pursuant to the issuance of the Bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

10.05. Reimbursement Allocations. The City's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Improvements. Each allocation shall be evidence by an entry on the official books and records of the City maintained for the Bonds or the Improvements and shall specifically identify the actual original expenditure being reimbursed.

Section 11. Public Hearing Protests. At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property within the District subject to assessment and taxation for the cost and expense of making the Improvements may make and file with the City Clerk until 5:00 p.m., M.T., on the expiration date of said 15-day period (May 10, 2013), written protest against the proposed Improvements, or against the extension or creation of the District or both, and this Council will at its next regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said, regular meeting will be held on Monday the 13th day of May 2013, at 6:30 p.m., in the Council Chambers, at 220 North 27th Street, in Billings, Montana.

Section 12. Notice of Passage of Resolution of Intention. The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the Billings Times, a newspaper of general circulation in the county on April 25 and May 2, 2013, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property within the District listed in his or her name upon the last completed assessment roll for state, county, and school district taxes, at his last-known address, on or before the same day such notice is first published.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 22nd day of April 2013.

_____

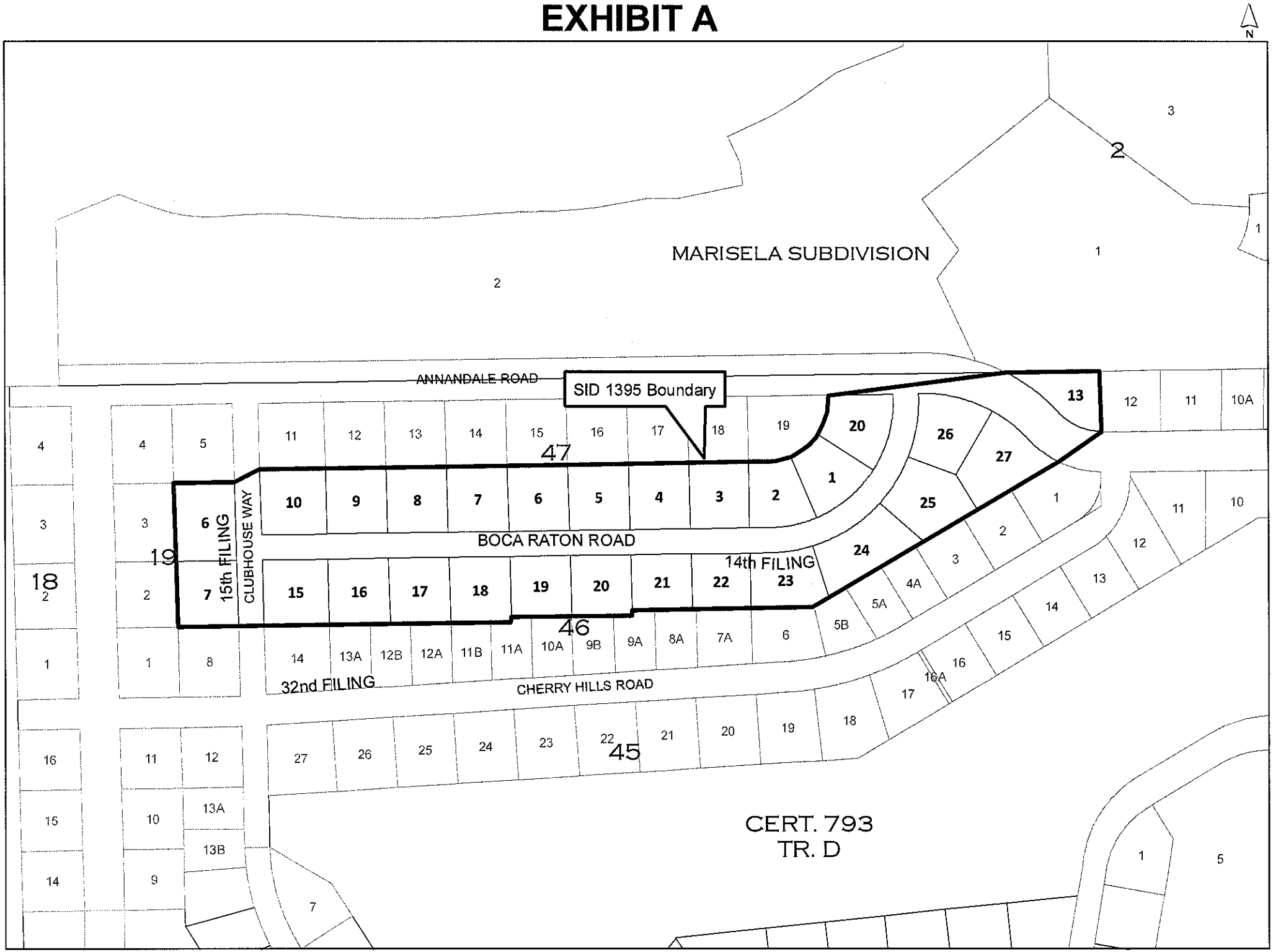
Mayor

Attest:

_____

City Clerk

EXHIBIT A


N
MARISELA SUBDIVISION
ANNANDALE ROAD
SID 1395 Boundary
BOCA RATON ROAD
CLUBHOUSE WAY
15th FILING
14th FILING
32nd FILING
CHERRY HILLS ROAD
CERT. 793
TR. D
47
46
45
19

SID 1395 EXHIBIT B

SID 1395 includes Lake Hills Subdivision 14th Filing, Block 44, Lot 13, Block 46, Lots 18-27, Block 47, Lots 1-7, 20; Lake Hills Subdivision 15th Filing, Block 47, Lots 8-10, Block 46, Lots 15-17, Block 19, Lots 6 & 7.

SID 1395 Boca Raton Road
Exhibit C Engineers Estimate of Probable Cost
Prepared By: City of Billings

Item Number	Description	Quantity	Unit	Engineers Estimate Unit Prices Dollars	Engineers Estimate Amount Dollars	City Contribution Quantity	City Contribution Amount	Assessment #1 Streets & Utilities Quantity	Assessment #1 Streets & Utilities Amount		
101	Mobilization, Bonds, and Insurance	1	LS	$50,078.19	$50,078.19	0.140	$7,010.95	0.860	$43,067.24		
102	Traffic Control	1	LS	$2,000.00	$2,000.00	0.140	$280.00	0.860	$1,720.00		
103	Connect to Existing Sanitary Sewer Manhole	1	EA	$1,500.00	$1,500.00	0.000	$0.00	1.000	$1,500.00		
104	Basic Sanitary Sewer Manhole	13	EA	$2,200.00	$28,600.00	0.000	$0.00	13.000	$28,600.00		
105	Extra Depth Sanitary Sewer Manhole	91	VF	$90.00	$8,190.00	0.000	$0.00	91.000	$8,190.00		
106	8-inch Sanitary Sewer Pipe	1,565	LF	$35.00	$54,775.00	0.000	$0.00	1,565.000	$54,775.00		
107	10-inch Sanitary Sewer Pipe	615	LF	$40.00	$24,600.00	0.000	$0.00	615.000	$24,600.00		
108	6-inch Sanitary Sewer Service	27	EA	$350.00	$9,450.00	0.000	$0.00	27.000	$9,450.00		
109	6-inch Sanitary Sewer Service Pipe	682	LF	$25.00	$17,050.00	0.000	$0.00	682.000	$17,050.00		
110	10-inch Cap and Marker	1	EA	$200.00	$200.00	0.000	$0.00	1.000	$200.00		
111	Connect to Existing 8-inch Water Main	1	EA	$1,300.00	$1,300.00	0.000	$0.00	1.000	$1,300.00		
112	Connect to Existing 12-inch Water Main	1	EA	$1,400.00	$1,400.00	0.000	$0.00	1.000	$1,400.00		
113	8-inch Water Main	1,822	LF	$40.00	$72,880.00	0.000	$0.00	1,822.000	$72,880.00		
114	12-inch Water Main	580	LF	$46.00	$26,680.00	0.000	$0.00	580.000	$26,680.00		
115	8-inch Gate Valves	6	EA	$1,300.00	$7,800.00	0.000	$0.00	6.000	$7,800.00		
116	12-inch Gate Valves	2	EA	$2,000.00	$4,000.00	0.000	$0.00	2.000	$4,000.00		
117	8x8x8-inch Tee	1	EA	$600.00	$600.00	0.000	$0.00	1.000	$600.00		
118	12x12x8-inch Tee	1	EA	$750.00	$750.00	0.000	$0.00	1.000	$750.00		
119	8-inch Horizontal Bend	4	EA	$450.00	$1,800.00	0.000	$0.00	4.000	$1,800.00		
120	12-inch Horizontal Bend	5	EA	$500.00	$2,500.00	0.000	$0.00	5.000	$2,500.00		
121	Fire Hydrant Assembly	5	EA	$4,500.00	$22,500.00	0.000	$0.00	5.000	$22,500.00		
122	8x6-inch Hydrant Tee	4	EA	$500.00	$2,000.00	0.000	$0.00	4.000	$2,000.00		
123	12x6-inch Hydrant Tee	1	EA	$550.00	$550.00	0.000	$0.00	1.000	$550.00		
124	8-inch Plug and Thrust Block	1	EA	$450.00	$450.00	0.000	$0.00	1.000	$450.00		
125	12-inch Plug and Thrust Block	1	EA	$500.00	$500.00	0.000	$0.00	1.000	$500.00		
126	3/4-inch Water Service Complete Including Pipe	27	EA	$1,050.00	$28,350.00	0.000	$0.00	27.000	$28,350.00		
127	Remove & Relocate Existing 2-inch Blowoff Hydran	1	EA	$1,500.00	$1,500.00	0.000	$0.00	1.000	$1,500.00		
128	Connect to Existing Storm Drain Manhole	1	EA	$1,000.00	$1,000.00	1.000	$1,000.00	0.000	$0.00		
129	Basic Storm Drain Manhole	5	EA	$1,800.00	$9,000.00	5.000	$9,000.00	0.000	$0.00		
130	12-inch Storm Drain Pipe	416	LF	$40.00	$16,640.00	416.000	$16,640.00	0.000	$0.00		
131	18-inch Storm Drain Pipe	320	LF	$46.00	$14,720.00	320.000	$14,720.00	0.000	$0.00		
132	Type III Storm Drain Inlets	9	EA	$1,800.00	$16,200.00	9.000	$16,200.00	0.000	$0.00		
133	18-inch Cap and Marker	1	EA	$200.00	$200.00	1.000	$200.00	0.000	$0.00		
134	Adjust Existing Manhole Rim to Grade	3	EA	$200.00	$600.00	3.000	$600.00	0.000	$0.00		
201	Mobilization, Bonds, and Insurance	1	LS	$0.00	$0.00	0.000	$0.00	1.000	$0.00		
202	Traffic Control	1	LS	$0.00	$0.00	0.000	$0.00	1.000	$0.00		
203	Storm Water Management and Erosion Control	1	LS	$8,000.00	$8,000.00	0.000	$0.00	1.000	$8,000.00		
204	Curb and Gutter	4,260	LF	$13.00	$55,380.00	756.000	$9,828.00	3,504.000	$45,552.00		
205	Drive Approach Depression	27	EA	$100.00	$2,700.00	0.000	$0.00	27.000	$2,700.00		
206	Accessibility Ramp	1,213	SF	$8.00	$9,704.00	0.000	$0.00	1,213.000	$9,704.00		
207	Truncated Dome Panel (2'x2')	18	EA	$170.00	$3,060.00	0.000	$0.00	18.000	$3,060.00		
208	Asphalt Removal (Includes Saw Cutting Asphalt)	38	SY	$10.00	$380.00	0.000	$0.00	38.000	$380.00		
209	Asphalt Surface Course (3-inch Section)	5,937	SY	$12.75	$75,696.75	0.000	$0.00	5,937.000	$75,696.75		
210	Asphalt Surface Course (4-inch Section)	2,481	SY	$17.00	$42,177.00	972.000	$16,524.00	1,509.000	$25,653.00		
210	Monument Box	7	EA	$500.00	$3,500.00	0.000	$0.00	7.000	$3,500.00		
211	Street Sign w/ Post	2	EA	$450.00	$900.00	0.000	$0.00	2.000	$900.00		
212	Yellow Epoxy Curb Paint	1	LS	$1,000.00	$1,000.00	0.000	$0.00	1.000	$1,000.00		
213	Unclassified Excavation	4,900	CY	$7.00	$34,300.00	453.000	$3,171.00	4,447.000	$31,129.00		
214	1 1/2-inch Base Course Gravel (12-inches thick)	3,510	CY	$24.00	$84,240.00	340.000	$8,160.00	3,170.000	$76,080.00		
215	3-foot Wide Valley Gutter	90	SF	$10.00	$900.00	0.000	$0.00	90.000	$900.00		
216	Curb Turn Fillet	2	EA	$1,100.00	$2,200.00	0.000	$0.00	2.000	$2,200.00		
217	Sidewalk (4-inch Thick, Includes Base Gravel)	410	SF	$5.00	$2,050.00	410.000	$2,050.00	0.000	$0.00		
218	Remove Existing Wire Fence	365	LF	$2.00	$730.00	0.000	$0.00	365.000	$730.00		
219	New Wire Fence	440	LF	$15.00	$6,600.00	0.000	$0.00	440.000	$6,600.00		
220	Remove & Relocate Road Closed Sign and Nine Button Delineators	2	EA	$800.00	$1,600.00	0.000	$0.00	2.000	$1,600.00		
				Sub-Total	$765,480.94		$105,383.95		$660,096.99		
			Contingency	10%	$76,548.09		$10,538.39		$66,009.70		
			Design and CA		$106,396.60		$11,647.65		$94,748.95		
				Total	**$948,425.63**		**$127,569.99**	**$948,425.63**	**$820,855.65**		
				City Contribution	($127,569.99)		13.45%		86.55%		
				Ron Hill Cash Contribution	($668,845.34)				$820,855.65		
				Subtotal	**$152,010.31**			27 Properties		Ron Hill	
				Finance Fee 2.5%	$4,550.00			Cash Assessment		Cash Contribution	
				Engineering Fee 3.5%	$6,370.00			Per Property	$30,402.06	22 Properties	$668,845.34
				Revolving Fund 5%	$9,100.00			2.5% PC Fee	$760.05		
								Total Cash		Total Ron Hill	
				Bond Discount 2%	$3,640.00			Assessment	**$31,162.11**	Cash Contribution	$685,566.48
				Issuance Costs 3%	$5,460.00						
				Bank Fees	$1,000.00						
				Roundoff	($130.31)						
					$182,000.00			5 Properties Assessment			
								Per Property	$36,400.0000		

SID 1395 Boca Raton Road

Exhibit D Property Owner Description and Assessment

Prepared By: City of Billings

TAX ID	OWNER	OWNER	MAILING ADDRESS	CITY	STATE	ZIP CODE	LOT AREA	ASSESSMENT #1 STREETS & UTILITIES
A22244	Pisauro, Brenda A 961 Franklin South Elgin, Il 60177	PISAURO, BRENDA A	961 FRANKLIN	SOUTH ELGIN	IL	60177	18600	$36,400.00
A22245	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22556	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	13246	
A22599	Hill, Ron S Trustee Po Box 50636 Billings, Mt 59105	HILL, RON S TRUSTEE	PO BOX 50636	BILLINGS	MT	59105	16816	
A22600	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22601	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22602	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22603	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	14400	
A22604	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	14400	
A22605	Disante, Norberto F 15 Argosy Dr Amherst, Ny 14226	DISANTE, NORBERTO F	15 ARGOSY DR	AMHERST	NY	14226	13200	$36,400.00
A22606	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	13200	
A22607	Hill, Ron S - Trustee Of Po Box 50636 Billings, Mt 59105	HILL, RON S - TRUSTEE OF	PO BOX 50636	BILLINGS	MT	59105	15860	
A22608	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	19277	
A22609	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	17831	
A22610	Schneiter Enterprises 8858 S 1240 E Sandy, Ut 84094	SCHNEITER ENTERPRISES	8858 S 1240 E	SANDY	UT	84094	16530	$36,400.00
A22611	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	19355	
A22612	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	14272	
A22613	Hill, Ron S Trustee Po Box 50636 Billings, Mt 59105	HILL, RON S TRUSTEE	PO BOX 50636	BILLINGS	MT	59105	14358	
A22614	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22615	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22616	Schneiter Enterprises 8858 S 1240 E Sandy, Ut 84094	SCHNEITER ENTERPRISES	8858 S 1240 E	SANDY	UT	84094	15600	$36,400.00
A22617	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22618	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22619	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22620	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	15600	
A22621	Ron S Hill Living Trust Po Box 50636 Billings, Mt 59105	RON S HILL LIVING TRUST	PO BOX 50636	BILLINGS	MT	59105	16866	
A22631	Yee, Poon Leung 621 Spruce St Oakland, Ca 94610	YEE, POON LEUNG	621 SPRUCE ST	OAKLAND	CA	94610	15372	$36,400.00
								$182,000.00

SID 1395 Boca Raton Road

Exhibit E Description of Improvements

Prepared by: City of Billings

Special Improvement District No. 1395 shall construct street, curb and gutter, water, sanitary sewer, and storm drain improvements to Boca Raton Road within the City of Billings.

SID 1395 Boca Raton Road

Exhibit F Property Market Value and Delinquency

Prepared By: City of Billings

TAX I.D. NUMBER	PREVIOUS SID #	PREVIOUS SID PAY-OFF	DELINQUENT	SID 1395 ASSESSMENT	SID 1395 CASH CONTRIBUTION	SID PAY-OFF + DELINQUENT + SID 1395 ASSESSMENT	ESTIMATED MARKET VALUE	ESTIMATED MARKET VALUE AFTER IMPROVEMENTS
A22244	1368	$1,466.38		$36,400.00	$0.00	$37,866.38	$4,798.00	$42,664.38
A22245				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22556				$0.00	$30,402.06	$0.00	$4,092.00	$34,494.06
A22599				$0.00	$30,402.06	$0.00	$4,562.00	$34,964.06
A22600				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22601				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22602				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22603				$0.00	$30,402.06	$0.00	$4,244.00	$34,646.06
A22604				$0.00	$30,402.06	$0.00	$4,244.00	$34,646.06
A22605				$36,400.00	$0.00	$36,400.00	$4,086.00	$40,486.00
A22606				$0.00	$30,402.06	$0.00	$4,086.00	$34,488.06
A22607				$0.00	$30,402.06	$0.00	$4,436.00	$34,838.06
A22608				$0.00	$30,402.06	$0.00	$4,887.00	$35,289.06
A22609				$0.00	$30,402.06	$0.00	$4,696.00	$35,098.06
A22610	1368	$1,466.38		$36,400.00	$0.00	$37,866.38	$4,525.00	$42,391.38
A22611				$0.00	$30,402.06	$0.00	$4,897.00	$35,299.06
A22612				$0.00	$30,402.06	$0.00	$4,227.00	$34,629.06
A22613	1368	$1,466.38		$0.00	$30,402.06	$1,466.38	$4,239.00	$36,107.44
A22614				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22615				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22616				$36,400.00	$0.00	$36,400.00	$4,402.00	$40,802.00
A22617				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22618				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22619				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22620				$0.00	$30,402.06	$0.00	$4,402.00	$34,804.06
A22621				$0.00	$30,402.06	$0.00	$4,569.00	$34,971.06
A22631	1368	$1,466.38		$36,400.00	$0.00	$37,866.38	$4,372.00	$42,238.38
AVERAGE		$1,466.38	$0.00	$6,740.74		$6,957.98	$4,421.56	$36,151.59
MEDIAN		$1,466.38	$0.00	$0.00		$0.00	$4,402.00	$34,804.06
LOW		$1,466.38	$0.00	$0.00		$0.00	$4,086.00	$34,488.06
HIGH		$1,466.38	$0.00	$36,400.00		$37,866.38	$4,897.00	$42,664.38

Consent **1. I.**

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: Resolution of Intent to Exclude Lot 30, Block 3, Rolle Subdivision and Set a Public Hearing

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The Planning Division is requesting the City Council approve a Resolution of Intent to Exclude Property from the City, described as Lot 20, Block 3, Rolle Subdivision. The resolution would set a public hearing for May 28, 2013. The deannexation would result in about 6.64 acres of undeveloped land being taken out of the City. Petitioner and property owner Robert Honaker has signed the attached petition to request that this property be deannexed. The property is zoned Residential-9600. The owner intends to develop the property for a single family residence in the County given the challenges of trying to obtain City services. The property was annexed into the City in 1989.

The requested deannexation is consistent with the City's deannexation policy in that:
1. The property is not connected to City water, wastewater, or storm drainage facilities, and appears to not be able to connect to these facilities without a significant expenditure of personal or public funds, and
2. The property is not encumbered by any indebtedness of any improvement district of which the territory is a part, and
3. The property is not adjacent to any public right-of-way

The requested deannexation is not consistent with the City's deannexation policy in that:
1. The property is not located on the outer perimeter of the City limits and upon exclusion of the property will contribute to a series of parcels wholly surrounded by City limits.
2. The property is bordered by other property within the City Limits on the north and east, and is adjacent to the acceptable limits of annexation as defined on the most recent update of the Limits of Annexation Map.

While this deannexation petition is at odds with at least two of the criteria in the City's deannexation policy, like annexation petitions, the City Council usually accepts the petition and sets a public hearing date to more thoroughly consider the petition and review comments on the request from all reviewing City Departments.

ALTERNATIVES ANALYZED

The City Council may:
• Approve the Resolution of Intent to Exclude Property to deannex the above mentioned property and set a public hearing for May 28, 2013; or
• Not approve the Resolution of Intent

FINANCIAL IMPACT

There is no financial impact to the City in approving the Resolution of Intent and setting this public hearing.

RECOMMENDATION

Staff recommends that Council approve the Resolution of Intent to Exclude Lot 20, Block 3, Rolle Subdivision from the city limits, and set a public hearing for May 28, 2013.

APPROVED BY CITY ADMINISTRATOR

Attachments

Deannexation Resolution

Deannexation Petition

Deannexation Policy

RESOLUTION NO. 13 -

A RESOLUTION OF INTENT TO EXCLUDE TERRITORY UNDER THE PROVISIONS OF TITLE 7, CHAPTER 2, PART 48 OF THE MONTANA CODE ANNOTATED, AND FIXING A DATE FOR A PUBLIC HEARING ON THE QUESTION OF EXCLUSION.

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

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

WHEREAS, the boundaries of the territory that the Billings City Council intends to consider excluding is particularly described as follows:

A tract of land situated in the SW1/4 of Section 28, T.1N., R.26E., Billings, Yellowstone County, Montana, more particularly described as:

Rolle Subdivision, Lot 20, Block 3, Recorded January 2, 1957, Under Document No. 575483, Records of Yellowstone County, Montana, annexed under Resolution No. 89-16236, Passed and Approved by City Council December 11, 1989;

Containing 6.642 gross and net acres, more or less.

(# 13-05) See Exhibit "A" Attached

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

1. The Billings City Council intends to consider excluding the above described contiguous territory.
2. All registered voters in the territory to be embraced are to be immediately notified, in writing.
3. Notice of the City Council's intent to exclude said territory shall be published as provided in Section 7-1-4127, MCA, with notice that for a period of twenty (20) days after first publication of the notice, the Billings City Clerk shall accept written comments approving or disapproving the proposed exclusion of the above

described territory from the City of Billings from registered voters residing in the area proposed to be excluded.

4. The City Clerk shall forward all written communication received by the Clerk to the City Council for consideration.

A public hearing on the question of exclusion of said territory shall be held on May 28, 2013.

APPROVED AND PASSED by the City Council of the City of Billings this 8th day of April, 2013.

THE CITY OF BILLINGS

BY:_____

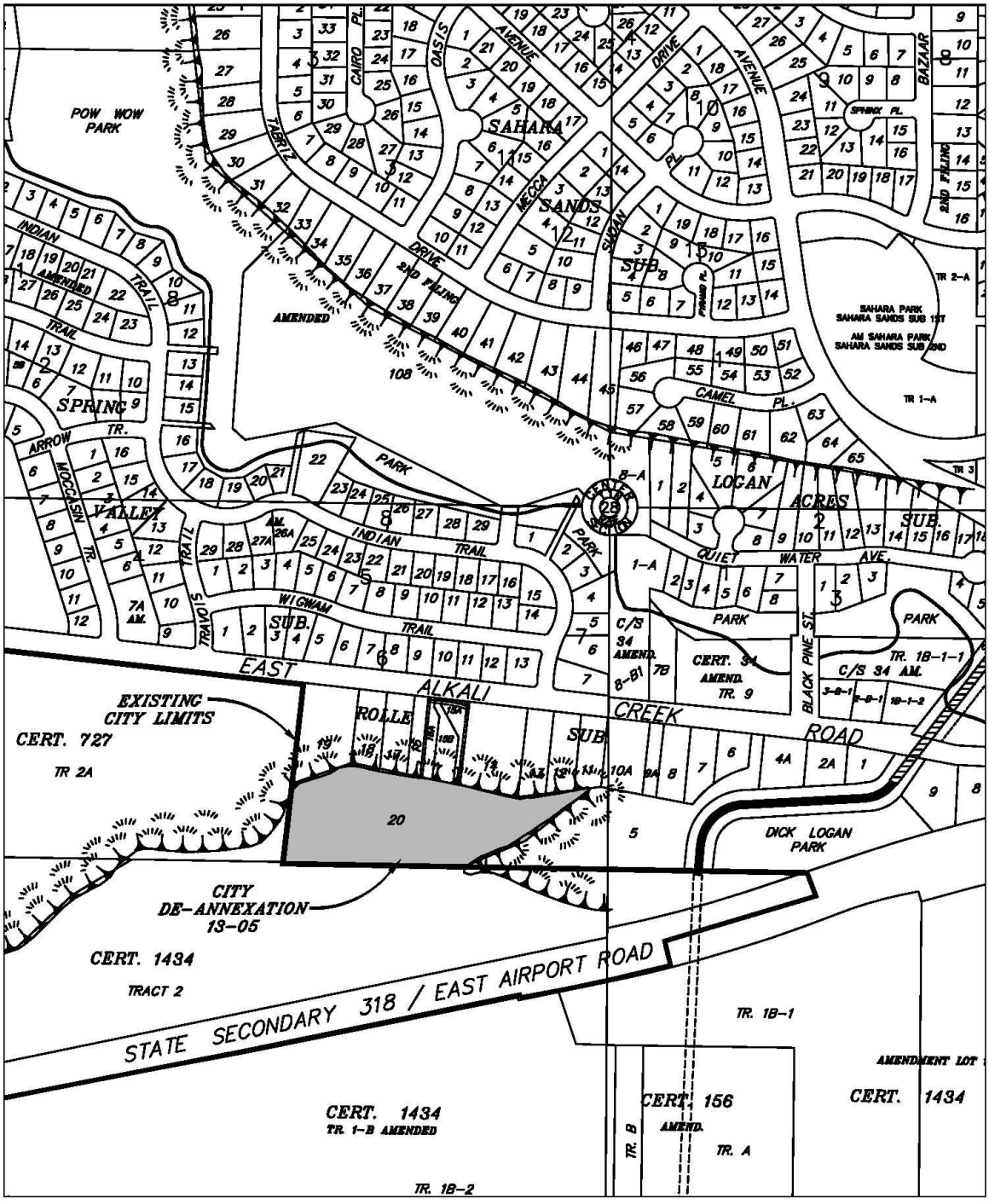
Thomas W. Hanel, MAYOR

ATTEST:

BY:_____

Cari Martin, CITY CLERK

EXHIBIT "A"


POW WOW PARK
SAHARA
SANDS
SUB.
LOGAN
ACRES
SUB.
SPRING
VALLEY
ROLLE
SUB.
EAST
ALKALI
CREEK
ROAD
EXISTING
CITY LIMITS
CERT. 727
TR 2A
CITY
DE-ANNEXATION
13-05
CERT. 1434
TRACT 2
STATE SECONDARY 318 / EAST AIRPORT ROAD
CERT. 1434
TR. 1-B AMENDED
TR. 1B-2
CERT. 156
AMEND.
TR. A
TR. B
TR. 1B-1
AMENDMENT LOT
CERT. 1434
DICK LOGAN PARK
SAHARA PARK
SAHARA SANDS SUB 1ST
AM SAHARA PARK
SAHARA SANDS SUB 2ND
TR 1-A
TR 2-A
TR 3
CAMEL PL.
QUIET WATER AVE.
BLACK PINE ST.
C/S 34 AMEND.
C/S 34 AM.
CERT. 34 AMEND.
TR. 9
TR. 1B-1-1
PARK
INDIAN TRAIL
WIGWAM TRAIL
ARROW TR.
MOCCASIN TR.
TRAIL
PARK
20

13-77

PETITION FOR DE-ANNEXATION FROM THE CITY OF BILLINGS

RECEIVED
MAR 26 2013
PLANNING & COMMUNITY SERVICES DEPARTMENT

NOTICE TO PETITIONER

This is a Petition to the City of Billings requesting the DE-annexation of property from the City, pursuant to MCA Title 7, Chapter 2, Part 48. Procedures for de-annexation are governed by the Statutes of the State of Montana. This Petition requires the signatures of not less than 75% of the Resident Freeholder Electors to be considered for de-annexation.

INSTRUCTIONS

1. All items must be completed or provided. Please type or print. You may attach additional pages if more space is needed.

2. Prepare a map drawn to a scale adequate and legible to show the property requesting de-annexation and all other property within one-quarter (1/4) mile.

   The map must show:

   a. The boundaries of the municipality;

   b. The present streets, major trunk water mains and sewer mains;

   c. The zoning of the property requesting de-annexation and the property immediately adjacent to it.

3. The Petition should be submitted to the Planning Department, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., located on the 4th Floor of Parmly Billings Library at 510 North Broadway, Billings, Montana. Upon presentation, the Petition will be checked for completeness. Once accepted, the Petition will be routed to the following City Departments: Public Works, City-County Planning, Public Utilities, Fire Department, City Attorney, Police Department, Parks and Recreation Department, and the Finance Department. If the departments find no problems with the Petition, the City Clerk will schedule the Petition for City Council action.

4. If the Council finds that the petition is signed by the required number of owners of the territory to be excluded, and that the granting of said petition will be to the best interest of the city and the inhabitants thereof and will not materially mar the symmetry of the city, they shall pass a resolution of intent to De-Annex the territory. Then the City Clerk shall publish in the newspaper for two successive notice of the Council's Resolution of Intent to De-annex, of a 20-day comment period, and of an upcoming public hearing on the question of de-annexation.

5. A description of the territory to be de-annexed from the City is legally described on a document attached hereto.

RESIDENT FREEHOLDER ELECTORS

Date	Print Name	Name Signature	Address
3/26/2013	Robert G Honaker		428 Tumbleweed Dr Billings, MT 59105

(continued on separate page)

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

DESCRIPTION OF THE TERRITORY TO BE DE-ANNEXED FROM THE CITY OF BILLINGS

RECEIVED
MAR 23 2013
PLANNING & COMMUNITY
SERVICES DEPARTMENT

Legal Description	Tax Code	Address of General Location	Use of Property	Legal Property Owners	Address	Phone
Rolle Subd, S28, T01N, R26E, Block 3, Lot 20	A13383 (A13383)	Off of Airport Rd between Airport and Billings Heights	Vacant Land Urban	Robert Honaker	428 Tumbleweed Dr Billings, MT 59105	406-671-0630
- OR -			#Proposed: Single family residential			
Lot 20, Block 3, Rolle Subdivision, Yellowstone County Billings MT						

ALL ITEMS BELOW SHALL BE COMPLETED BY STAFF

Date Submitted: 3/26/13

Received By: Tamara Adams

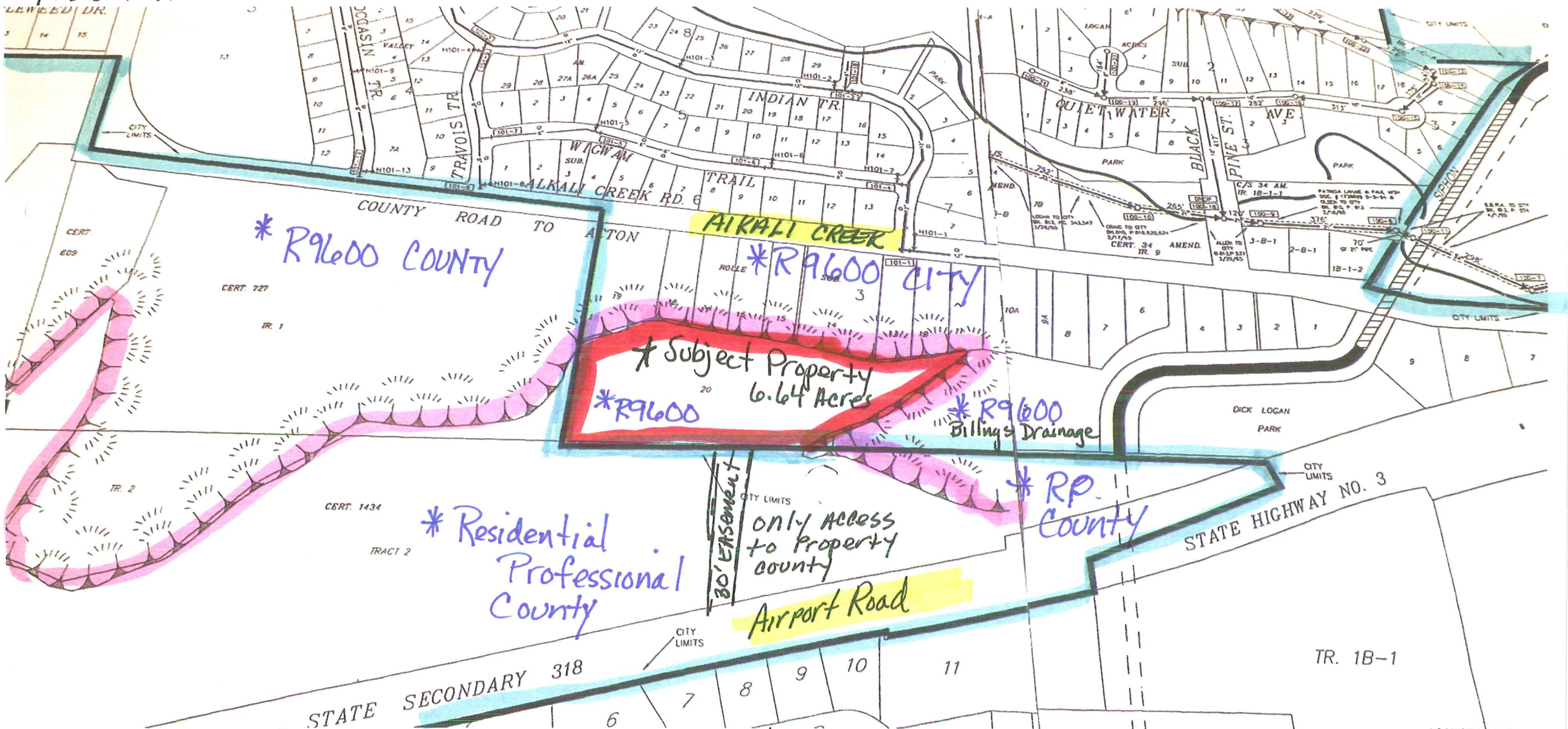
Petition Number: 13-05 (13-77)

Fee Paid: $952.00 / $45.00 Deposit

13-77

Revised 10/03

ATTACHMENT:
Petition for De-Annexation
Robert Honaker



Subject Property
City/County Line
Rimrocks/Cliffs
*Zoning

RESOLUTION 05-18271

A RESOLUTION ESTABLISHING A POLICY RELATED TO THE **EXCLUSION OF TERRITORY FROM THE CITY OF BILLINGS** OTHERWISE REFERRED TO AS **"DEANNEXATION"**, PURSUANT TO MANDATORY PROVISIONS OF SELF-GOVERNING LOCAL GOVERNMENTS, 7-1-114, MCA AND EXCLUSION OF TERRITORY, 7-2-4801, ET. SEQ., MCA.

WHEREAS, The City of Billings is subject to all state laws providing for the exclusion of territory from the City pursuant to 7-1-114, MCA, and

WHEREAS, The City Council desires a policy to determine when exclusion of territory is in the best interest of the City pursuant to 7-2-4801, et. seq., MCA,

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

That the City of Billings is committed to providing cost effective services to all territories within the City. It is recognized that in some instances the City may be incapable of providing these services to certain territories without unreasonably burdening the existing taxpayers or the individual landowner. In those cases, it may be in the best interest of the City and City residents to exclude these territories from the municipality.

The Billings City Council has the authority to exclude territory from the City in accordance with 7-2-4801, et seq, MCA. In doing so, the City Council must find that:

1. A petition, signed by a majority of qualified electors who voted in the last City election or by owners of not less than three-fourths in value of territory to be excluded, has been filed with the City Clerk; and
2. The territory to be excluded is within the existing City limits and on the border of the City; and
3. Granting the petition is in the best interest of the City; and
4. The exclusion of the territory will not mar the symmetry of the City.

Exclusion of the territory may be considered in the best interest of the City if the territory:

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

Passed by the City Council, this 23rd day of May, 2005

THE CITY OF BILLINGS:

BY: _____
Charles F. Tooley MAYOR

Mayor Pro Tem in the absence of the Mayor

ATTEST:

BY: Marita Herold
Marita Herold, CMC/AAE CITY CLERK

Consent **1. J.**

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Final Plat of Grand Peaks Subdivision, 3rd Filing
PRESENTED BY: Candi Beaudry
Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The final plat for Grand Peaks Subdivision, 3rd Filing is being presented to Council for approval. On December 17, 2012, the City Council conditionally approved the preliminary plat of this 30-lot subdivision. The subject property is generally located east of 54th Street West and north of Grand Avenue. The property is zoned Residential-5000 and Residential Multi-Family Restricted and single-family residences are proposed for these lots. The owner is Grand Peaks, 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 Grand Peaks Subdivision, 3rd 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

Should the City Council approve the final plat, the newly created lots will be developed which will increase tax revenues for the City.

RECOMMENDATION

Staff recommends that the City Council approve the final plat of Grand Peaks Subdivision, 3rd Filing.

APPROVED BY CITY ADMINISTRATOR

Attachments

Final Plat

PLAT OF

GRAND PEAKS SUBDIVISION, THIRD FILING

BEING LOTS 2 & 3 IN BLOCK 2, LOT 1 IN BLOCK 3, LOT 1 IN BLOCK 4, GRAND PEAKS SUBDIVISION AND VACATED PORTIONS OF GRAND PEAKS DRIVE AND THUNDER MOUNTAIN TRAIL per RESOLUTION #11-19049

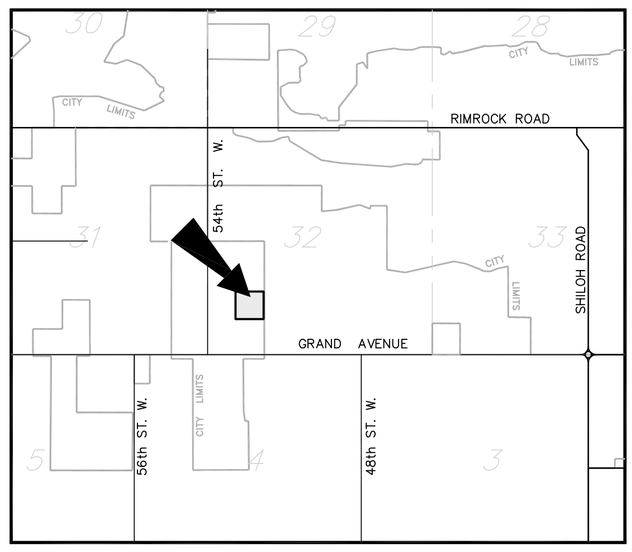
SITUATED IN THE SW1/4 OF SECTION 32, T. 1 N., R. 25 E., P.M.M., IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : GRAND PEAKS, LLC

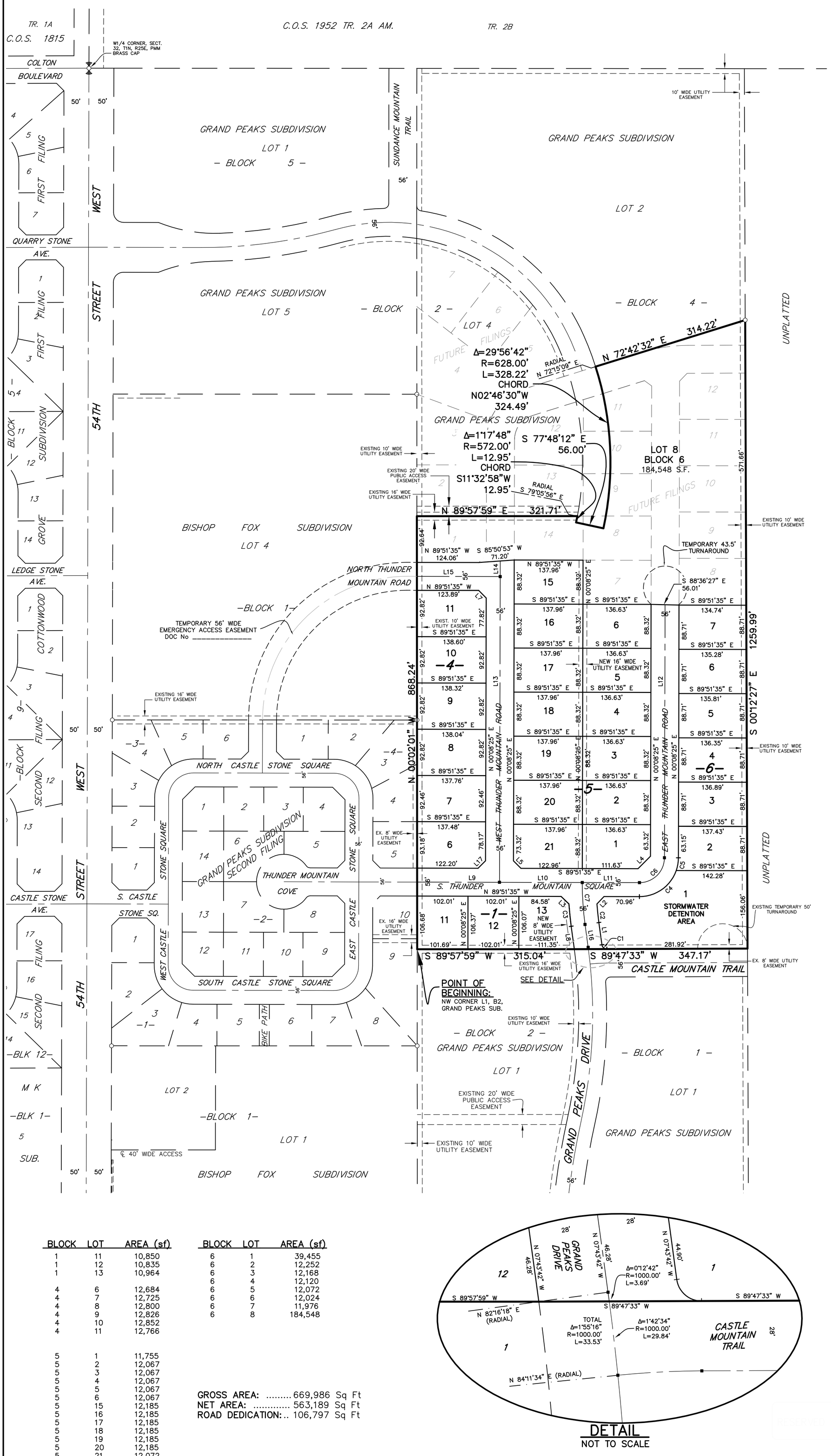
DECEMBER 2012

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



VICINITY MAP
NOT TO SCALE



NORTH

100 50 0 100 200

SCALE: 1"=100'

BASIS OF BEARING: GRAND PEAKS 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". WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.

LINE TABLE		
Line #	Bearing	Distance
L1	S 07°43'42" E	44.90'
L2	N 43°24'15" E	20.56'
L3	N 46°26'39" W	21.79'
L4	N 45°08'25" E	35.36'
L5	N 44°51'35" W	21.21'
L7	S 44°51'35" E	21.21'
L8	S 07°43'42" E	46.28'
L17	N 45°08'25" E	21.21'

CURVE TABLE			
Curve #	Delta	Radius	Length
C1	82°28'45"	10.00'	14.40'
C2	3°39'47"	585.98'	37.46'
C3	4°01'48"	641.98'	45.16'
C4	70°52'13"	78.00'	96.48'
C5	19°07'47"	78.00'	26.04'

ROAD CENTERLINE DATA			
Line #/Curve #	Length	Bearing/Delta	Radius
L9	165.03'	S 89° 51' 35" E	
L10	165.96'	S 89° 51' 35" E	
L11	114.63'	S 89° 51' 35" E	
C6	78.54'	Δ=90°00'00"	50.00'
L12	507.31'	N 00° 08' 25" E	
L13	612.91'	N 00° 08' 25" E	
L14	31.23'	N 00° 08' 25" E	
L15	166.97'	N 89° 51' 35" W	
L16	46.28'	N 07° 43' 42" W	
C7	84.32'	Δ=07°52'07"	613.98'

BLOCK	LOT	AREA (sf)
1	11	10,850
1	12	10,835
1	13	10,964
4	6	12,684
4	7	12,725
4	8	12,800
4	9	12,826
4	10	12,852
4	11	12,766
5	1	11,755
5	2	12,067
5	3	12,067
5	4	12,067
5	5	12,067
5	6	12,067
5	15	12,185
5	16	12,185
5	17	12,185
5	18	12,185
5	19	12,185
5	20	12,185
5	21	12,072

BLOCK	LOT	AREA (sf)
6	1	39,455
6	2	12,252
6	3	12,168
6	4	12,120
6	5	12,072
6	6	12,024
6	7	11,976
6	8	184,548

GROSS AREA: ..... 669,986 Sq Ft
NET AREA: ..... 563,189 Sq Ft
ROAD DEDICATION: .. 106,797 Sq Ft

DETAIL
NOT TO SCALE

RESERVED FOR CLERK AND RECORDER

GrandPeaks3FP.dwg 06024.88 4/01/13 BMB/PBK/MDB/BEG

P:\PROJs_MANAGEMENT\06024.88_Grand_Peaks_Sub_3rd_Filing_Platting_PWCADD_C-3D\BASE_DWG\GrandPeaks3FP.dwg, SHEET01, 4/3/2013 11:11:10 PM, pmaki

Consent **1. K. 1.**

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Payment of Claims March 25, 2013.
PRESENTED BY: Pat M. Weber, Finance Director
Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of $1,246,555.73 have been audited and are presented for your approval for payment. A complete listing of the claims dated March 25, 2013 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 3/25/2013

Check Date	Check	Name	Amount	Account	Item Desc
03/25/2013	764255	A & E Architects, PC	5,070.00	8730-51990-409370	Payment 1 for restroom project.
03/25/2013	764256	A & I Distributors	479.05	6010-00000-141000	2282834 PO NUM 291471
03/25/2013	764256	A & I Distributors	494.45	6010-00000-141000	2283016 PO NUM 291471
03/25/2013	764256	A & I Distributors	2,831.97	6010-00000-141000	2283016 PO NUM 291471
03/25/2013	764256	A & I Distributors	119.21	6010-00000-141000	2283016 PO NUM 291471
03/25/2013	764256	A & I Distributors	68.80	2110-31320-402320	2281533
03/25/2013	764256	A & I Distributors	40.27	2110-31320-402320	2281602
03/25/2013	764256	A & I Distributors	218.90	2110-31320-402320	2283014
03/25/2013	764256	A & I Distributors	33.16	1500-21120-402320	2283016
03/25/2013	764256	A & I Distributors	33.16	2110-31320-402320	2283016
03/25/2013	764256	A & I Distributors	33.61	5410-31220-402320	2283016
03/25/2013	764256	A & I Distributors	0.01	6010-15530-402650	2283016
03/25/2013	764256	A & I Distributors	1,574.96	5410-31230-402310	55 gal purus 15 w55 gal purus dt 30 w,55 gal purus dt 10 w5 gal pro non-clr for landfill
03/25/2013	764256	A & I Distributors	226.36	5020-74000-402450	oil
03/25/2013	764256	A & I Distributors	1,506.37	6010-00000-141000	2286564 PO NUM 291471
03/25/2013	764256	A & I Distributors	67.00	1500-22260-402320	2285486
03/25/2013	764256	A & I Distributors	18.23	5410-31230-402320	2285487
03/25/2013	764256	A & I Distributors	668.26	5610-71130-402310	Invoice #2285953. Oil for equipment
03/25/2013	764256	A & I Distributors	278.85	6010-00000-141000	2289450 PO NUM 291471
03/25/2013	764256	A & I Distributors	483.45	5710-71440-402320	2285954
03/25/2013	764256	A & I Distributors	2,335.00	6010-00000-141000	2291977 PO NUM 291471
03/25/2013	764256	A & I Distributors	811.07	5610-71130-402310	Invoice #2291262/63. Oil for equipment
03/25/2013	764256	A & I Distributors	177.45	2110-31320-402320	Blue Def used for new trucks
03/25/2013	764256	A & I Distributors	-35.00	2110-31320-402320	55 gal drum credit for blue def
03/25/2013	764256	A & I Distributors	122.45	2110-31320-402320	blue def used for new trucks
03/25/2013	764256	A & I Distributors	-35.00	2110-31320-402320	credit on drum for blue def
03/25/2013	764256	A & I Distributors	2,373.25	6010-00000-141714	2290878 PO NUM 291471
03/25/2013	764256	A & I Distributors	16.22	5710-71440-402320	2290878
03/25/2013	764263	Archie Cochrane	18,686.00	6400-51600-409440	1/2 Ton 2wd Pickup-2013 full size regular cab long box. Current model.
03/25/2013	764263	Archie Cochrane	21,010.00	8730-51990-409490	2013 1/2 ton extended cab 2wd pickup-gem green color.

03/25/2013	764263	Archie Cochrane	907.00	6300-17530-407310	Inv. 820396-1 BPD Car #1447 #2013-027
03/25/2013	764263	Archie Cochrane	11.90	1500-21120-402320	5097408
03/25/2013	764263	Archie Cochrane	23.80	1500-21120-402320	5097469
03/25/2013	764263	Archie Cochrane	27.22	5710-71470-402320	5097694
03/25/2013	764263	Archie Cochrane	33.90	0100-51120-402320	5097708
03/25/2013	764263	Archie Cochrane	84.00	1500-21120-402320	5097708
03/25/2013	764263	Archie Cochrane	33.90	2110-31320-402320	5097708
03/25/2013	764263	Archie Cochrane	237.66	1500-21120-402320	5097829
03/25/2013	764263	Archie Cochrane	107.87	1500-21120-402320	5097831
03/25/2013	764263	Archie Cochrane	60.00	1500-21120-402320	5097855
03/25/2013	764263	Archie Cochrane	11.04	5410-31220-402320	5097857
03/25/2013	764263	Archie Cochrane	296.28	1500-21120-402320	5097920
03/25/2013	764263	Archie Cochrane	342.50	1500-21120-402320	5098330
03/25/2013	764263	Archie Cochrane	374.66	1500-21120-402320	5098378
03/25/2013	764263	Archie Cochrane	54.56	1500-21120-402320	5098450
03/25/2013	764264	Automated Office Inc	35.00	1500-21500-403630	HR case of toner
03/25/2013	764264	Automated Office Inc	98.00	2980-65010-403581	Community Development- printer jams
03/25/2013	764264	Automated Office Inc	26.28	6050-15160-403690	Public Works- Canon/IR5075
03/25/2013	764264	Automated Office Inc	13.73	6700-31410-403660	Public Works- Canon/IR3235I
03/25/2013	764264	Automated Office Inc	23.81	5710-71410-403630	Met Transit- Canon/IR6570
03/25/2013	764264	Automated Office Inc	62.53	6050-15160-403690	Planning & Building- Canon/IR8070
03/25/2013	764264	Automated Office Inc	34.26	6050-15160-403690	Municipal Court- Canon/IR5050
03/25/2013	764264	Automated Office Inc	11.87	5020-74000-402190	IT- Canon/IR3530
03/25/2013	764264	Automated Office Inc	20.11	2110-31320-403630	Streets- CANON/IR2200
03/25/2013	764264	Automated Office Inc	9.12	6050-15160-403690	Motorpool- 605015160403690
03/25/2013	764264	Automated Office Inc	78.00	1500-21500-403630	Black Toner 5055/65/75
03/25/2013	764264	Automated Office Inc	79.00	2980-65010-403581	Community Development- printer jammed
03/25/2013	764264	Automated Office Inc	10,301.00	2510-21270-403560	Cannon ImageRunner Advance 6275 Staple Finisher P1 External 2/3 hole puncher A1 WSCA Montana pricing - contract #1715.
03/25/2013	764271	Billings Bench Water Assn	7,121.00	0100-51120-403420	Water charges.
03/25/2013	764274	Billings Depot Inc	5,295.87	6600-31100-405311	rent
03/25/2013	764274	Billings Depot Inc	7,943.80	6700-31410-405311	rent
03/25/2013	764276	Billings Gazette	925.00	0100-14110-403310	Online Banner-Finance
03/25/2013	764276	Billings Gazette	576.00	5410-31220-403370	Adds- Landfill hours
03/25/2013	764276	Billings Gazette	885.46	0100-17500-403370	Employment opps- Human resources

03/25/2013	764276	Billings Gazette	902.18	2110-31320-403370	Employment opps- Human Resources
03/25/2013	764276	Billings Gazette	636.00	2600-55110-403360	Library- all
03/25/2013	764281	Border States Electric	200.88	5120-84000-402360	Parts for Headworks float alarm
03/25/2013	764281	Border States Electric	190.18	2110-00000-141318	STREET LIGHTS PO NUM 291473
03/25/2013	764281	Border States Electric	41.16	5410-31230-402320	905305263
03/25/2013	764281	Border States Electric	129.68	5020-74000-402360	cl2 room outlet
03/25/2013	764281	Border States Electric	71.60	2110-31320-402430	elec tape/phillips screwdriver
03/25/2013	764281	Border States Electric	-241.20	5020-74000-402360	Return-ballast replacement kit
03/25/2013	764281	Border States Electric	129.35	5020-74000-402360	Bulb replacement for ER lights
03/25/2013	764281	Border States Electric	252.76	2110-31320-402430	shrink tube/disconnect/cable ties/terminals
03/25/2013	764281	Border States Electric	94.77	5020-00000-141000	ELECTRICAL FOR WTP & WWTP PO NUM 291987
03/25/2013	764281	Border States Electric	197.66	5020-74000-402320	NONSTOCKING ITEMS-P.U.D.
03/25/2013	764281	Border States Electric	258.81	5120-84000-402360	ELEC.
03/25/2013	764281	Border States Electric	500.82	5120-84000-402360	ELEC.
03/25/2013	764281	Border States Electric	455.88	5020-74000-402360	ELEC.
03/25/2013	764281	Border States Electric	784.82	5020-00000-141000	ELECTRICAL FOR WTP & WWTP PO NUM 291841
03/25/2013	764281	Border States Electric	382.16	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 291888
03/25/2013	764281	Border States Electric	93.12	5020-00000-141000	ELECTRICAL FOR WTP & WWTP PO NUM 291888
03/25/2013	764281	Border States Electric	98.20	5020-74000-402320	NONSTOCKING ITEMS-P.U.D.
03/25/2013	764281	Border States Electric	5.45	5020-74000-402360	elec.
03/25/2013	764281	Border States Electric	69.82	5020-74000-402360	elec
03/25/2013	764281	Border States Electric	69.82	5120-84000-402360	same
03/25/2013	764281	Border States Electric	20.16	5120-84000-402360	elec.
03/25/2013	764281	Border States Electric	29.25	5120-84000-402360	elec.
03/25/2013	764281	Border States Electric	162.00	5120-84000-402360	elec
03/25/2013	764281	Border States Electric	1,713.88	2110-31320-402360	street light pole on shiloh
03/25/2013	764281	Border States Electric	943.88	2110-31320-402360	street light heads for poles on shiloh
03/25/2013	764281	Border States Electric	91.33	2110-31320-402430	screws/heatshrink
03/25/2013	764281	Border States Electric	351.26	5120-84000-402360	elec
03/25/2013	764281	Border States Electric	81.98	5020-74000-402360	elec
03/25/2013	764281	Border States Electric	81.99	5120-84000-402360	same
03/25/2013	764281	Border States Electric	4.38	5120-84000-402360	elec
03/25/2013	764281	Border States Electric	284.85	5120-84000-402360	elec

03/25/2013	764281	Border States Electric	327.21	5120-84000-402360	elec
03/25/2013	764281	Border States Electric	136.34	5120-84000-402360	elec
03/25/2013	764281	Border States Electric	5,261.48	5020-74000-403553	TechConnect software support
03/25/2013	764281	Border States Electric	5,261.47	5120-84000-403553	TechConnect software support
03/25/2013	764281	Border States Electric	9.34	5120-84000-402360	Freight - Secondary Digester VFD installation
03/25/2013	764281	Border States Electric	21.20	5020-74000-402360	Freight-VFD Software
03/25/2013	764281	Border States Electric	21.20	5120-84000-402360	Freight-VFD Software
03/25/2013	764281	Border States Electric	153.27	5020-74000-402360	Firmware upgrade EPROM
03/25/2013	764281	Border States Electric	153.27	5120-84000-402360	Firmware upgrade EPROM
03/25/2013	764281	Border States Electric	159.19	5120-84000-402360	Supplies for UV system repairs and RAP drive installations
03/25/2013	764281	Border States Electric	0.93	5020-74000-402360	Shipping for drive comm cable
03/25/2013	764281	Border States Electric	0.93	5120-84000-402360	Shipping for drive comm cable
03/25/2013	764281	Border States Electric	28.46	5020-73140-402450	Freight - Chlorine board
03/25/2013	764281	Border States Electric	9.49	5120-83140-402450	Freight - Chlorine board
03/25/2013	764282	Brenntag Pacific Inc	5,813.00	2110-31320-404720	Calcium chloride used as deicer on streets
03/25/2013	764282	Brenntag Pacific Inc	6,043.23	2110-31320-404720	calcium chloride used as deicer on streets
03/25/2013	764282	Brenntag Pacific Inc	4,373.52	2110-31320-404721	ice slicer used to melt snow on roads
03/25/2013	764282	Brenntag Pacific Inc	5,016.80	2110-31320-404721	ice slicer used to melt snow on road
03/25/2013	764282	Brenntag Pacific Inc	4,765.20	2110-31320-404721	ice slicer used to melt ice on streets
03/25/2013	764285	Carolina Software, Inc.	17,108.08	5410-31230-409410	software for the new scale at the landfill
03/25/2013	764286	Cassidian Communications Inc	13,004.00	2250-22320-403590	SITE: 100458 HOST A, MT (QUOTE #DIR46746)
03/25/2013	764286	Cassidian Communications Inc	6,154.00	2250-22320-403590	SITE 107901, HOST B (QUOTE #DIR46746-A)
03/25/2013	764288	CDM Smith Inc	18,000.00	5020-72110-403590	Water & Wastewater Rate Study
03/25/2013	764288	CDM Smith Inc	16,171.50	5120-82110-403590	Water & Wastewater Rate Study
03/25/2013	764290	Connor's Garage Door Service	1,124.00	5610-71190-403660	Invoice #2517. Replace broken cables on carwash bays 2 and 3
03/25/2013	764290	Connor's Garage Door Service	670.00	5610-71190-403660	Invoice #2597. Install water proff button wall stations on carwash bays 1, 2, 3
03/25/2013	764290	Connor's Garage Door Service	275.00	5610-71190-403660	Invoice #2598. Install waterproff button wall station at mud wash bay
03/25/2013	764290	Connor's Garage Door Service	988.00	5610-71190-402450	Invoice #2616. Replace 3" rollers and sealed bearing in mud wash overhead door, bay 1
03/25/2013	764290	Connor's Garage Door Service	330.00	5610-71190-403660	Repaired brake solenoid in car wash bay 1
03/25/2013	764295	Csg Systems Inc	9,196.09	5020-73110-403110	Monthly statement processing/postage
03/25/2013	764295	Csg Systems Inc	3,075.44	5020-73110-403111	Monthly statement processing/postage

03/25/2013	764295	Csg Systems Inc	6,130.72	5120-83110-403110	Monthly statement processing/postage
03/25/2013	764295	Csg Systems Inc	2,050.30	5120-83110-403111	Monthly statement processing/postage
03/25/2013	764296	Cummins Rocky Mountain Llc	1,515.92	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
03/25/2013	764296	Cummins Rocky Mountain Llc	143.04	5710-71440-402320	004-58702
03/25/2013	764296	Cummins Rocky Mountain Llc	34.02	5710-71440-402320	004-59692
03/25/2013	764296	Cummins Rocky Mountain Llc	1,028.89	1500-22260-402320	004-59980
03/25/2013	764296	Cummins Rocky Mountain Llc	-100.00	1500-22260-402320	004-60073
03/25/2013	764296	Cummins Rocky Mountain Llc	36.49	5410-31220-402320	004-60123
03/25/2013	764296	Cummins Rocky Mountain Llc	37.26	5410-31220-402320	004-60406
03/25/2013	764296	Cummins Rocky Mountain Llc	29.74	5410-31230-402320	004-60632
03/25/2013	764298	Dale & Jax Door & Glass Inc	409.50	5020-73140-402450	Door repair/parts
03/25/2013	764298	Dale & Jax Door & Glass Inc	136.50	5120-83140-402450	Door repair/parts
03/25/2013	764298	Dale & Jax Door & Glass Inc	1,187.00	6500-15660-402450	Inv. #14921 Hinges and door closer SW
03/25/2013	764298	Dale & Jax Door & Glass Inc	1,355.00	6500-15660-402450	Inv. #14922 Metal Door with closer SW entrance door
03/25/2013	764301	Dorn/Lowe	40,777.69	5030-75910-409340	Compensation Agreement P-639 Legends West Sub PhII Bell Ave
03/25/2013	764304	Ebms	1,755.00	6270-17520-403511	EBMS April 2013
03/25/2013	764304	Ebms	18,095.90	6270-17520-403512	EBMS April 2013
03/25/2013	764304	Ebms	42,709.48	6270-17520-403515	EBMS April 2013
03/25/2013	764304	Ebms	3,374.00	6270-17520-403515	EBMS April 2013
03/25/2013	764304	Ebms	3,492.00	6270-17520-405161	EBMS April 2013
03/25/2013	764308	Fehr & Peers	13,819.90	2400-43010-407214	inv 85784 Project SE12-0274.00
03/25/2013	764316	Graphic Imprints Inc.	2,764.00	0100-51250-402250	Shirts for recreation programs.
03/25/2013	764316	Graphic Imprints Inc.	405.00	0100-51100-403360	Jackets for board and staff. Staff reimbursed city for jackets.
03/25/2013	764317	Guardian Security Inc	5,620.60	2600-55120-403574	Inv 995903
03/25/2013	764322	HDR, Inc.	44,922.80	5120-82110-403540	WO 12-15 IWPI WWTF Plan
03/25/2013	764322	HDR, Inc.	3,803.09	5120-82110-403540	WO 12-13 IWPI Reuse and Reclamation Study
03/25/2013	764322	HDR, Inc.	2,074.41	5020-72110-403540	WO 12-13 IWPI Reuse and Reclamation Study
03/25/2013	764322	HDR, Inc.	1,037.20	8400-31840-403590	WO 12-13 IWPI Reuse and Reclamation Study
03/25/2013	764322	HDR, Inc.	1,886.96	5030-74910-409390	WO 12-45 3 MG Staples Reservoir Liner
03/25/2013	764322	HDR, Inc.	914.37	5030-75910-409340	WO 10-12 WTP LOW SRVC PUMP STATION #1
03/25/2013	764324	High Tech Construction	88,222.86	8730-51990-409370	Payment #1 for construction.
03/25/2013	764326	Iaff	4,320.75	9000-00000-209920	Payroll Summary
03/25/2013	764331	Ingram Library Services Inc.	31.24	2600-55190-403227	Inv 70555986

03/25/2013	764331	Ingram Library Services Inc.	12.97	2600-55190-403255	Inv 70555986
03/25/2013	764331	Ingram Library Services Inc.	109.59	2600-55190-403226	Inv 70555987
03/25/2013	764331	Ingram Library Services Inc.	102.60	2600-55190-403226	Inv 70555988
03/25/2013	764331	Ingram Library Services Inc.	4.19	2600-55190-403333	Inv 70555989
03/25/2013	764331	Ingram Library Services Inc.	19.24	2600-55190-403222	Inv 70555990
03/25/2013	764331	Ingram Library Services Inc.	9.00	2600-55190-403226	Inv 70555990
03/25/2013	764331	Ingram Library Services Inc.	17.09	2600-55190-403333	Inv 70555991
03/25/2013	764331	Ingram Library Services Inc.	19.24	2600-55190-403242	Inv 70555992
03/25/2013	764331	Ingram Library Services Inc.	19.24	2600-55190-403242	Inv 70555993
03/25/2013	764331	Ingram Library Services Inc.	48.64	2600-55190-403226	Inv 70555994
03/25/2013	764331	Ingram Library Services Inc.	24.89	2600-55190-403226	Inv 70555995
03/25/2013	764331	Ingram Library Services Inc.	9.57	2600-55190-403226	Inv 70555996
03/25/2013	764331	Ingram Library Services Inc.	23.92	2600-55190-403333	Inv 70555997
03/25/2013	764331	Ingram Library Services Inc.	46.54	2600-55190-403226	Inv 70555998
03/25/2013	764331	Ingram Library Services Inc.	13.79	2600-55190-403227	Inv 70555998
03/25/2013	764331	Ingram Library Services Inc.	96.00	2600-55190-403383	Inv 70555999
03/25/2013	764331	Ingram Library Services Inc.	20.65	2600-55190-403227	Inv 70576112
03/25/2013	764331	Ingram Library Services Inc.	7.79	2600-55190-403226	Inv 70576113
03/25/2013	764331	Ingram Library Services Inc.	535.32	2600-55190-403333	Inv 70576114
03/25/2013	764331	Ingram Library Services Inc.	79.71	2600-55190-403222	Inv 70576115
03/25/2013	764331	Ingram Library Services Inc.	177.76	2600-55190-403226	Inv 70576115
03/25/2013	764331	Ingram Library Services Inc.	466.81	2600-55190-403227	Inv 70576115
03/25/2013	764331	Ingram Library Services Inc.	108.25	2600-55190-403333	Inv 70576115
03/25/2013	764331	Ingram Library Services Inc.	23.99	2600-55190-403242	Inv 70576116
03/25/2013	764331	Ingram Library Services Inc.	17.94	2600-55190-403333	Inv 70576117
03/25/2013	764331	Ingram Library Services Inc.	54.40	2600-55190-403226	Inv 70591180
03/25/2013	764331	Ingram Library Services Inc.	476.45	2600-55190-403227	Inv 70591180
03/25/2013	764331	Ingram Library Services Inc.	97.69	2600-55190-403333	Inv 70591180
03/25/2013	764331	Ingram Library Services Inc.	240.93	2600-55190-403227	Inv 70591181
03/25/2013	764331	Ingram Library Services Inc.	13.18	2600-55190-403255	Inv 70591181
03/25/2013	764331	Ingram Library Services Inc.	29.94	2600-55190-403241	Inv 70591182
03/25/2013	764331	Ingram Library Services Inc.	19.24	2600-55190-403242	Inv 70591182
03/25/2013	764331	Ingram Library Services Inc.	135.17	2600-55190-403226	Inv 70591183
03/25/2013	764331	Ingram Library Services Inc.	8.24	2600-55190-403255	Inv 70591183
03/25/2013	764331	Ingram Library Services Inc.	16.47	2600-55190-403222	Inv 70591184
03/25/2013	764331	Ingram Library Services Inc.	10.86	2600-55190-403333	Inv 70591184
03/25/2013	764331	Ingram Library Services Inc.	120.89	2600-55190-403242	Inv 70591185

03/25/2013	764331	Ingram Library Services Inc.	28.76	2600-55190-403227	Inv 70591186
03/25/2013	764331	Ingram Library Services Inc.	14.99	2600-55190-403333	Inv 70591187
03/25/2013	764331	Ingram Library Services Inc.	39.95	2600-55190-403227	Inv 70591188
03/25/2013	764331	Ingram Library Services Inc.	58.08	2600-55190-403333	Inv 70591188
03/25/2013	764331	Ingram Library Services Inc.	95.90	2600-55110-407930	Inv 70591189
03/25/2013	764336	Johnson Controls Inc.	219.00	5610-71140-403990	Invoice #1303127026. Repairs to badging printer at Airport Police
03/25/2013	764336	Johnson Controls Inc.	2,460.00	5610-71140-402290	Invoice #1302197021. Access Control cards
03/25/2013	764338	Jwc Environmental	7,723.00	5020-00000-141000	WASTEWATER PARTS & SUPPLY PO NUM 292015
03/25/2013	764344	KOMPAN INC	5,424.48	4670-00000-201100	Retainage release on playground project.
03/25/2013	764344	KOMPAN INC	297.00	4670-51630-409310	Final Payment. Purchase and construction of playground equip. for Yellowstone Family Park. Amount includes the addition of $9922.23 for an amendment to contract. Original amount of PO was $9886.27. Total amount of contract is at $109885.35
03/25/2013	764348	Labor Ready Northwest, Inc.	3,378.24	5410-31230-403581	paper pickers at landfill 3/5 3/6 3/7
03/25/2013	764361	Montana CSED	3,754.98	9000-00000-209926	Payroll Summary
03/25/2013	764362	Montana Dakota Utilities Co	45.26	5020-74000-403440	3735801000 9
03/25/2013	764362	Montana Dakota Utilities Co	45.26	5020-74000-403440	3735801000 9
03/25/2013	764362	Montana Dakota Utilities Co	7,306.27	5610-71120-403440	5955801000 1
03/25/2013	764362	Montana Dakota Utilities Co	23.86	5120-85000-403440	9550431000 4
03/25/2013	764362	Montana Dakota Utilities Co	51.51	2660-67730-409200	NSP-CONWAY-MDU-FEB
03/25/2013	764362	Montana Dakota Utilities Co	1,610.71	5610-71130-403440	2855801000 6
03/25/2013	764362	Montana Dakota Utilities Co	84.50	5020-74000-403440	5413801000 1
03/25/2013	764362	Montana Dakota Utilities Co	1,004.64	5610-71170-403440	7065801000 7
03/25/2013	764362	Montana Dakota Utilities Co	10.40	5610-71170-403440	8065801000 6
03/25/2013	764362	Montana Dakota Utilities Co	24.46	5020-74000-403440	9215801000 6
03/25/2013	764362	Montana Dakota Utilities Co	528.72	5610-71130-403440	068 823 1000 3
03/25/2013	764362	Montana Dakota Utilities Co	10.40	5610-71130-403440	168 823 1000 2
03/25/2013	764362	Montana Dakota Utilities Co	380.91	0100-51270-403440	4377801000 9
03/25/2013	764362	Montana Dakota Utilities Co	1,457.69	2600-55120-403440	5797801000 7
03/25/2013	764362	Montana Dakota Utilities Co	104.73	6600-31100-403440	5953731000 1
03/25/2013	764362	Montana Dakota Utilities Co	157.10	6700-31410-403440	5953731000 1
03/25/2013	764362	Montana Dakota Utilities Co	28.08	5120-85000-403440	5967331000 5
03/25/2013	764362	Montana Dakota Utilities Co	14.02	5210-15920-403440	7173531000 6

03/25/2013	764362	Montana Dakota Utilities Co	949.82	1500-22210-403440	8858801000 4
03/25/2013	764362	Montana Dakota Utilities Co	2,147.50	6500-15670-403440	9297801000 4
03/25/2013	764362	Montana Dakota Utilities Co	10.40	0100-51120-403410	5014731000 2
03/25/2013	764362	Montana Dakota Utilities Co	378.09	1500-22210-403440	6686701000 2
03/25/2013	764365	Montana State Fireman's Assoc	3,187.75	9000-00000-209924	Payroll Summary
03/25/2013	764367	Morrison Maierle Inc	483.85	5620-71200-409310	Invoice #130343. South View Drive & West End Parking Lot Paving - Design
03/25/2013	764367	Morrison Maierle Inc	50.45	5620-71200-409310	Invoice #130343. Extend Sanitary Sewer - Design
03/25/2013	764367	Morrison Maierle Inc	1,612.80	5620-71200-409310	Invoice #130343. East Taxilane Extension - Design
03/25/2013	764367	Morrison Maierle Inc	31,921.31	4050-71250-409695	Invoice #130339. AIP 42 Project Overlay of Runway 10L/28R-Federal
03/25/2013	764367	Morrison Maierle Inc	1,680.09	4050-71250-409696	Invoice #130339. AIP 42 Project Overlay of Runway 10L28R-Local
03/25/2013	764367	Morrison Maierle Inc	1,884.50	4070-71280-409497	Invoice #130344. Airport Wheel Loader Equipment
03/25/2013	764367	Morrison Maierle Inc	6,135.30	4070-71280-409397	Invoice #130341. Pond C Plunge Pool - design 2447.091
03/25/2013	764367	Morrison Maierle Inc	3,967.49	4070-71280-409397	Invoice #130342. Pond C Plunge Pool - CA 2447.091.01
03/25/2013	764373	MT DEQ	1,125.00	5610-71100-403540	Invoice #5L1301361. Industrial Storm Water permit
03/25/2013	764373	MT DEQ	562.50	5610-71190-403660	Invoice #5L1301362. QTA Construction Storm Water permit
03/25/2013	764373	MT DEQ	6,200.00	8400-31840-403990	Permit #MTR040001 - WPB No -263019 City of Billings MS-4 - MTR04-Outfall Charge
03/25/2013	764373	MT DEQ	637.50	8400-31840-403990	Permit #MTG770013 - WPB No -262267 MTG77-Outfall Charge
03/25/2013	764373	MT DEQ	900.00	5120-82110-403495	Permit #MTR000459 - WPB No -262379 MTR0-Acreage
03/25/2013	764373	MT DEQ	30,881.25	5120-82110-403495	Permit #MT0022586 - WPB No -261768 MT00-Outfall Charge
03/25/2013	764374	Napa Auto Parts	42.66	6010-00000-141000	389473 PO NUM 292159
03/25/2013	764374	Napa Auto Parts	24.00	6010-00000-141000	389663 PO NUM 292159
03/25/2013	764374	Napa Auto Parts	63.99	6010-00000-141000	390125 PO NUM 292159
03/25/2013	764374	Napa Auto Parts	101.43	6010-00000-141000	559264 PO NUM 292159

03/25/2013	764374	Napa Auto Parts	186.74	5020-75000-402320	388095
03/25/2013	764374	Napa Auto Parts	-74.10	5020-75000-402320	388682
03/25/2013	764374	Napa Auto Parts	4.99	2600-55170-402320	388994
03/25/2013	764374	Napa Auto Parts	12.16	1500-22260-402320	388995
03/25/2013	764374	Napa Auto Parts	144.00	5410-31220-402320	389386
03/25/2013	764374	Napa Auto Parts	106.08	1500-21120-402320	389445
03/25/2013	764374	Napa Auto Parts	132.99	6010-15520-402120	389568
03/25/2013	764374	Napa Auto Parts	55.50	5410-31230-402320	389816
03/25/2013	764374	Napa Auto Parts	47.86	5410-31230-402320	391018
03/25/2013	764374	Napa Auto Parts	374.25	5410-31230-402320	391116
03/25/2013	764374	Napa Auto Parts	112.14	5410-31230-402320	391147
03/25/2013	764374	Napa Auto Parts	26.69	5410-31230-402320	391181
03/25/2013	764374	Napa Auto Parts	123.69	6010-15530-402320	391270
03/25/2013	764374	Napa Auto Parts	19.78	1500-21120-402320	391286
03/25/2013	764374	Napa Auto Parts	374.25	5410-31230-402320	391309
03/25/2013	764374	Napa Auto Parts	-15.92	6010-15530-402320	391349
03/25/2013	764374	Napa Auto Parts	53.49	5410-31230-402320	391373
03/25/2013	764374	Napa Auto Parts	53.35	6010-15530-402650	391436
03/25/2013	764374	Napa Auto Parts	38.00	2110-31320-402320	391743
03/25/2013	764374	Napa Auto Parts	60.56	5020-75000-402320	391743
03/25/2013	764374	Napa Auto Parts	-53.35	6010-15530-402650	391841
03/25/2013	764374	Napa Auto Parts	54.10	5120-85000-402320	391848
03/25/2013	764374	Napa Auto Parts	83.15	1500-21120-402320	393327
03/25/2013	764374	Napa Auto Parts	24.75	6010-15530-402650	559264
03/25/2013	764374	Napa Auto Parts	97.12	0100-51120-402320	560233
03/25/2013	764374	Napa Auto Parts	290.97	6010-00000-141714	387786 PO NUM 292158
03/25/2013	764374	Napa Auto Parts	50.36	6010-00000-141714	391092 PO NUM 292158
03/25/2013	764374	Napa Auto Parts	54.36	6010-00000-141714	391685 PO NUM 292158
03/25/2013	764374	Napa Auto Parts	149.38	5710-71470-402320	387219
03/25/2013	764374	Napa Auto Parts	20.85	5710-71440-402320	391685
03/25/2013	764374	Napa Auto Parts	135.80	5710-71440-402320	391685
03/25/2013	764374	Napa Auto Parts	61.96	5710-71470-402320	391685
03/25/2013	764374	Napa Auto Parts	37.41	5710-71440-402320	392033
03/25/2013	764378	NorthWestern Energy	478.91	8100-31830-403410	SILMD 008 ACCT# 0712544-6
03/25/2013	764378	NorthWestern Energy	491.43	8100-31830-403410	SILMD 009 ACCT# 0712545-3
03/25/2013	764378	NorthWestern Energy	1,350.29	8100-31830-403410	SILMD 010 ACCT# 0712546-1
03/25/2013	764378	NorthWestern Energy	3,965.63	8100-31830-403410	SILMD 013 ACCT# 0721276-4

03/25/2013	764378	NorthWestern Energy	1,946.66	8100-31830-403410	SILMD 014 ACCT# 0721277-2
03/25/2013	764378	NorthWestern Energy	1,185.30	8100-31830-403410	SILMD 017 ACCT# 0712553-7
03/25/2013	764378	NorthWestern Energy	91.50	8100-31830-403410	SILMD 018 ACCT# 0712554-5
03/25/2013	764378	NorthWestern Energy	450.29	8100-31830-403410	SILMD 095 ACCT# 0712556-0
03/25/2013	764378	NorthWestern Energy	11,921.65	8100-31830-403410	SILMD 097 ACCT# 0712557-8
03/25/2013	764378	NorthWestern Energy	1,554.32	8100-31830-403410	SILMD 099 ACCT# 0712558-6
03/25/2013	764378	NorthWestern Energy	2,545.33	8100-31830-403410	SILMD 100 ACCT# 0712559-4
03/25/2013	764378	NorthWestern Energy	1,688.11	8100-31830-403410	SILMD 107 ACCT# 0712560-2
03/25/2013	764378	NorthWestern Energy	4,233.68	8100-31830-403410	SILMD 109 ACCT# 0712561-0
03/25/2013	764378	NorthWestern Energy	172.89	8100-31830-403410	SILMD 113 ACCT# 0712562-8
03/25/2013	764378	NorthWestern Energy	911.07	8100-31830-403410	SILMD 114 ACCT# 0712563-6
03/25/2013	764378	NorthWestern Energy	214.35	8100-31830-403410	SILMD 115 ACCT# 0712564-4
03/25/2013	764378	NorthWestern Energy	562.71	8100-31830-403410	SILMD 116 ACCT# 0712565-1
03/25/2013	764378	NorthWestern Energy	3,106.03	8100-31830-403410	SILMD 117 ACCT# 0712566-9
03/25/2013	764378	NorthWestern Energy	224.27	8100-31830-403410	SILMD 118 ACCT# 0712567-7
03/25/2013	764378	NorthWestern Energy	147.63	8100-31830-403410	SILMD 119 ACCT# 0712568-5
03/25/2013	764378	NorthWestern Energy	2,411.58	8100-31830-403410	SILMD 121 ACCT# 0712570-1
03/25/2013	764378	NorthWestern Energy	183.24	8100-31830-403410	SILMD 122 ACCT# 0712571-9
03/25/2013	764378	NorthWestern Energy	321.56	8100-31830-403410	SILMD 123 ACCT# 0712572-7
03/25/2013	764378	NorthWestern Energy	937.83	8100-31830-403410	SILMD 124 ACCT# 0712573-5
03/25/2013	764378	NorthWestern Energy	375.14	8100-31830-403410	SILMD 125 ACCT# 0712574-3
03/25/2013	764378	NorthWestern Energy	187.57	8100-31830-403410	SILMD 126 ACCT# 0712575-0
03/25/2013	764378	NorthWestern Energy	687.18	8100-31830-403410	SILMD 127 ACCT# 0712576-8
03/25/2013	764378	NorthWestern Energy	481.01	8100-31830-403410	SILMD 128 ACCT# 0712577-6
03/25/2013	764378	NorthWestern Energy	321.56	8100-31830-403410	SILMD 129 ACCT# 0712578-4
03/25/2013	764378	NorthWestern Energy	121.66	8100-31830-403410	SILMD 130 ACCT# 0712579-2
03/25/2013	764378	NorthWestern Energy	830.66	8100-31830-403410	SILMD 131 ACCT# 0712580-0
03/25/2013	764378	NorthWestern Energy	225.92	8100-31830-403410	SILMD 133 ACCT# 0712581-8
03/25/2013	764378	NorthWestern Energy	521.39	8100-31830-403410	SILMD 134 ACCT# 0712582-6
03/25/2013	764378	NorthWestern Energy	503.91	8100-31830-403410	SILMD 135 ACCT# 0712583-4
03/25/2013	764378	NorthWestern Energy	446.12	8100-31830-403410	SILMD 136 ACCT# 0712584-2
03/25/2013	764378	NorthWestern Energy	65.37	8100-31830-403410	SILMD 137 ACCT# 0712585-9
03/25/2013	764378	NorthWestern Energy	723.48	8100-31830-403410	SILMD 138 ACCT# 0712586-7
03/25/2013	764378	NorthWestern Energy	241.17	8100-31830-403410	SILMD 139 ACCT# 0712587-5
03/25/2013	764378	NorthWestern Energy	562.01	8100-31830-403410	SILMD 143 ACCT# 0712588-3
03/25/2013	764378	NorthWestern Energy	26.78	8100-31830-403410	SILMD 144 ACCT# 0712589-1
03/25/2013	764378	NorthWestern Energy	458.10	8100-31830-403410	SILMD 145 ACCT# 0712590-9

03/25/2013	764378	NorthWestern Energy	348.33	8100-31830-403410	SILMD 146 ACCT# 0712591-7
03/25/2013	764378	NorthWestern Energy	451.12	8100-31830-403410	SILMD 147 ACCT# 0712592-5
03/25/2013	764378	NorthWestern Energy	1,394.30	8100-31830-403410	SILMD 149 ACCT# 0712593-3
03/25/2013	764378	NorthWestern Energy	732.99	8100-31830-403410	SILMD 150 ACCT# 0712594-1
03/25/2013	764378	NorthWestern Energy	616.31	8100-31830-403410	SILMD 151 ACCT# 0712595-8
03/25/2013	764378	NorthWestern Energy	4,195.16	8100-31830-403410	SILMD 152 ACCT# 0712596-6
03/25/2013	764378	NorthWestern Energy	526.83	8100-31830-403410	SILMD 153 ACCT# 0712597-4
03/25/2013	764378	NorthWestern Energy	1,191.08	8100-31830-403410	SILMD 154 ACCT# 0712598-2
03/25/2013	764378	NorthWestern Energy	482.31	8100-31830-403410	SILMD 155 ACCT# 0712599-0
03/25/2013	764378	NorthWestern Energy	893.32	8100-31830-403410	SILMD 157 ACCT# 0712600-6
03/25/2013	764378	NorthWestern Energy	777.06	8100-31830-403410	SILMD 158 ACCT# 0712601-4
03/25/2013	764378	NorthWestern Energy	1,056.41	8100-31830-403410	SILMD 159 ACCT# 0712602-2
03/25/2013	764378	NorthWestern Energy	696.67	8100-31830-403410	SILMD 160 ACCT# 0712603-0
03/25/2013	764378	NorthWestern Energy	1,030.75	8100-31830-403410	SILMD 161 ACCT# 0712604-8
03/25/2013	764378	NorthWestern Energy	58.57	8100-31830-403410	SILMD 162 ACCT# 0712605-5
03/25/2013	764378	NorthWestern Energy	630.38	8100-31830-403410	SILMD 163 ACCT# 0712606-3
03/25/2013	764378	NorthWestern Energy	366.48	8100-31830-403410	SILMD 164 ACCT# 0712607-1
03/25/2013	764378	NorthWestern Energy	857.47	8100-31830-403410	SILMD 165 ACCT# 0712608-9
03/25/2013	764378	NorthWestern Energy	229.07	8100-31830-403410	SILMD 167 ACCT# 0712609-7
03/25/2013	764378	NorthWestern Energy	549.72	8100-31830-403410	SILMD 171 ACCT# 0712610-5
03/25/2013	764378	NorthWestern Energy	521.40	8100-31830-403410	SILMD 172 ACCT# 0712611-3
03/25/2013	764378	NorthWestern Energy	1,145.29	8100-31830-403410	SILMD 173 ACCT# 0712612-1
03/25/2013	764378	NorthWestern Energy	962.03	8100-31830-403410	SILMD 174 ACCT# 0712613-9
03/25/2013	764378	NorthWestern Energy	320.68	8100-31830-403410	SILMD 175 ACCT# 0712614-7
03/25/2013	764378	NorthWestern Energy	41.84	8100-31830-403410	SILMD 176 ACCT# 0712615-4
03/25/2013	764378	NorthWestern Energy	503.91	8100-31830-403410	SILMD 179 ACCT# 0712617-0
03/25/2013	764378	NorthWestern Energy	343.58	8100-31830-403410	SILMD 180 ACCT# 0712618-8
03/25/2013	764378	NorthWestern Energy	1,634.52	8100-31830-403410	SILMD 181 ACCT# 0712619-6
03/25/2013	764378	NorthWestern Energy	572.64	8100-31830-403410	SILMD 182 ACCT# 0712620-4
03/25/2013	764378	NorthWestern Energy	1,145.27	8100-31830-403410	SILMD 183 ACCT# 0712621-2
03/25/2013	764378	NorthWestern Energy	366.48	8100-31830-403410	SILMD 184 ACCT# 0712622-0
03/25/2013	764378	NorthWestern Energy	137.42	8100-31830-403410	SILMD 185 ACCT# 0712623-8
03/25/2013	764378	NorthWestern Energy	589.68	8100-31830-403410	SILMD 186 ACCT# 0712624-6
03/25/2013	764378	NorthWestern Energy	229.07	8100-31830-403410	SILMD 187 ACCT# 0712625-3
03/25/2013	764378	NorthWestern Energy	274.88	8100-31830-403410	SILMD 188 ACCT# 0712626-1
03/25/2013	764378	NorthWestern Energy	229.07	8100-31830-403410	SILMD 189 ACCT# 0712627-9
03/25/2013	764378	NorthWestern Energy	1,191.08	8100-31830-403410	SILMD 190 ACCT# 0712628-7

03/25/2013	764378	NorthWestern Energy	409.25	8100-31830-403410	SILMD 191 ACCT# 0712629-5
03/25/2013	764378	NorthWestern Energy	297.76	8100-31830-403410	SILMD 192 ACCT# 0712630-3
03/25/2013	764378	NorthWestern Energy	732.99	8100-31830-403410	SILMD 193 ACCT# 0712631-1
03/25/2013	764378	NorthWestern Energy	244.01	8100-31830-403410	SILMD 194 ACCT# 0712632-9
03/25/2013	764378	NorthWestern Energy	203.36	8100-31830-403410	SILMD 195 ACCT# 0712633-7
03/25/2013	764378	NorthWestern Energy	65.35	8100-31830-403410	SILMD 196 ACCT# 0712634-5
03/25/2013	764378	NorthWestern Energy	65.35	8100-31830-403410	SILMD 197 ACCT# 0712635-2
03/25/2013	764378	NorthWestern Energy	114.53	8100-31830-403410	SILMD 198 ACCT# 0712636-0
03/25/2013	764378	NorthWestern Energy	69.71	8100-31830-403410	SILMD 200 ACCT# 0712637-8
03/25/2013	764378	NorthWestern Energy	481.01	8100-31830-403410	SILMD 201 ACCT# 0712638-6
03/25/2013	764378	NorthWestern Energy	750.61	8100-31830-403410	SILMD 202 INV# 0712639-4
03/25/2013	764378	NorthWestern Energy	17.42	8100-31830-403410	SILMD 203 ACCT# 0712640-2
03/25/2013	764378	NorthWestern Energy	382.76	8100-31830-403410	SILMD 204 ACCT# 0712641-0
03/25/2013	764378	NorthWestern Energy	33.46	8100-31830-403410	SILMD 205 ACCT# 0712642-8
03/25/2013	764378	NorthWestern Energy	320.68	8100-31830-403410	SILMD 206 ACCT# 0712643-6
03/25/2013	764378	NorthWestern Energy	366.48	8100-31830-403410	SILMD 207 ACCT# 0712644-4
03/25/2013	764378	NorthWestern Energy	304.43	8100-31830-403410	SILMD 208 ACCT# 0712645-1
03/25/2013	764378	NorthWestern Energy	526.83	8100-31830-403410	SILMD 209 ACCT# 0712646-9
03/25/2013	764378	NorthWestern Energy	78.42	8100-31830-403410	SILMD 210 ACCT# 0712647-7
03/25/2013	764378	NorthWestern Energy	43.58	8100-31830-403410	SILMD 211 ACCT# 0712648-5
03/25/2013	764378	NorthWestern Energy	43.58	8100-31830-403410	SILMD 212 ACCT# 0712649-3
03/25/2013	764378	NorthWestern Energy	26.13	8100-31830-403410	SILMD 213 ACCT# 0712650-1
03/25/2013	764378	NorthWestern Energy	458.80	8100-31830-403410	SILMD 214 ACCT# 0712651-9
03/25/2013	764378	NorthWestern Energy	137.42	8100-31830-403410	SILMD 216 ACCT# 0712652-7
03/25/2013	764378	NorthWestern Energy	362.51	8100-31830-403410	SILMD 217 ACCT# 0712653-5
03/25/2013	764378	NorthWestern Energy	248.10	8100-31830-403410	SILMD 220 ACCT# 0712654-3
03/25/2013	764378	NorthWestern Energy	8.38	8100-31830-403410	SILMD 221 ACCT# 0712655-0
03/25/2013	764378	NorthWestern Energy	68.86	8100-31830-403410	SILMD 222 ACCT# 0712656-8
03/25/2013	764378	NorthWestern Energy	104.56	8100-31830-403410	SILMD 223 ACCT# 0712657-6
03/25/2013	764378	NorthWestern Energy	1,757.81	8100-31830-403410	SILMD 224 ACCT# 0712658-4
03/25/2013	764378	NorthWestern Energy	334.81	8100-31830-403410	SILMD 225 ACCT# 0712659-2
03/25/2013	764378	NorthWestern Energy	280.13	8100-31830-403410	SILMD 226 ACCT# 0712660-0
03/25/2013	764378	NorthWestern Energy	566.70	8100-31830-403410	SILMD 227 ACCT# 0712661-8
03/25/2013	764378	NorthWestern Energy	777.06	8100-31830-403410	SILMD 228 ACCT# 0712662-6
03/25/2013	764378	NorthWestern Energy	401.92	8100-31830-403410	SILMD 229 ACCT# 0712663-4
03/25/2013	764378	NorthWestern Energy	937.87	8100-31830-403410	SILMD 230 ACCT# 0712664-2
03/25/2013	764378	NorthWestern Energy	562.71	8100-31830-403410	SILMD 231 ACCT# 0712665-9

03/25/2013	764378	NorthWestern Energy	2,438.39	8100-31830-403410	SILMD 232 ACCT# 0712666-7
03/25/2013	764378	NorthWestern Energy	761.52	8100-31830-403410	SILMD 233 ACCT# 0712667-5
03/25/2013	764378	NorthWestern Energy	448.74	8100-31830-403410	SILMD 234 ACCT# 0712668-3
03/25/2013	764378	NorthWestern Energy	479.28	8100-31830-403410	SILMD 235 ACCT# 0712669-1
03/25/2013	764378	NorthWestern Energy	152.50	8100-31830-403410	SILMD 236 ACCT# 0712670-9
03/25/2013	764378	NorthWestern Energy	389.39	8100-31830-403410	SILMD 237 ACCT# 0712671-7
03/25/2013	764378	NorthWestern Energy	14.34	8100-31830-403410	SILMD 238 ACCT# 0712672-5
03/25/2013	764378	NorthWestern Energy	91.61	8100-31830-403410	SILMD 239 ACCT# 0712673-3
03/25/2013	764378	NorthWestern Energy	366.01	8100-31830-403410	SILMD 240 ACCT# 0712674-1
03/25/2013	764378	NorthWestern Energy	599.96	8100-31830-403410	SILMD 241 ACCT# 0712675-8
03/25/2013	764378	NorthWestern Energy	80.40	8100-31830-403410	SILMD 242 ACCT# 0712676-6
03/25/2013	764378	NorthWestern Energy	107.17	8100-31830-403410	SILMD 244 ACCT# 0712677-4
03/25/2013	764378	NorthWestern Energy	83.21	8100-31830-403410	SILMD 245 ACCT# 0712678-2
03/25/2013	764378	NorthWestern Energy	321.56	8100-31830-403410	SILMD 246 ACCT# 0712679-0
03/25/2013	764378	NorthWestern Energy	1,118.45	8100-31830-403410	SILMD 247 ACCT# 0712680-8
03/25/2013	764378	NorthWestern Energy	2,371.36	8100-31830-403410	SILMD 248 ACCT# 0712681-6
03/25/2013	764378	NorthWestern Energy	2,652.75	8100-31830-403410	SILMD 249 ACCT# 0718734-7
03/25/2013	764378	NorthWestern Energy	185.46	8100-31830-403410	SILMD 250 ACCT# 1301786-8
03/25/2013	764378	NorthWestern Energy	9.38	8100-31830-403410	SILMD 250 ACCT# 0719001-00
03/25/2013	764378	NorthWestern Energy	3,807.16	8100-31830-403410	SILMD 251 ACCT# 0718801-4
03/25/2013	764378	NorthWestern Energy	535.91	8100-31830-403410	SILMD 252 ACCT# 0719162-0
03/25/2013	764378	NorthWestern Energy	1,842.17	8100-31830-403410	SILMD 253 ACCT# 0719644-7
03/25/2013	764378	NorthWestern Energy	137.72	8100-31830-403410	SILMD 254 ACCT# 0719763-5
03/25/2013	764378	NorthWestern Energy	140.81	8100-31830-403410	SILMD 255 ACCT# 0720813-5
03/25/2013	764378	NorthWestern Energy	802.87	8100-31830-403410	SILMD 257 ACCT# 0720360-7
03/25/2013	764378	NorthWestern Energy	2,527.07	8100-31830-403410	SILMD 258 ACCT# 0720606-3
03/25/2013	764378	NorthWestern Energy	8.66	8100-31830-403410	SILMD 259 ACCT# 1301786-8
03/25/2013	764378	NorthWestern Energy	1,256.36	8100-31830-403410	SILMD 259 ACCT# 0720810-1
03/25/2013	764378	NorthWestern Energy	482.31	8100-31830-403410	SILMD 261 ACCT# 0720705-3
03/25/2013	764378	NorthWestern Energy	3,041.30	8100-31830-403410	SILMD 262 ACCT# 0720937-2
03/25/2013	764378	NorthWestern Energy	863.75	8100-31830-403410	SILMD 263 ACCT# 0720716-0
03/25/2013	764378	NorthWestern Energy	150.25	8100-31830-403410	SILMD 264 ACCT# 0721427-3
03/25/2013	764378	NorthWestern Energy	339.35	8100-31830-403410	SILMD 265 ACCT# 0721556-9
03/25/2013	764378	NorthWestern Energy	69.85	8100-31830-403410	SILMD 266 ACCT# 0721684-9
03/25/2013	764378	NorthWestern Energy	71.18	8100-31830-403410	SILMD 269 ACCT# 0833098-7
03/25/2013	764378	NorthWestern Energy	400.62	8100-31830-403410	SILMD 270 ACCT# 0906944-4
03/25/2013	764378	NorthWestern Energy	966.76	8100-31830-403410	SILMD 271 ACCT# 0995095-7

03/25/2013	764378	NorthWestern Energy	2,723.26	8100-31830-403410	SILMD 272 ACCT# 0905005-5
03/25/2013	764378	NorthWestern Energy	195.33	8100-31830-403410	SILMD 273 ACCT# 0926386-4
03/25/2013	764378	NorthWestern Energy	61.00	8100-31830-403410	SILMD 274 ACCT# 0907926-0
03/25/2013	764378	NorthWestern Energy	435.09	8100-31830-403410	SILMD 276 ACCT# 0961926-3
03/25/2013	764378	NorthWestern Energy	800.27	8100-31830-403410	SILMD 277 ACCT# 1058710-3
03/25/2013	764378	NorthWestern Energy	213.52	8100-31830-403410	SILMD 278 ACCT# 1087619-1
03/25/2013	764378	NorthWestern Energy	59.53	8100-31830-403410	SILMD 279 ACCT# 1124127-0
03/25/2013	764378	NorthWestern Energy	660.91	8100-31830-403410	SILMD 280 ACCT# 1045653-1
03/25/2013	764378	NorthWestern Energy	61.00	8100-31830-403410	SILMD 281 ACCT# 1079722-3
03/25/2013	764378	NorthWestern Energy	345.09	8100-31830-403410	SILMD 283 ACCT# 1172743-5
03/25/2013	764378	NorthWestern Energy	327.95	8100-31830-403410	SILMD 285 ACCT# 1206985-2
03/25/2013	764378	NorthWestern Energy	230.34	8100-31830-403410	SILMD 286 ACCT# 1296582-8
03/25/2013	764378	NorthWestern Energy	122.29	8100-31830-403410	SILMD 287 ACCT# 1246537-3
03/25/2013	764378	NorthWestern Energy	1,730.73	8100-31830-403410	SILMD 288 ACCT# 1303978-9
03/25/2013	764378	NorthWestern Energy	320.80	8100-31830-403410	SILMD 289 ACCT# 1685375-6
03/25/2013	764378	NorthWestern Energy	141.78	8100-31830-403410	SILMD 290 ACCT# 1433921-2
03/25/2013	764378	NorthWestern Energy	589.49	8100-31830-403410	SILMD 292 ACCT# 1481532-8
03/25/2013	764378	NorthWestern Energy	229.07	8100-31830-403410	SILMD 293 ACCT# 1481534-4
03/25/2013	764378	NorthWestern Energy	458.10	8100-31830-403410	SILMD 294 ACCT# 1481535-1
03/25/2013	764378	NorthWestern Energy	107.17	8100-31830-403410	SILMD 295 ACCT# 1481536-9
03/25/2013	764378	NorthWestern Energy	1,231.60	8100-31830-403410	SILMD 296 ACCT# 1481537-7
03/25/2013	764378	NorthWestern Energy	206.16	8100-31830-403410	SILMD 297 ACCT# 1481539-3
03/25/2013	764378	NorthWestern Energy	183.24	8100-31830-403410	SILMD 298 ACCT# 1481540-1
03/25/2013	764378	NorthWestern Energy	390.39	8100-31830-403410	SILMD 300 ACCT# 1662840-6
03/25/2013	764378	NorthWestern Energy	1,726.75	8100-31830-403410	SILMD 301 ACCT# 1687005-7
03/25/2013	764378	NorthWestern Energy	264.65	8100-31830-403410	SILMD 302 ACCT# 1607534-3
03/25/2013	764378	NorthWestern Energy	863.18	8100-31830-403410	SILMD 305 ACCT# 1695873-8
03/25/2013	764378	NorthWestern Energy	206.61	8100-31830-403410	SILMD 306 ACCT# 1740353-6
03/25/2013	764378	NorthWestern Energy	2,907.83	8100-31830-403410	SILMD 307 ACCT# 2049005-8
03/25/2013	764378	NorthWestern Energy	255.94	8100-31830-403410	SILMD 308 ACCT# 2072459-7
03/25/2013	764378	NorthWestern Energy	360.48	8100-31830-403410	SILMD 309 ACCT# 2001311-6
03/25/2013	764378	NorthWestern Energy	276.75	8100-31830-403410	SILMD 310 ACCT# 2060519-2
03/25/2013	764378	NorthWestern Energy	50.48	8100-31830-403410	SILMD 320 ACCT# 0712569-3
03/25/2013	764378	NorthWestern Energy	12,476.02	2110-31320-403410	Signal Bills
03/25/2013	764379	NorthWestern Energy	11,574.21	5020-74000-403410	2251 Belknap
03/25/2013	764379	NorthWestern Energy	43,403.29	5020-74000-403410	2251 Belknap
03/25/2013	764379	NorthWestern Energy	2,170.16	5020-73140-403410	2251 Belknap

03/25/2013	764379	NorthWestern Energy	723.39	5120-83140-403410	2251 Belknap
03/25/2013	764379	NorthWestern Energy	660.71	5020-74000-403410	Airport Rd/17th St West/Hwy 3/Waldo
03/25/2013	764379	NorthWestern Energy	18.87	2660-67730-409200	NSP-CONWAY-ELECTRIC-FEB
03/25/2013	764379	NorthWestern Energy	115.70	5120-85000-403410	822 Shiloh Crossing
03/25/2013	764379	NorthWestern Energy	7.40	2110-31320-403410	20470191
03/25/2013	764379	NorthWestern Energy	161.76	6070-22350-403410	07215809
03/25/2013	764379	NorthWestern Energy	9.16	0100-51120-403410	07222375
03/25/2013	764379	NorthWestern Energy	7.40	0100-51120-403410	07222474
03/25/2013	764379	NorthWestern Energy	92.03	0100-51120-403410	07222557
03/25/2013	764379	NorthWestern Energy	17.75	0100-51120-403410	07222664
03/25/2013	764379	NorthWestern Energy	8.50	0100-51120-403410	07222698
03/25/2013	764379	NorthWestern Energy	11.79	0100-51120-403410	07222920
03/25/2013	764379	NorthWestern Energy	29.00	0100-51120-403410	07222938
03/25/2013	764379	NorthWestern Energy	7.40	0100-51120-403410	07229057
03/25/2013	764379	NorthWestern Energy	101.32	0100-51120-403410	07230352
03/25/2013	764379	NorthWestern Energy	8.68	0100-51120-403410	07230360
03/25/2013	764379	NorthWestern Energy	176.55	0100-51120-403410	07230378
03/25/2013	764379	NorthWestern Energy	19.82	0100-51120-403410	07230428
03/25/2013	764379	NorthWestern Energy	17.52	0100-51120-403410	07230543
03/25/2013	764379	NorthWestern Energy	7.40	0100-51120-403410	07230550
03/25/2013	764379	NorthWestern Energy	12.85	0100-51120-403410	07230568
03/25/2013	764379	NorthWestern Energy	10.89	0100-51120-403410	07230576
03/25/2013	764379	NorthWestern Energy	7.62	0100-51120-403410	07230584
03/25/2013	764379	NorthWestern Energy	65.16	0100-51120-403410	07229339
03/25/2013	764379	NorthWestern Energy	7.40	0100-51120-403410	07231624
03/25/2013	764379	NorthWestern Energy	7.40	0100-51120-403410	07236441
03/25/2013	764379	NorthWestern Energy	7.73	0100-51120-403410	07236458
03/25/2013	764379	NorthWestern Energy	12.75	0100-51120-403410	07894371
03/25/2013	764379	NorthWestern Energy	9.25	0100-51120-403410	07222573
03/25/2013	764379	NorthWestern Energy	9.25	0100-51120-403410	07230907
03/25/2013	764379	NorthWestern Energy	177.78	0100-51120-403410	09254962
03/25/2013	764379	NorthWestern Energy	99.15	5610-71170-403410	11389269
03/25/2013	764379	NorthWestern Energy	865.79	6500-15660-403410	11608023
03/25/2013	764379	NorthWestern Energy	3,563.21	6500-15660-403410	11608049
03/25/2013	764379	NorthWestern Energy	3,546.92	6500-15660-403410	12693917
03/25/2013	764379	NorthWestern Energy	1,694.67	5610-71130-403410	0100484-5. March 2013 ARFF Facility
03/25/2013	764379	NorthWestern Energy	2,732.62	5610-71130-403410	0100483-7. March 2013 Runway Lights

03/25/2013	764379	NorthWestern Energy	31.69	5610-71130-403410	1647695-4. March 2013 De-icer
03/25/2013	764379	NorthWestern Energy	538.25	5610-71170-403410	1669567-8. March 2013 TSA Building
03/25/2013	764379	NorthWestern Energy	9.25	5610-71170-403410	1264299-7. March 2013 Old Hertz Car Wash
03/25/2013	764379	NorthWestern Energy	35.85	5610-71170-403410	1341288-7. March 2013 Old National/Alamo Car Wash.
03/25/2013	764379	NorthWestern Energy	7.72	5610-71170-403410	1341289-5. March 2013 Old Thifty/Dollar Car Wash
03/25/2013	764379	NorthWestern Energy	306.61	5610-71170-403410	1341291-1. March 2013 Old Enterprise used by Big Sky Ground di-icer
03/25/2013	764379	NorthWestern Energy	632.62	5610-71170-403410	1341295-2. March 2013 Big Sky Ground
03/25/2013	764379	NorthWestern Energy	1,128.72	5610-71190-403410	1993430-6. March 2013 QTA Car Wash
03/25/2013	764379	NorthWestern Energy	494.19	5610-71190-403410	2001846-1. March 2013 QTA Mudwash
03/25/2013	764379	NorthWestern Energy	238.78	5610-71190-403410	2001848-7. March 2013 Hertz Detail Bay 1
03/25/2013	764379	NorthWestern Energy	259.40	5610-71190-403410	2001855-2. March 2013 National/Alamo Detail Bay 2
03/25/2013	764379	NorthWestern Energy	123.24	5610-71190-403410	2001862-8. March 2013 Enterprise Detail Bay 3
03/25/2013	764379	NorthWestern Energy	234.43	5610-71190-403410	2001865-1. March 2013 Avis/Budget Detail Bay 4
03/25/2013	764379	NorthWestern Energy	155.53	5610-71190-403410	2001867-7. March 2013 Thrifty/Dollar Detail Bay 5
03/25/2013	764381	OAC Services Inc	17,889.90	2030-15130-409224	Empire Parking Garage Project Management Services
03/25/2013	764390	Public Utilities	1,628.43	5120-84000-403420	187212152
03/25/2013	764390	Public Utilities	151,438.40	8050-15700-405350	6712510003200
03/25/2013	764390	Public Utilities	311.29	5120-85000-403420	671274846
03/25/2013	764390	Public Utilities	97.75	2110-31320-403420	671294847
03/25/2013	764394	Qwest Communications	29.86	5610-71100-403450	Qwest 406-245-1044 Airport Terminal Power M
03/25/2013	764394	Qwest Communications	45.73	5710-71470-403450	Qwest 406-245-1789 Transit STS
03/25/2013	764394	Qwest Communications	58.09	2250-22320-403450	Qwest 406-245-2296 911 Qwest
03/25/2013	764394	Qwest Communications	45.65	2250-22320-403450	Qwest 406-245-3107 911 Qwest
03/25/2013	764394	Qwest Communications	45.65	2250-22320-403450	Qwest 406-245-3108 911 Qwest
03/25/2013	764394	Qwest Communications	39.44	5020-74000-403450	Qwest 406-245-3659 PUD Alarm Water Tower
03/25/2013	764394	Qwest Communications	45.66	5610-71100-403450	Qwest 406-245-5834 Airport Alarm
03/25/2013	764394	Qwest Communications	54.48	5410-31230-403450	Qwest 406-245-7193 Solid Waste Landfill
03/25/2013	764394	Qwest Communications	39.44	2600-55120-403450	Qwest 406-245-7337 Library Alarm CKT
03/25/2013	764394	Qwest Communications	119.32	1500-22250-403450	Qwest 406-245-7469 Fire

03/25/2013	764394	Qwest Communications	45.66	1500-21110-403450	Qwest 406-245-7481 Police
03/25/2013	764394	Qwest Communications	94.55	5410-31230-403450	Qwest 406-245-9820 Solid Waste Landfil
03/25/2013	764394	Qwest Communications	29.86	2110-31320-403450	Qwest 406-245-9906 PW Traffic Signal 4th 27
03/25/2013	764394	Qwest Communications	228.20	6060-19310-403450	Qwest 406-248-3049 Main System T1 City/County Tie
03/25/2013	764394	Qwest Communications	44.48	5610-71100-403450	Qwest 406-248-3068 Airport Ind Park Gate 9
03/25/2013	764394	Qwest Communications	311.26	6070-22350-403450	Qwest 406-248-3635 Fire Airport Radio Tower WCK
03/25/2013	764394	Qwest Communications	311.26	6070-22350-403450	Qwest 406-248-3636 Fire Airport Radio Tower Jellison
03/25/2013	764394	Qwest Communications	44.48	5210-15920-403450	Qwest 406-252-2041 Park 2 Elevator Phone
03/25/2013	764394	Qwest Communications	45.98	6010-15500-403450	Qwest 406-256-5047 Motor Pool
03/25/2013	764394	Qwest Communications	44.86	5610-71100-403450	Qwest 406-256-7070 Airport
03/25/2013	764394	Qwest Communications	29.86	5120-85000-403450	Qwest 406-259-2328 PUD Sahara Sand Lift Station
03/25/2013	764394	Qwest Communications	45.73	2110-31320-403450	Qwest 406-259-3298 PW Traffic 3728 McDougall
03/25/2013	764394	Qwest Communications	52.42	6600-31100-403450	Qwest 406-259-7758 Measured Lines Depot 60% 6700 31410 403450 40% 6600 31100 403450
03/25/2013	764394	Qwest Communications	78.64	6700-31410-403450	Qwest 406-259-7758 Measured Lines Depot 60% 6700 31410 403450 40% 6600 31100 403450
03/25/2013	764394	Qwest Communications	118.32	1500-22250-403450	Qwest 406-373-3742 Fire RR Crossing Alarm
03/25/2013	764394	Qwest Communications	44.48	2250-22320-403450	Qwest 406-651-0282 Fire 5 911 Line
03/25/2013	764394	Qwest Communications	44.48	1500-21110-403450	Qwest 406-656-1046 PD3 FAX Line
03/25/2013	764394	Qwest Communications	29.86	2400-43010-407214	Qwest 406-656-9578 Planning Traffic Central Broadwater
03/25/2013	764394	Qwest Communications	29.86	2400-43010-407214	Qwest 406-656-9604 Planning Traffic Central 9th
03/25/2013	764394	Qwest Communications	48.82	5610-71170-403450	Qwest 406-256-6014 Airport P9 Building
03/25/2013	764394	Qwest Communications	48.82	5610-71170-403450	Qwest 406-252-0721 Airport 1FB Line
03/25/2013	764394	Qwest Communications	64.47	6060-19310-403450	Qwest 406-248-9124 Met Measured Lines 406-248-9124 406-248-9179
03/25/2013	764394	Qwest Communications	61.40	6060-19310-403450	Qwest 406-248-3329 Airport Measured Lines 406-248-3329 406-248-9989
03/25/2013	764394	Qwest Communications	311.26	2250-22320-403450	Qwest 406-245-7101 9-1-1 Center Landfill #2

03/25/2013	764394	Qwest Communications	311.26	2250-22320-403450	Qwest 406-245-7102 9-1-1 Center Fox Reservoir #2
03/25/2013	764394	Qwest Communications	29.90	1500-21110-403450	Qwest 406-245-6600 Crime Prevention Alarm
03/25/2013	764397	Rimrock Foundation	3,785.78	2460-12530-403590	Drug Court.February 2013
03/25/2013	764397	Rimrock Foundation	3,792.79	7380-12640-403560	SAMHSA.Feb 2013
03/25/2013	764397	Rimrock Foundation	4,029.24	7380-12640-403590	SAMHSA.Feb 2013
03/25/2013	764397	Rimrock Foundation	3,317.98	7380-12640-403990	SAMHSA.Feb 2013
03/25/2013	764397	Rimrock Foundation	2,993.18	7380-12660-403590	SAMHSA.Feb 2013
03/25/2013	764401	Sanderson Stewart	28,276.56	8400-31840-403590	WO 12-17 Integrated Water Plan - Stormwater System Study
03/25/2013	764403	Shakespeare In The Parks	3,450.00	0100-51120-403360	2013 Montana Shakespeare in the Parks at Pioneer.
03/25/2013	764416	Town & Country Supply Association	6,285.51	6010-00000-141714	105338 PO NUM 292147
03/25/2013	764416	Town & Country Supply Association	341.24	1500-22260-402310	105348: FIRE6 - DIESEL DELIVERED 3/7/2013
03/25/2013	764416	Town & Country Supply Association	643.82	1500-22260-402310	105349: FIRE 2 DIESEL DELIVERED 3/7/2013
03/25/2013	764416	Town & Country Supply Association	354.11	1500-22260-402310	105350: FIRE 1 DIESEL DELIVERED ON 3/7/2013
03/25/2013	764416	Town & Country Supply Association	563.34	1500-22260-402310	105352: FIRE3 DIESEL DELIVERED 3/7/2013
03/25/2013	764416	Town & Country Supply Association	885.25	1500-22260-402310	105353: FIRE 5 DIESEL DELIVERED 3/7/2013
03/25/2013	764416	Town & Country Supply Association	680.42	1500-22260-402310	105351: FIRE 1 - UNLEADED FUEL DELIVERED 3/7/2013
03/25/2013	764416	Town & Country Supply Association	556.70	1500-22260-402310	105351: FIRE 5 UNLEADED DELIVERED 3/7/2013
03/25/2013	764416	Town & Country Supply Association	-0.01	1500-22260-402310	DECIMAL POINT CORRECTION (105348)
03/25/2013	764416	Town & Country Supply Association	18,887.99	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 292111
03/25/2013	764416	Town & Country Supply Association	13,848.25	6010-00000-141000	102221 PO NUM 292126
03/25/2013	764416	Town & Country Supply Association	22,540.14	6010-00000-141000	102222 PO NUM 292126
03/25/2013	764416	Town & Country Supply Association	12,804.40	6010-00000-141000	102641 PO NUM 292127
03/25/2013	764417	Tractor & Equipment Co.	853.19	5410-31230-402320	BLW00137507
03/25/2013	764417	Tractor & Equipment Co.	327.66	5410-31220-402320	BLW00137576
03/25/2013	764417	Tractor & Equipment Co.	1,410.74	5410-31230-402320	filters fro lanfill equipment
03/25/2013	764431	Yellowstone Valley Elec	59.00	5120-84000-403410	Briarwood Blvd/O'Shea Cir
03/25/2013	764431	Yellowstone Valley Elec	646.90	5020-74000-403410	Thomas Pump Station
03/25/2013	764431	Yellowstone Valley Elec	19.00	5120-84000-403410	Rehberg Ranch North Pond
03/25/2013	764431	Yellowstone Valley Elec	162.55	5120-85000-403410	4523 Iron Horse Trl

03/25/2013	764431	Yellowstone Valley Elec	1,156.45	5120-84000-403410	Rehberg Aeration Ponds
03/25/2013	764431	Yellowstone Valley Elec	154.60	5120-85000-403410	54th St West/Dovetail
03/25/2013	764431	Yellowstone Valley Elec	19.00	5120-85000-403410	Winchester Trl/Rod & Gun Club
03/25/2013	764431	Yellowstone Valley Elec	237.77	5120-85000-403410	2229 Blue Creek
03/25/2013	764431	Yellowstone Valley Elec	775.16	1500-22210-403410	MONTHLY ELECTRICAL SERVICE - FIRE STATION #7 AND PD#3 - 1501 54TH STREET WEST - ACCOUNT #4179013
03/25/2013	764431	Yellowstone Valley Elec	246.45	6070-22350-403410	41790002: LANDFILL TOWER SITE ELECTRICAL SERVICE
03/25/2013	764431	Yellowstone Valley Elec	0.00	6070-22350-403410	41790004: FOX/TANK TOWER SITE ELECTRICAL SERVICE

Consent **1. K. 2.**

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Payment of Claims April 1, 2013.
PRESENTED BY: Pat M. Weber, Financial Director
Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of $897,734.61 have been audited and are presented for your approval for payment. A complete listing of the claims dated April 1, 2013 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.

Check Date	Check	Name	Amount	Account	Item Desc
04/01/2013	764443	Beartooth Resource Conservation & Development Area	100.00	0100-13130-403350	2013 Board Membership Dues
04/01/2013	764443	Beartooth Resource Conservation & Development Area	9,563.62	0100-14110-403951	2013 Assessment 01252013
04/01/2013	764456	Black Box Network Services	4,383.53	6060-19310-409480	Upgrade PW Belknap Telephone System
04/01/2013	764456	Black Box Network Services	3,225.62	6060-19310-409480	Upgrade BOC Telephone System
04/01/2013	764459	Bowie International LLC	13,820.00	6400-21720-409440	This is an order per attached quote. Please deliver to Fleet Service, Attn: Larry Deschene, 4848 Midland Road, Billings, MT 59101. Must call Larry Deschene @ 406-657-8229 to schedule delivery so appropriate arrangements can be made.
04/01/2013	764460	Branch Group Inc	10,741.06	5130-84910-409390	Allen Bradley Programmable controller & associated hardware for PCC conversion from PLC5 Platform to Logix 5000 Platform
04/01/2013	764461	Bruco Inc	3,010.90	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 292164
04/01/2013	764466	Cardinal Tracking Inc	8,667.80	5210-15220-403553	Software license agreement. Ticke Trak system annual software license and customer support renewal package. Handhelds warranty renewal. Cradle warranty renewal.
04/01/2013	764470	Code 3 LLC	1,092.00	1500-21120-402120	Point Blank CIIA NIJ .06 Ballistic Vest, with 1 Midnight Navy Vision Carrier for Wanchena, Weinreis, & Jensen
04/01/2013	764470	Code 3 LLC	520.80	1500-21120-402120	Point Blank Endeavor Carrier (Carrier Only), Midnight Navy in color, Police in Yellow letters (Large ID Panels to say Police, small ID panel for front should be blank)
04/01/2013	764470	Code 3 LLC	67.20	1500-21120-402120	Point Blank Standard Sized Open Top Radio Pouch, 1000D
04/01/2013	764470	Code 3 LLC	67.20	1500-21120-402120	Point Blank 5x5" Utility Pouch
04/01/2013	764470	Code 3 LLC	50.40	1500-21120-402120	Point Blank Double Handcuff Pouch
04/01/2013	764470	Code 3 LLC	364.00	1500-21120-402120	Point Blank CCIIA NIJ .06 Ballistic Vest, with 1 Midnight Navy Vision Carrier for Feuerstein
04/01/2013	764470	Code 3 LLC	571.20	1500-21120-402120	Point Blank Vision AIIA-2 with 1 Midnight Navy Carrier, 1 5x8 Soft Trauma for Hageman

04/01/2013	764470	Code 3 LLC	2,184.00	1500-21120-402260	Bullet Proof Vests for Ihde, Kambak, Kostinko, Buechler, Wooley, & Martian - Point Blank CIIA NIJ .06 Ballistic Vest, with 1 Midnight Navy Vision Carrier
04/01/2013	764470	Code 3 LLC	1,041.60	1500-21120-402260	Point Blank Endeavor Carrier (Carrier Only), Midnight Navy, Police in Yellow letters (Large ID Panels to say "POLICE", Small ID panel for front should be blank)
04/01/2013	764470	Code 3 LLC	134.40	1500-21120-402260	Point Blank Standard Sized Open Top Radio Pouch, 1000D, Black
04/01/2013	764470	Code 3 LLC	134.40	1500-21120-402260	Point Blank 5x5" Utility Pouch, Black
04/01/2013	764470	Code 3 LLC	100.80	1500-21120-402260	Point Blank Double Handcuff Pouch, Black
04/01/2013	764470	Code 3 LLC	364.00	1500-21120-402260	Bullet Proof Vest for Hoeger - Point Blank CIIA NIJ .06 MX4 Ballistic Vest, with 1 Midnight Navy Vision Carrier
04/01/2013	764470	Code 3 LLC	173.60	1500-21120-402260	Point Blank Endeavor Carrier (Carrier Only), Midnight Navy, Police in Yellow Letters
04/01/2013	764470	Code 3 LLC	22.40	1500-21120-402260	Point Blank Standard Sized Open Top Radio Pouch, 1000D, Black
04/01/2013	764470	Code 3 LLC	22.40	1500-21120-402260	Point Blank 5x5" Utility Pouch, Black
04/01/2013	764470	Code 3 LLC	16.80	1500-21120-402260	Point Blank Double Handcuff Pouch, Black
04/01/2013	764470	Code 3 LLC	1,092.00	1500-21120-402120	Point Blank CIIA NIJ .06 Ballistic Vest, with 1 Navy Vision Carrier for Snelling, Widdekind, & Miller
04/01/2013	764470	Code 3 LLC	1,092.00	1500-21120-402260	Bullet Proof Vests for Stevens, Kammerzell, & Johnson, Point Blank CIIA NIJ .06 Ballistic Vest, with 1 Midnight Navy Vision Center
04/01/2013	764470	Code 3 LLC	364.00	1500-21120-402260	Bullet Proof Vest for McKnight, Point Blank CIIA NIJ .06 MX4 Ballistic Vest, with 1 Midnight Navy Vision Carrier
04/01/2013	764470	Code 3 LLC	2,548.00	1500-21120-402260	Point Blank CIIA NIJ .06 Ballistic Vest with 1 Midnight Navy Vision Carrier for Ward, Boeckel, Nyquist, Woog, Watson, Compton, & Kirkpatrick

04/01/2013	764470	Code 3 LLC	1,215.20	1500-21120-402260	Point Blank Endeavor Carrier (Carrier Only), Midnight Navy in color, POLICE in Yellow Letters, (Back ID Panel and Large Front ID Panel to say Police, small front ID panel to be left blank)
04/01/2013	764470	Code 3 LLC	117.60	1500-21120-402260	Point Blank Double Handcuff Pouch
04/01/2013	764470	Code 3 LLC	156.80	1500-21120-402260	Point Blank 5x5" Utility Pouch
04/01/2013	764470	Code 3 LLC	156.80	1500-21120-402260	Point Blank Standard Sized Open Top Radio Pouch, 1000D
04/01/2013	764470	Code 3 LLC	2,912.00	1500-21120-402260	Point Blank CIIA NIJ .06 Ballistic Vest with 1 Midnight Navy Vision Carrier for Rude, Aguilar, Tate, Campbell, Peterson, Gunther, Newsome, & Best
04/01/2013	764470	Code 3 LLC	1,388.80	1500-21120-402260	Point Blank Endeavor Carrier (Carrier Only), Midnight Navy in color, POLICE in Yellow Letters, (Back ID Panel and Large Front ID Panel to say POLICE, small front ID panel to be left blank)
04/01/2013	764470	Code 3 LLC	134.40	1500-21120-402260	Point Blank Double Handcuff Pouch
04/01/2013	764470	Code 3 LLC	179.20	1500-21120-402260	Point Blank 5x5" Utility Pouch
04/01/2013	764470	Code 3 LLC	179.20	1500-21120-402260	Point Blank Standard Sized Open Top Radio Pouch, 1000D
04/01/2013	764470	Code 3 LLC	2,912.00	1500-21120-402260	Point Blank CIIA NIJ .06 Ballistic Vest with 1 Midnight Navy Vision Carrier for Brush, Foster, Weston, Finnegan, Gilmore, Yarina, Robinson, & Gilluly
04/01/2013	764470	Code 3 LLC	1,388.80	1500-21120-402260	Point Blank Endeavor Carrier (Carrier Only), Midnight Navy in color, POLICE in Yellow Letters, (Back ID Panel and Large Front ID Panel to say POLICE, small front ID panel to be left blank)
04/01/2013	764470	Code 3 LLC	134.40	1500-21120-402260	Point Blank Double Handcuff Pouch
04/01/2013	764470	Code 3 LLC	179.20	1500-21120-402260	Point Blank 5x5" Utility Pouch
04/01/2013	764470	Code 3 LLC	179.20	1500-21120-402260	Point Blank Standard Sized Open Top Radio Pouch, 1000D

04/01/2013	764470	Code 3 LLC	2,912.00	1500-21120-402260	Point Blank CIIA NIJ .06 Ballistic Vest, with 1 Midnight Navy Vision Carrier for Korell, Raschkow, Jagers, Curry, Nichols, Spaulding, Haynes, & Chaney
04/01/2013	764470	Code 3 LLC	1,388.80	1500-21120-402260	Point Blank Endeavor Carrier (Carrier Only), Midnight Navy in color, POLICE in yellow letters, (Back ID Panel and Large Front ID Panel to say POLICE, small front ID panel to be left blank)
04/01/2013	764470	Code 3 LLC	134.40	1500-21120-402260	Point Blank Double Handcuff Pouch
04/01/2013	764470	Code 3 LLC	179.20	1500-21120-402260	Point Blank 5x5" Utility Pouch
04/01/2013	764470	Code 3 LLC	179.20	1500-21120-402260	Point Blank Standard Sized Open Top Radio Pouch, 1000D
04/01/2013	764470	Code 3 LLC	2,856.00	1500-21120-402260	Point Blank Vision AIIA-2 with 1 Carrier, 1 5x8 Soft Trauma for Dierenfield, Brown, Simpson, Hart, & Finnegan
04/01/2013	764470	Code 3 LLC	868.00	1500-21120-402260	Point Blank Endeavor Carrier (Carrier Only), Midnight Navy, POLICE in Yellow Letters on Both Back and Lower Front Large ID Panels, small front ID panel to be blank
04/01/2013	764470	Code 3 LLC	84.00	1500-21120-402260	Point Blank Double Handcuff Pouch
04/01/2013	764470	Code 3 LLC	112.00	1500-21120-402260	Point Blank Standard Sized Open Top Radio Pouch, 1000D
04/01/2013	764470	Code 3 LLC	112.00	1500-21120-402260	Point Blank 5x5" Utility Pouch
04/01/2013	764470	Code 3 LLC	364.00	1500-21120-402260	Quote 1335, Point Blank CIIA NIJ .06 Ballistic Vest, with 1 Midnight Navy Vision Carrier for Matthew Edwards
04/01/2013	764470	Code 3 LLC	364.00	1500-21120-402260	Point Blank CIIA NIJ .06 Ballistic Vest, with 1 Midnight Navy Vision Carrier for Shawn Mayo
04/01/2013	764481	Dell Computer L P	9,845.15	6700-31410-402925	(7) Dell OptiPlex 9010 pc
04/01/2013	764481	Dell Computer L P	423.29	6700-31410-402925	(7) Logitech MK710 Wireless Desktop Keyboard and mouse.
04/01/2013	764493	Ferguson Enterprises Inc	2,035.44	5020-00000-141000	SYSTEMS PO NUM 292156
04/01/2013	764493	Ferguson Enterprises Inc	2,045.75	5020-00000-141000	SYSTEMS PO NUM 292168
04/01/2013	764501	Graphic Imprints Inc.	1,852.00	0100-51250-402250	Adult Co-Ed Vollyball shirts for Recreation program.
04/01/2013	764501	Graphic Imprints Inc.	343.00	0100-51240-402250	Summer camp t-shirts for the kids and seasonal staff shirts.

04/01/2013	764501	Graphic Imprints Inc.	2,000.00	0100-51250-402250	Summer camp t-shirts for the kids and seasonal staff shirts.
04/01/2013	764501	Graphic Imprints Inc.	600.00	0100-51260-402290	Summer camp t-shirts for the kids and seasonal staff shirts.
04/01/2013	764501	Graphic Imprints Inc.	4,581.50	0100-51250-402250	Basketball shirts for recreation program.
04/01/2013	764506	Harvest Church	3,759.08	8730-51990-402330	Reimbursement to Harvest Church for items purchased to do Compassion weekend in various city parks. Repairs
04/01/2013	764508	HDR, Inc.	9,469.87	4160-74930-409220	WO0426 ZONE 4 RESERVOIR AND FACILITIES
04/01/2013	764508	HDR, Inc.	6,099.21	4160-74930-409340	WO 09-19 Zone 3 East Fox Reservoir
04/01/2013	764508	HDR, Inc.	2,795.39	5020-74000-403540	WO 12-21 WTP Chemical Bldg/Disinfection Improvements
04/01/2013	764508	HDR, Inc.	743.95	5030-74910-409390	WO 11-11 WTF Rapid Mixer
04/01/2013	764508	HDR, Inc.	1,499.96	5130-84910-409390	WO1029 WWTP West Mechanical MCC; CO#2 01/28/13
04/01/2013	764508	HDR, Inc.	6,530.23	5030-74910-409390	WO 11-08 WTP High Service Pump Station 2011
04/01/2013	764508	HDR, Inc.	9,480.72	5030-74910-409390	WO 12-44 WTP High Srvc Pump H2-3
04/01/2013	764516	Integra Chemical Company	3,443.75	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 292177
04/01/2013	764527	Johnson Lane Materials	3,540.37	8730-51990-403650	Stewart Park ballfield scoria.
04/01/2013	764535	Labor Ready Northwest, Inc.	2,940.32	5410-31230-403581	paper pickers at landfill 3/12 3/13 3/14
04/01/2013	764549	Midland Implement	15,929.80	9000-00000-229000	BID deposit refund for Parks mowers. BD1208
04/01/2013	764554	Montana Dakota Utilities Co	154.98	5020-74000-403440	0104901000 0
04/01/2013	764554	Montana Dakota Utilities Co	26.66	5020-74000-403440	1104901000 9
04/01/2013	764554	Montana Dakota Utilities Co	255.60	5020-74000-403440	2104901000 8
04/01/2013	764554	Montana Dakota Utilities Co	761.16	5020-73140-403440	3104901000 7
04/01/2013	764554	Montana Dakota Utilities Co	253.72	5120-83140-403440	3104901000 7
04/01/2013	764554	Montana Dakota Utilities Co	667.17	5020-73140-403440	4104901000 6
04/01/2013	764554	Montana Dakota Utilities Co	222.40	5120-83140-403440	4104901000 6
04/01/2013	764554	Montana Dakota Utilities Co	2,783.69	5020-74000-403440	5004901000 7
04/01/2013	764554	Montana Dakota Utilities Co	54.39	5020-74000-403440	5104901000 5
04/01/2013	764554	Montana Dakota Utilities Co	69.44	5020-74000-403440	5669231000 8
04/01/2013	764554	Montana Dakota Utilities Co	29.90	5020-74000-403440	6004901000 6
04/01/2013	764554	Montana Dakota Utilities Co	29.90	5020-74000-403440	6004901000 6
04/01/2013	764554	Montana Dakota Utilities Co	11.01	5020-74000-403440	6104901000 4
04/01/2013	764554	Montana Dakota Utilities Co	53.18	5020-74000-403440	6669231000 7

04/01/2013	764554	Montana Dakota Utilities Co	174.26	5020-74000-403440	7004901000 5
04/01/2013	764554	Montana Dakota Utilities Co	22.05	5020-74000-403440	8004901000 4
04/01/2013	764554	Montana Dakota Utilities Co	917.30	5020-74000-403440	9004901000 3
04/01/2013	764554	Montana Dakota Utilities Co	3,331.92	6500-15660-403440	9897331000 0
04/01/2013	764554	Montana Dakota Utilities Co	15.83	1500-21150-403410	06290794947
04/01/2013	764554	Montana Dakota Utilities Co	127.28	5610-71170-403440	295 580 1000 4. March 2013 Aero Interiors
04/01/2013	764554	Montana Dakota Utilities Co	284.48	5610-71170-403440	185 580 1000 7. March 2013 TSA Building
04/01/2013	764554	Montana Dakota Utilities Co	1,184.17	5610-71190-403440	889 373 1000 6. March 2013 Car Wash
04/01/2013	764554	Montana Dakota Utilities Co	607.63	5610-71190-403440	129 573 1000 1. March 2013 Mud Wash
04/01/2013	764554	Montana Dakota Utilities Co	89.32	5610-71190-403440	229 573 1000 0. March 2013 Hertz Detail Bay
04/01/2013	764554	Montana Dakota Utilities Co	160.41	5610-71190-403440	629 573 1000 6. March 2013 National/Alamo Detail Bay
04/01/2013	764554	Montana Dakota Utilities Co	71.86	5610-71190-403440	329 573 1000 9. March 2013 Enterprise Detail Bay
04/01/2013	764554	Montana Dakota Utilities Co	97.76	5610-71190-403440	429 573 1000 8. March 2013 Avis/Budget Detail Bay
04/01/2013	764554	Montana Dakota Utilities Co	57.99	5610-71190-403440	529 573 1000 7. March 2013 Thrifty/Dollar Detail Bay
04/01/2013	764554	Montana Dakota Utilities Co	22.05	0100-51260-403440	0619431000 6
04/01/2013	764554	Montana Dakota Utilities Co	288.74	6500-15660-403440	1307331000 8
04/01/2013	764554	Montana Dakota Utilities Co	754.03	1500-21710-403440	1692331000 3
04/01/2013	764554	Montana Dakota Utilities Co	5,694.15	5120-84000-403440	2937801000 2
04/01/2013	764554	Montana Dakota Utilities Co	11,388.29	5120-84000-403440	2937801000 2
04/01/2013	764554	Montana Dakota Utilities Co	5,694.15	5120-84000-403440	2937801000 2
04/01/2013	764554	Montana Dakota Utilities Co	52.58	1500-21150-403410	51411704789
04/01/2013	764554	Montana Dakota Utilities Co	378.71	1500-22210-403440	4421901000 4
04/01/2013	764554	Montana Dakota Utilities Co	65.83	5020-74000-403440	5270331000 4
04/01/2013	764554	Montana Dakota Utilities Co	471.48	1500-22210-403440	5336531000 1
04/01/2013	764554	Montana Dakota Utilities Co	23.86	5120-85000-403440	7354531000 2
04/01/2013	764554	Montana Dakota Utilities Co	1,924.59	6500-15660-403440	7576331000 2
04/01/2013	764554	Montana Dakota Utilities Co	520.07	5410-31230-403440	7703901000 2
04/01/2013	764554	Montana Dakota Utilities Co	46.76	5120-85000-403440	8685631000 7
04/01/2013	764554	Montana Dakota Utilities Co	1,424.56	5710-71430-403440	9628801000 0
04/01/2013	764554	Montana Dakota Utilities Co	626.31	6500-15660-403440	9937331000 4
04/01/2013	764554	Montana Dakota Utilities Co	91.73	5020-74000-403440	8320011000 1
04/01/2013	764558	Morrison Maierle Inc	265.89	2100-51510-409390	WO 11-10 25th Street Pedestrian Bridge
04/01/2013	764558	Morrison Maierle Inc	41.21	2360-43700-409370	WO 11-10 25th Street Pedestrian Bridge
04/01/2013	764558	Morrison Maierle Inc	85,807.69	4210-85930-409340	WO1205 5-Mile Creek Lift Station;

04/01/2013	764558	Morrison Maierle Inc	21,632.39	5020-72110-403540	WO 12-16 IWPI Water Distribution System Study
04/01/2013	764558	Morrison Maierle Inc	125,244.23	4050-71250-409697	Invoice #130340. Cargo Ramp Slot 4 Design - Federal Share
04/01/2013	764558	Morrison Maierle Inc	13,916.02	4050-71250-409698	Cargo Ramp Slot 4 Design - Local Share
04/01/2013	764560	Moulton Bellingham PC	7,184.00	0100-16110-403560	Invoice Nos. 102753, 102754, 102473, 102525; Unit Determination; Watters Lawsuit; Field of Dreams, and Blgs. Gazette Employee Matter; Total: 7184.00
04/01/2013	764562	MT Waterworks	424.52	5020-00000-141000	SYSTEMS PO NUM 292174
04/01/2013	764562	MT Waterworks	2,050.00	5020-75000-404410	Pipe fittings and valves
04/01/2013	764562	MT Waterworks	1,728.44	5020-75000-404220	Pipe fittings and valves
04/01/2013	764562	MT Waterworks	345.00	5020-75000-402410	Bevelling adapter for chop saw
04/01/2013	764568	NorthWestern Energy	506.88	5210-15950-403410	07208291
04/01/2013	764568	NorthWestern Energy	3,231.60	5210-15920-403410	07208341
04/01/2013	764568	NorthWestern Energy	2,445.97	1500-22210-403410	FIRE1: 0100476-1 - ELECTRICAL SERVICE CHARGES - FY2013 - 2305 8TH AVENUE NORTH
04/01/2013	764568	NorthWestern Energy	1,159.42	5210-15910-403410	15942824
04/01/2013	764568	NorthWestern Energy	1,875.83	5210-15910-403410	15696362
04/01/2013	764568	NorthWestern Energy	321.64	6600-31100-403410	Electricity
04/01/2013	764568	NorthWestern Energy	482.46	6700-31410-403410	Electricity
04/01/2013	764568	NorthWestern Energy	6,466.73	6500-15670-403410	01005073
04/01/2013	764568	NorthWestern Energy	53,404.31	5120-84000-403410	725 Hwy 87 East
04/01/2013	764568	NorthWestern Energy	421.38	5020-74000-403410	1735 Hwy 3 West
04/01/2013	764568	NorthWestern Energy	404.03	5610-71170-403440	0712792-1. March 2013 IP-7
04/01/2013	764568	NorthWestern Energy	14.17	5610-71170-403410	0712799-6. March 2013 IP-8
04/01/2013	764568	NorthWestern Energy	1,253.40	5610-71170-403410	0712800-2. March 2013 IP-9
04/01/2013	764568	NorthWestern Energy	184.12	5610-71170-403410	0712817-6. March 2013 IP-House
04/01/2013	764568	NorthWestern Energy	58.95	5610-71130-403410	0719616-5. March 2013 ARFF Facility Lights
04/01/2013	764568	NorthWestern Energy	7.40	0100-51120-403410	08317026
04/01/2013	764568	NorthWestern Energy	162.06	8720-51980-403410	10590933
04/01/2013	764568	NorthWestern Energy	1,166.41	0100-51270-403410	Monthly electrical charges for office.
04/01/2013	764568	NorthWestern Energy	298.39	5710-71480-403410	17847567
04/01/2013	764568	NorthWestern Energy	299.08	1500-21150-403410	19841501
04/01/2013	764568	NorthWestern Energy	262.94	1500-21150-403410	19841550
04/01/2013	764568	NorthWestern Energy	610.17	1500-22210-403410	07125370
04/01/2013	764568	NorthWestern Energy	94.76	0100-51220-403410	07126832

04/01/2013	764568	NorthWestern Energy	23.70	5710-71480-403410	07127640
04/01/2013	764568	NorthWestern Energy	298.67	1500-22210-403410	07208408
04/01/2013	764568	NorthWestern Energy	250.52	5020-74000-403410	07222524
04/01/2013	764568	NorthWestern Energy	2,548.30	5020-74000-403410	07230436
04/01/2013	764569	One Eighty Communications	40.60	5610-71100-403450	Airport 2948370 Airport Alarm
04/01/2013	764569	One Eighty Communications	3,849.42	6060-19310-403450	Main Bill Acct 00001906
04/01/2013	764569	One Eighty Communications	195.67	6060-19310-403450	Main Bill T-1 Account 00018768
04/01/2013	764569	One Eighty Communications	39.00	1500-21110-403450	CPC line 247-8592 Account 00018768
04/01/2013	764569	One Eighty Communications	46.00	0100-51120-403450	Dehler Park line 867-7275
04/01/2013	764569	One Eighty Communications	326.56	6600-31100-403450	Depot 60% 6700 31410 403450 Depot 40% 6600 31100 403450
04/01/2013	764569	One Eighty Communications	489.86	6700-31410-403450	Depot 60% 6700 31410 403450 Depot 40% 6600 31100 403450
04/01/2013	764569	One Eighty Communications	259.00	2600-55180-403590	Library Internet Connection
04/01/2013	764569	One Eighty Communications	79.95	6200-19110-403452	IT Internet Connection
04/01/2013	764578	PoolEquip, LLC	6,677.09	8730-51990-409370	Pool equipment for Rose and South.
04/01/2013	764583	Qwest Communications	88.96	5610-71100-403450	Qwest 406-252-9412 Airport
04/01/2013	764583	Qwest Communications	44.48	0100-51400-403450	Qwest 406-652-0269 Cemetery FAX Line
04/01/2013	764583	Qwest Communications	44.86	0100-51120-403450	Qwest 406-652-5507 Parks
04/01/2013	764583	Qwest Communications	30.69	2110-31320-403450	Qwest 406-652-8104 PW Traffice Signal 24 Central
04/01/2013	764583	Qwest Communications	33.73	0100-51210-403450	Qwest 406-652-8403 Stewart Park Batting Cages
04/01/2013	764583	Qwest Communications	29.86	0100-51120-403450	Qwest 406-657-3014 Parks 3890 Stillwater
04/01/2013	764583	Qwest Communications	3,309.63	6060-19310-403450	Qwest 406-657-8377 Main System Centrex
04/01/2013	764583	Qwest Communications	92.58	6060-19310-403450	Qwest 406-657-3009 PUD Measured Lines 406-657-3009 406-247-8579
04/01/2013	764583	Qwest Communications	29.86	6060-19310-403450	Qwest 406-657-3054 Park 1 Elevator Phone
04/01/2013	764583	Qwest Communications	63.09	6060-19310-403450	Qwest BOC Measured Lines 406-252-3774 406-252-3789
04/01/2013	764585	RDO Equipment Co.	207,650.00	4070-71280-409497	Invoice #E01343. Wheel Loader for Airport
04/01/2013	764585	RDO Equipment Co.	57.80	2110-31320-402320	P68642
04/01/2013	764585	RDO Equipment Co.	57.06	2110-31320-402320	P68716
04/01/2013	764595	Sanderson Stewart	3,255.08	4700-31610-409310	SID 1395 Boca Raton Road
04/01/2013	764604	Sundown Security	1,371.75	5610-71100-403581	Invoice #40346. Skycap services 3/8/13-3/14/13
04/01/2013	764604	Sundown Security	666.67	5210-15910-403970	March 1 - March 31. Patrol of City Garages I, II, III.

04/01/2013	764604	Sundown Security	666.66	5210-15920-403970	March 1 - March 31. Patrol of City Garages I, II, III.
04/01/2013	764604	Sundown Security	666.67	5210-15930-403970	March 1 - March 31. Patrol of City Garages I, II, III.
04/01/2013	764604	Sundown Security	184.00	0100-15120-403590	pick up from depot and pud, deliver to city hall
04/01/2013	764604	Sundown Security	136.80	5020-73110-403962	pick up from depot and pud, deliver to city hall
04/01/2013	764604	Sundown Security	91.20	5120-83110-403962	pick up from depot and pud, deliver to city hall
04/01/2013	764604	Sundown Security	213.50	6600-31100-403590	pick up from depot and pud, deliver to city hall
04/01/2013	764604	Sundown Security	363.00	0100-15120-403590	pick up and deliver mail boxes 1819 & 1178
04/01/2013	764614	Tractor & Equipment Co.	466.23	2110-31320-402320	BLW00137756
04/01/2013	764614	Tractor & Equipment Co.	2,215.52	2110-31320-402320	BLW00137947
04/01/2013	764614	Tractor & Equipment Co.	47.17	5120-85000-402320	NONSTOCKING ITEMS-P.U.D.
04/01/2013	764614	Tractor & Equipment Co.	2,107.25	5410-31230-402320	seat for landfill unit #243
04/01/2013	764614	Tractor & Equipment Co.	1,270.08	5410-31230-402320	filters and parts for landfill
04/01/2013	764614	Tractor & Equipment Co.	2,506.60	5020-75000-405333	Excavator & trench box rental
04/01/2013	764618	United Rotary Brush Corp	9,456.00	5610-71130-402320	Invoice #CI139834. (4) Complete sets of broom cores (wire/poly wafers including spacers) for our High Speed Runway Sweepers to remove snow/ice from the airfield.
04/01/2013	764620	Verizon Wireless	474.54	5610-71100-403450	Airport
04/01/2013	764620	Verizon Wireless	146.04	1500-21700-403450	Animal Shelter
04/01/2013	764620	Verizon Wireless	86.02	7170-21660-403450	CCSIU
04/01/2013	764620	Verizon Wireless	49.08	0100-16110-403450	Legal
04/01/2013	764620	Verizon Wireless	52.36	1500-22250-403450	Comm Center 911
04/01/2013	764620	Verizon Wireless	64.58	6500-15650-403450	Facilites BOC Plus 70% of 406-672-3027
04/01/2013	764620	Verizon Wireless	84.47	6500-15670-403450	Facilities City Hall Plus 30% of 406-672-3027
04/01/2013	764620	Verizon Wireless	93.55	0100-15120-403450	Finance Pat Weber
04/01/2013	764620	Verizon Wireless	823.98	1500-22210-403450	Fire Department
04/01/2013	764620	Verizon Wireless	74.06	0100-17500-403450	Human Resources
04/01/2013	764620	Verizon Wireless	13.09	6200-19130-403450	ITD GIS
04/01/2013	764620	Verizon Wireless	26.18	6200-19110-403450	ITD
04/01/2013	764620	Verizon Wireless	26.18	2600-55170-403450	Library Outreach
04/01/2013	764620	Verizon Wireless	160.26	2600-55120-403450	Library
04/01/2013	764620	Verizon Wireless	42.76	0100-11000-403450	Mayor
04/01/2013	764620	Verizon Wireless	49.96	6010-15500-403450	Motor Pool
04/01/2013	764620	Verizon Wireless	112.18	0100-12200-403450	Drug Court

04/01/2013	764620	Verizon Wireless	131.49	0100-12120-403450	Municipal Court Judge
04/01/2013	764620	Verizon Wireless	13.09	2400-43010-403450	Planning
04/01/2013	764620	Verizon Wireless	3,029.67	1500-21110-403450	Police
04/01/2013	764620	Verizon Wireless	90.46	2510-21870-403450	Police Forensic 406-794-6880 406-698-7323
04/01/2013	764620	Verizon Wireless	353.53	1500-21110-403450	Police Resource Officers
04/01/2013	764620	Verizon Wireless	22.77	2490-21960-403450	Police DV 406-698-1391
04/01/2013	764620	Verizon Wireless	90.73	5210-15210-403450	Parking
04/01/2013	764620	Verizon Wireless	72.31	0100-51100-403450	PRPL Admin
04/01/2013	764620	Verizon Wireless	126.91	0100-51210-403450	PRPL Recreation
04/01/2013	764620	Verizon Wireless	46.22	0100-51400-403450	Cemetery
04/01/2013	764620	Verizon Wireless	43.82	0100-51120-403450	Parks PMD
04/01/2013	764620	Verizon Wireless	860.07	0100-51120-403450	Parks
04/01/2013	764620	Verizon Wireless	107.20	6600-31100-403450	Public Works Admin
04/01/2013	764620	Verizon Wireless	118.13	2090-44510-403450	Building
04/01/2013	764620	Verizon Wireless	379.84	6700-31410-403450	Engineering
04/01/2013	764620	Verizon Wireless	139.87	5410-31210-403450	Solid Waste
04/01/2013	764620	Verizon Wireless	308.77	2110-31320-403450	Streets
04/01/2013	764620	Verizon Wireless	79.87	5410-31230-403450	Solid Waste On Call
04/01/2013	764620	Verizon Wireless	797.12	5020-74000-403450	Water Treatment PWBelknap-WT
04/01/2013	764620	Verizon Wireless	440.52	5020-73120-403450	PWBLKNP MTRSHOP
04/01/2013	764620	Verizon Wireless	69.54	5020-73110-403450	Belknap Office 60% 5020-73110-403450 Belknap Office 40$ 5120-83110-403450
04/01/2013	764620	Verizon Wireless	46.35	5120-83110-403450	Belknap Office 60% 5020-73110-403450 Belknap Office 40$ 5120-83110-403450
04/01/2013	764620	Verizon Wireless	86.95	5020-73140-403450	PWBLKNP STORES 75% 5020-73140-403450 PWBLKNP STORES 25% 5120-83140-403450
04/01/2013	764620	Verizon Wireless	28.98	5120-83140-403450	PWBLKNP STORES 75% 5020-73140-403450 PWBLKNP STORES 25% 5120-83140-403450
04/01/2013	764620	Verizon Wireless	1,060.53	5120-84000-403450	Wastewater Treatment Plant
04/01/2013	764620	Verizon Wireless	32.48	6060-19310-403450	TeleComm Manager
04/01/2013	764620	Verizon Wireless	91.65	5710-71420-403160	On Call MET
04/01/2013	764620	Verizon Wireless	35.98	5710-71410-403450	MET Transit
04/01/2013	764620	Verizon Wireless	91.10	0100-43210-403450	Code Enforcement
04/01/2013	764620	Verizon Wireless	164.49	5710-71470-403160	MET Transit AVL Account 770599076-00001
04/01/2013	764620	Verizon Wireless	-221.55	0100-51120-403450	Parks Seasonal

04/01/2013	764620	Verizon Wireless	457.87	5020-75000-403450	Distribution & Collection 60% 5020-75000-403450 Distribution & Collection 40% 5120-85000-403450
04/01/2013	764620	Verizon Wireless	305.24	5120-85000-403450	Distribution & Collection 60% 5020-75000-403450 Distribution & Collection 40% 5120-85000-403450
04/01/2013	764620	Verizon Wireless	200.09	1500-21700-403450	Animal Shelter MDT
04/01/2013	764620	Verizon Wireless	492.63	7170-21660-403450	CCSIU Cell/PTT
04/01/2013	764620	Verizon Wireless	40.01	7170-21660-403450	CCSIU Air Card
04/01/2013	764620	Verizon Wireless	80.02	7170-21660-403450	CCSIU RAVEN
04/01/2013	764620	Verizon Wireless	40.01	1500-22210-403450	Fire MIFI
04/01/2013	764620	Verizon Wireless	600.27	1500-22210-403450	Fire MDT
04/01/2013	764620	Verizon Wireless	80.02	6200-19110-403450	ITD Air Card & MIFI
04/01/2013	764620	Verizon Wireless	120.07	2600-55170-403450	Library Outreach Air Cards
04/01/2013	764620	Verizon Wireless	6,072.54	1500-21110-403450	Police MDT Toughbook
04/01/2013	764620	Verizon Wireless	40.01	1500-21110-403450	Police ICAC
04/01/2013	764620	Verizon Wireless	154.69	1500-21110-403450	Police US Marshall MDT
04/01/2013	764620	Verizon Wireless	40.03	0100-51120-403450	Parks PMD Air Card
04/01/2013	764620	Verizon Wireless	240.06	2090-44510-403450	Building Air Cards
04/01/2013	764620	Verizon Wireless	100.05	6700-31410-403450	Engineering Air Card
04/01/2013	764620	Verizon Wireless	18.02	5020-75000-403450	PUD Air Card 60% 5020 75000 403450 PUD Air Card 40% 5120 85000 403450
04/01/2013	764620	Verizon Wireless	12.00	5120-85000-403450	PUD Air Card 60% 5020 75000 403450 PUD Air Card 40% 5120 85000 403450
04/01/2013	764620	Verizon Wireless	80.02	0100-43210-403450	Code Enforcement Air Cards
04/01/2013	764620	Verizon Wireless	40.01	0100-13130-403450	City Administration 406-839-4295 Bruce McCandless
04/01/2013	764620	Verizon Wireless	450.30	5710-71470-403160	Met Transit Tablets (15 @ 329.99) Monthly Charges
04/01/2013	764620	Verizon Wireless	40.01	2200-22330-402410	Fire HAZMAT MDT
04/01/2013	764624	Weiss Electrical Service	303.00	1500-22260-402360	FIRE4: REPAIR DOOR OPERNER, REPLACED GFCI OUTLET, REPLACED 2 BALLAST
04/01/2013	764624	Weiss Electrical Service	280.00	1500-22260-402450	FIRE1: WIRE IN NEW DOOR OPENER

04/01/2013	764624	Weiss Electrical Service	597.00	1500-22260-402450	FIRE3: REPAIR RANGE COUT OFF RELAY; WIRE IN 2 120 VOLT OUTLETS, REPLACED 2 GFCI OUTLETS
04/01/2013	764624	Weiss Electrical Service	1,761.00	1500-22260-402450	FIRE 7: REPLACED DROP CORD POWER END, REPLACE DOOR CHIME & TRANSFORMER; REPLACE EXTERIOR SECURITY LITES & BALLAST, REPLACE 4 BALLAST AND REWIRE 4 LITES OVER MAIN DOORS
04/01/2013	764631	Zootist Hospitality, LLC	24,583.34	2030-15130-409224	Valet Parking - Northern Hotel

Consent **1. K. 3.**

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Payment of Claims-January 1, 2013 through March 31, 2013
PRESENTED BY: Shannon Johnson
Department: Court

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of $731,233.08 have been audited and are presented for Council approval. Claims include payments to individual victims and businesses for restitution, disbursement of surcharges and revenues and return of bonds posted to ensure court appearance. A complete listing of the claims dated January 1, 2013 through March 31, 2013 is attached to this memo and on file in the Municipal Court.

ALTERNATIVES ANALYZED

There are no reasonable alternatives. These payments are required by state law or Judge's order.

FINANCIAL IMPACT

This results in $731,233.08 transfer of cash to the City General Fund for fines and to individuals for bond returns, restitution and victims.

RECOMMENDATION

Staff recommends that Council approve the payment of claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

Check Register

Billings Municipal Court

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2013 to 03/31/2013

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
16428	01/03/2013	Richard Taptto	1095.00	Outstanding	
16429	01/04/2013	Holiday Station	50.02	Cleared	01/31/2013
16430	01/04/2013	K-Mart	50.00	Cleared	01/31/2013
16431	01/04/2013	South Forty	12.50	Cleared	02/28/2013
16432	01/04/2013	St. Vincent's Healthcare	50.00	Cleared	01/31/2013
16433	01/04/2013	Ashley Rose Vincelette	50.00	Cleared	01/31/2013
16434	01/04/2013	Brian L Powell	110.00	Cleared	01/31/2013
16435	01/04/2013	Burton Berg	500.00	Cleared	01/31/2013
16436	01/04/2013	Carrie Purcell Brown	100.00	Cleared	01/31/2013
16437	01/04/2013	City Of Billings	23.06	Cleared	01/31/2013
16438	01/04/2013	City Of Billings Police Dept.	25.00	Cleared	01/31/2013
16439	01/04/2013	City of Billings Animal Shelter	50.00	Cleared	01/31/2013
16440	01/04/2013	Cody Harris	50.00	Cleared	01/31/2013
16441	01/04/2013	Crime Victim Compensation Program	100.00	Cleared	01/31/2013
16442	01/04/2013	Dan Zahn	26.94	Cleared	01/31/2013
16443	01/04/2013	Edward R Hawthorne	25.00	Cleared	02/28/2013
16444	01/04/2013	Esther Jensen Ricks	10.00	Outstanding	
16445	01/04/2013	James Novotny	50.00	Cleared	02/28/2013
16446	01/04/2013	Jeff Sekavec	50.00	Cleared	01/31/2013
16447	01/04/2013	Joanne Rock Above	50.00	Cleared	01/31/2013
16448	01/04/2013	Joetta L Hiwalker	59.90	Outstanding	
16449	01/04/2013	John Alexander Emery	295.00	Outstanding	
16450	01/04/2013	Jordan Hill	500.00	Cleared	01/31/2013
16451	01/04/2013	June Ortman	50.00	Cleared	01/31/2013
16452	01/04/2013	Karen Gossett	50.00	Cleared	01/31/2013
16453	01/04/2013	Karen Sanderson	39.31	Cleared	01/31/2013
16454	01/04/2013	Keil Clavadetscher	650.00	Cleared	01/31/2013
16455	01/04/2013	Kent Florence	50.00	Cleared	01/31/2013
16456	01/04/2013	Kevin Daniel Anthony	1000.00	Cleared	01/31/2013
16457	01/04/2013	Kris Erickson	90.00	Cleared	02/28/2013
16458	01/04/2013	Maria Nepoklonova	100.00	Cleared	01/31/2013
16459	01/04/2013	Mark Heppler	1635.00	Cleared	01/31/2013
16460	01/04/2013	Mason Anthony Roberts	1240.00	Cleared	01/31/2013
16461	01/04/2013	Mason Anthony Roberts	1710.00	Cleared	01/31/2013
16462	01/04/2013	NAPA Distribution Center Attn: Loren Zo:	50.00	Cleared	01/31/2013
16463	01/04/2013	Robert A Haman	32.50	Cleared	01/31/2013

Billings Municipal Court

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2013 to 03/31/2013

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
16464	01/04/2013	Saud Alharbi	100.00	Cleared	01/31/2013
16465	01/04/2013	Susan Leah Weltikol	300.00	Cleared	01/31/2013
16466	01/04/2013	Thomas Patrick Gauger	50.00	Cleared	01/31/2013
16467	01/04/2013	Thomas Salazar	10.00	Cleared	01/31/2013
16468	01/04/2013	Tom Cummings	100.00	Cleared	01/31/2013
16469	01/11/2013	Sears	25.00	Cleared	01/31/2013
16470	01/11/2013	Sears	49.99	Cleared	01/31/2013
16471	01/11/2013	Walmart	34.38	Cleared	01/31/2013
16472	01/11/2013	Walmart	34.96	Cleared	01/31/2013
16473	01/11/2013	Altimus Distributing	50.00	Cleared	01/31/2013
16474	01/11/2013	Andrea Mae Delao	50.00	Cleared	01/31/2013
16475	01/11/2013	Angeline Sargent	195.00	Cleared	01/31/2013
16476	01/11/2013	Beth Jones	50.00	Cleared	01/31/2013
16477	01/11/2013	Brad Blythe	50.00	Cleared	01/31/2013
16478	01/11/2013	Brenda Klinemills	1000.00	Cleared	01/31/2013
16479	01/11/2013	Bruce M Thomas	50.00	Cleared	01/31/2013
16480	01/11/2013	Charlotte Lamere	25.00	Cleared	02/28/2013
16481	01/11/2013	Cody Paul Mcmullin	500.00	Cleared	02/28/2013
16482	01/11/2013	Connie Goodbear	50.00	Cleared	01/31/2013
16483	01/11/2013	Daniel S Repka	50.00	Cleared	01/31/2013
16484	01/11/2013	David Anderson	435.00	Cleared	01/31/2013
16485	01/11/2013	Deborah Anne Burgan	95.00	Cleared	01/31/2013
16486	01/11/2013	Donna Huffman	50.00	Cleared	02/28/2013
16487	01/11/2013	Donna Wilcox Keller	500.00	Cleared	01/31/2013
16488	01/11/2013	Donna Wilcox Keller	1000.00	Cleared	01/31/2013
16489	01/11/2013	Eileen Milne	1000.00	Cleared	01/31/2013
16490	01/11/2013	Esperanza M Monroy	100.00	Cleared	01/31/2013
16491	01/11/2013	Franklin Leo Beck	100.00	Cleared	01/31/2013
16492	01/11/2013	Gary Schraudner	500.00	Cleared	01/31/2013
16493	01/11/2013	Greg Monacle	25.00	Cleared	02/28/2013
16494	01/11/2013	Jeffrey Dean Allen	695.00	Cleared	01/31/2013
16495	01/11/2013	Joel Leite	500.00	Cleared	01/31/2013
16496	01/11/2013	John M Eadus	25.00	Cleared	01/31/2013
16497	01/11/2013	Kenneth Romero	100.00	Outstanding	
16498	01/11/2013	Kristi L. Meadows	870.00	Cleared	01/31/2013
16499	01/11/2013	Linda Riley	500.00	Cleared	01/31/2013

Billings Municipal Court

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2013 to 03/31/2013

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
16500	01/11/2013	Linda Riley	595.00	Cleared	01/31/2013
16501	01/11/2013	Lover's Playground	9.99	Cleared	02/28/2013
16502	01/11/2013	Mariah Eslinger	18.00	Cleared	01/31/2013
16503	01/11/2013	Michelle Muri	190.00	Cleared	01/31/2013
16504	01/11/2013	Michelle Muri	295.00	Cleared	01/31/2013
16505	01/11/2013	Nicole Hamnes	50.00	Cleared	01/31/2013
16506	01/11/2013	Phil Mogen	1000.00	Cleared	01/31/2013
16507	01/11/2013	Rodney Rogina	20.00	Outstanding	
16508	01/11/2013	Ronald Decker	315.00	Cleared	01/31/2013
16509	01/11/2013	Ryan Hamman	32.99	Cleared	01/31/2013
16510	01/11/2013	Sandra Sukin	17.01	Cleared	01/31/2013
16511	01/11/2013	Siri Baker	23.36	Cleared	01/31/2013
16512	01/11/2013	Steven Lee Dorman	500.00	Cleared	01/31/2013
16513	01/11/2013	Terri Lambrecht	50.00	Cleared	01/31/2013
16514	01/11/2013	Thomas Leroy Pinkerton	85.00	Cleared	01/31/2013
16515	01/11/2013	Thomas Troy Mulvaney	1155.00	Cleared	01/31/2013
16516	01/11/2013	Walmart - Heights	25.00	Cleared	01/31/2013
16517	01/11/2013	Whitney Ybarra	50.00	Cleared	01/31/2013
16518	01/14/2013	Jamie Lee Schoonover	55.57	Cleared	01/31/2013
16519	01/14/2013	Jamie Lee Schoonover	300.00	Cleared	01/31/2013
16520	01/14/2013	Jamie Lee Schoonover	13.13	Cleared	01/31/2013
16521	01/18/2013	First Interstate Bank	830.79	Cleared	01/31/2013
16522	01/18/2013	K-Mart	50.00	Cleared	01/31/2013
16523	01/18/2013	Sears	50.00	Cleared	01/31/2013
16524	01/18/2013	Target AP Recovery	64.97	Cleared	01/31/2013
16525	01/18/2013	Walmart	50.00	Cleared	01/31/2013
16526	01/18/2013	Aaron Andrew Clark	90.00	Cleared	01/31/2013
16527	01/18/2013	Ali Nicole Regan	250.00	Cleared	01/31/2013
16528	01/18/2013	Amanda Marie Aldrich	720.00	Cleared	01/31/2013
16529	01/18/2013	Bertha Otherbull	135.00	Cleared	01/31/2013
16530	01/18/2013	Bertha Otherbull	135.00	Cleared	01/31/2013
16531	01/18/2013	Bertha Otherbull	135.00	Cleared	01/31/2013
16532	01/18/2013	Bill Stevenson	500.00	Cleared	01/31/2013
16533	01/18/2013	Billings Police Dept	100.00	Cleared	01/31/2013
16534	01/18/2013	Charles Highsmith	250.00	Cleared	01/31/2013
16535	01/18/2013	City Of Billings-c/o JoLynn Yerger	50.00	Cleared	02/28/2013

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16536	01/18/2013	Costco Costco	10.95	Cleared	01/31/2013
16537	01/18/2013	Crime Victim Compensation Program	25.00	Cleared	01/31/2013
16538	01/18/2013	Crime Victim Compensation Program	25.00	Cleared	01/31/2013
16539	01/18/2013	Crime Victim Compensation Program	50.00	Cleared	01/31/2013
16540	01/18/2013	Diana Tipton	720.00	Cleared	01/31/2013
16541	01/18/2013	Donald Scott Doely	265.00	Cleared	01/31/2013
16542	01/18/2013	Donna Whitney	500.00	Cleared	01/31/2013
16543	01/18/2013	Ervalynn Nomee	20.00	Outstanding	
16544	01/18/2013	First Interstate Bank Attn: Brian Brown	12.50	Cleared	01/31/2013
16545	01/18/2013	First National Pawn	387.00	Cleared	01/31/2013
16546	01/18/2013	Heidi Ann Panasuk	1260.00	Cleared	01/31/2013
16547	01/18/2013	Jimmie Richard James	620.00	Cleared	01/31/2013
16548	01/18/2013	Karen Geraldine Zaso	20.00	Cleared	01/31/2013
16549	01/18/2013	Karen Van Haele	100.00	Cleared	01/31/2013
16550	01/18/2013	Les Benner	50.00	Cleared	01/31/2013
16551	01/18/2013	Levi Wanner	455.00	Cleared	01/31/2013
16552	01/18/2013	Linda Kiby Swaggerty	25.00	Cleared	01/31/2013
16553	01/18/2013	Marilyn Gone	195.00	Cleared	01/31/2013
16554	01/18/2013	Matt Lewis	445.00	Cleared	02/28/2013
16555	01/18/2013	Michael Allen Ray	1240.00	Cleared	01/31/2013
16556	01/18/2013	Michael Hartman	30.00	Cleared	02/28/2013
16557	01/18/2013	NAPA Distribution Center Attn: Loren Zo	50.00	Cleared	01/31/2013
16558	01/18/2013	Patricia Papke	1045.00	Cleared	01/31/2013
16559	01/18/2013	Patrick Walter Ryan	345.00	Outstanding	
16560	01/18/2013	Peace Lutheran Church	85.00	Cleared	01/31/2013
16561	01/18/2013	Pete Portra	50.00	Cleared	02/28/2013
16562	01/18/2013	Robert Keith Bradley	500.00	Cleared	01/31/2013
16563	01/18/2013	Shaun Michael Miller Marks	985.00	Cleared	01/31/2013
16564	01/18/2013	Sheila Lamprecht	50.00	Cleared	02/28/2013
16565	01/18/2013	Shelbi M Godfrey	65.00	Cleared	01/31/2013
16566	01/18/2013	Stacie M Warehime	25.00	Cleared	01/31/2013
16567	01/18/2013	Tim R Howe	75.00	Cleared	01/31/2013
16568	01/18/2013	Western Security Bank	235.00	Outstanding	
16569	01/25/2013	Kmart	30.00	Cleared	02/28/2013
16570	01/25/2013	State Farm	50.00	Cleared	02/28/2013
16571	01/25/2013	Anthony Richardson	1045.00	Cleared	01/31/2013

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16572	01/25/2013	Billings Parks, Recreation and Land	25.00	Cleared	02/28/2013
16573	01/25/2013	Bryan Anderson	150.00	Cleared	01/31/2013
16574	01/25/2013	CVS	15.00	Cleared	02/28/2013
16575	01/25/2013	City Of Billings, c/o JoLynn Yerger	200.00	Cleared	02/28/2013
16576	01/25/2013	Heather Laber	25.00	Outstanding	
16577	01/25/2013	Heather Martinez	25.00	Cleared	02/28/2013
16578	01/25/2013	James J Pavelis	50.00	Cleared	02/28/2013
16579	01/25/2013	Jason Eugene Braley	40.00	Cleared	02/28/2013
16580	01/25/2013	Leanne Yucha	50.00	Cleared	02/28/2013
16581	01/25/2013	Leonard E Kenney	30.00	Cleared	01/31/2013
16582	01/25/2013	Miranda Ann Karst	500.00	Outstanding	
16583	01/25/2013	Natasha Freeman-batt	25.00	Cleared	02/28/2013
16584	01/25/2013	Phillip Drew	50.00	Cleared	02/28/2013
16585	01/25/2013	Platinum Plus Pawn	70.00	Outstanding	
16586	01/25/2013	Rodney Rogina	30.00	Outstanding	
16587	01/25/2013	Ryan Veneble	25.00	Outstanding	
16588	01/25/2013	SYDNE SCHMOCK	100.00	Cleared	02/28/2013
16589	01/25/2013	Saud Alharbi	100.00	Cleared	01/31/2013
16590	01/25/2013	Sommer Dawn Robison	75.00	Cleared	01/31/2013
16591	01/25/2013	Travis David Zuroff	25.00	Cleared	02/28/2013
16592	02/01/2013	Northwestern Energy	1613.54	Cleared	02/28/2013
16593	02/01/2013	Office Max	25.00	Cleared	02/28/2013
16594	02/01/2013	Sears	7.98	Cleared	02/28/2013
16595	02/01/2013	State Farm Insurance	13.79	Cleared	02/28/2013
16596	02/01/2013	Andrea Mae Delao	25.00	Cleared	02/28/2013
16597	02/01/2013	Blane Michael Chapel	720.00	Cleared	02/28/2013
16598	02/01/2013	Bob A. Leffler	500.00	Cleared	02/28/2013
16599	02/01/2013	Bradley Scott Petrik	245.00	Cleared	02/28/2013
16600	02/01/2013	Carrie Purcell Brown	100.00	Cleared	02/28/2013
16601	02/01/2013	City Treasurer	176226.75	Cleared	02/28/2013
16602	02/01/2013	Cody Harris	5.67	Outstanding	
16603	02/01/2013	Crime Victim Comp Program	50.00	Cleared	02/28/2013
16604	02/01/2013	David Stayaert	50.00	Cleared	02/28/2013
16605	02/01/2013	Dawn Davis	50.00	Cleared	02/28/2013
16606	02/01/2013	Edmond Gerald Sarb	395.00	Outstanding	
16607	02/01/2013	Edward R Hawthorne	25.00	Cleared	02/28/2013

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16608	02/01/2013	Golden Phoenix	142.50	Cleared	02/28/2013
16609	02/01/2013	Gregory S. Miller	250.00	Outstanding	
16610	02/01/2013	James Novotny	11.21	Cleared	02/28/2013
16611	02/01/2013	Janee Weber	870.00	Cleared	02/28/2013
16612	02/01/2013	Jennifer Avants	76.00	Cleared	02/28/2013
16613	02/01/2013	Joanne Rock Above	50.00	Cleared	02/28/2013
16614	02/01/2013	June Ortman	50.00	Cleared	02/28/2013
16615	02/01/2013	Justin Ostermiller	100.00	Cleared	02/28/2013
16616	02/01/2013	Karen Gossett	50.00	Cleared	02/28/2013
16617	02/01/2013	Larry & Joan Hensley	734.00	Cleared	02/28/2013
16618	02/01/2013	Memri Spottedelk	25.00	Cleared	02/28/2013
16619	02/01/2013	Mitchell Layne Boucher	500.00	Cleared	02/28/2013
16620	02/01/2013	Municipal Services Bureau	11352.96	Cleared	02/28/2013
16621	02/01/2013	Patrick Lynn Fischer	620.00	Cleared	02/28/2013
16622	02/01/2013	Patrick Lynn Fischer	720.00	Cleared	02/28/2013
16623	02/01/2013	Saud Alharbi	50.00	Cleared	02/28/2013
16624	02/01/2013	Shane Anderson	500.00	Cleared	02/28/2013
16625	02/01/2013	Tabitha Basil	100.00	Cleared	02/28/2013
16626	02/01/2013	Taylor Ita	19.33	Cleared	02/28/2013
16627	02/01/2013	Thomas Patrick Gauger	50.00	Outstanding	
16628	02/01/2013	Tom Cummings	100.00	Cleared	02/28/2013
16629	02/01/2013	Valerie Mcmurtry	50.00	Cleared	02/28/2013
16630	02/01/2013	Yellowstone County Treasurer	13790.39	Cleared	02/28/2013
16631	02/08/2013	Rick Rabe	25.00	Outstanding	
16632	02/08/2013	St. Vincent's Healthcare	55.00	Cleared	02/28/2013
16633	02/08/2013	Billings School District 2 Facilities Servic	50.00	Cleared	02/28/2013
16634	02/08/2013	Bruce M Thomas	50.00	Cleared	02/28/2013
16635	02/08/2013	Carlos R Jones	805.00	Cleared	02/28/2013
16636	02/08/2013	Charlotte Lamere	25.00	Cleared	02/28/2013
16637	02/08/2013	Cindy Mae Buckner	203.25	Cleared	02/28/2013
16638	02/08/2013	City Of Billings Police Dept.	50.00	Cleared	02/28/2013
16639	02/08/2013	Clarence J Hofer	100.00	Cleared	02/28/2013
16640	02/08/2013	Crime Victim Comp Program	300.00	Cleared	02/28/2013
16641	02/08/2013	Eric W Geertz	500.00	Cleared	02/28/2013
16642	02/08/2013	Ervin Schwiegert	50.00	Cleared	02/28/2013
16643	02/08/2013	Esperanza M Monroy	100.00	Cleared	02/28/2013

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16644	02/08/2013	First National Pawn	25.00	Outstanding	
16645	02/08/2013	First National Pawn	50.00	Outstanding	
16646	02/08/2013	Gerald Pena	50.00	Cleared	02/28/2013
16647	02/08/2013	Greg & Lani Monical	25.00	Cleared	02/28/2013
16648	02/08/2013	Holiday	38.93	Cleared	02/28/2013
16649	02/08/2013	James Edward Hauptman	1440.00	Cleared	02/28/2013
16650	02/08/2013	Jamie Jawort	200.00	Outstanding	
16651	02/08/2013	Jeff Sekavec	50.00	Cleared	02/28/2013
16652	02/08/2013	John M Eadus	50.00	Cleared	02/28/2013
16653	02/08/2013	Joshua Maurice Davis	500.00	Cleared	02/28/2013
16654	02/08/2013	Kameron Royal Kober	270.00	Outstanding	
16655	02/08/2013	Karri Smith	1015.00	Cleared	02/28/2013
16656	02/08/2013	Katrina Elysha Edens	100.00	Outstanding	
16657	02/08/2013	Ken Cotrill	100.00	Cleared	02/28/2013
16658	02/08/2013	Kent Florence	35.00	Cleared	02/28/2013
16659	02/08/2013	Kmart	50.00	Cleared	02/28/2013
16660	02/08/2013	Maria Nepoklonova	50.00	Cleared	02/28/2013
16661	02/08/2013	Mariah Baca	100.00	Cleared	02/28/2013
16662	02/08/2013	Mariah Eslinger	40.00	Outstanding	
16663	02/08/2013	Nicholas Stanton Brauer	50.00	Cleared	02/28/2013
16664	02/08/2013	Northside Pawn	50.00	Cleared	02/28/2013
16665	02/08/2013	Robert A Haman	25.00	Cleared	02/28/2013
16666	02/08/2013	Robin Dildine	50.00	Cleared	02/28/2013
16667	02/08/2013	Roger Wade Bruckner	240.00	Cleared	02/28/2013
16668	02/08/2013	Shawna Blaur	295.00	Outstanding	
16669	02/08/2013	St. Vincent Healthcare	50.00	Cleared	02/28/2013
16670	02/08/2013	Stacie M Warehime	25.00	Cleared	02/28/2013
16671	02/08/2013	Steven Day	500.00	Cleared	02/28/2013
16672	02/08/2013	Tana Rae Creger	1045.00	Cleared	02/28/2013
16673	02/08/2013	Terri Lambrecht	50.00	Cleared	02/28/2013
16674	02/08/2013	Thomas Salazar	90.00	Cleared	02/28/2013
16675	02/08/2013	Tracy Robertson	195.00	Cleared	02/28/2013
16676	02/08/2013	Walmart - Heights	22.50	Cleared	02/28/2013
16677	02/15/2013	Albertsons	10.00	Outstanding	
16678	02/15/2013	Altimus Distributing	50.00	Cleared	02/28/2013
16679	02/15/2013	Amber Tew	1936.47	Outstanding	

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16680	02/15/2013	Andrew Cooper	25.00	Cleared	02/28/2013
16681	02/15/2013	Anthony Littlewhirlwind	1190.00	Cleared	02/28/2013
16682	02/15/2013	Ariel Rebecca Grosfield	360.00	Cleared	02/28/2013
16683	02/15/2013	Ashley Rose Vincelette	15.00	Outstanding	
16684	02/15/2013	Assurant Health	50.00	Outstanding	
16685	02/15/2013	Bernard Reed	250.00	Cleared	02/28/2013
16686	02/15/2013	Beth Jones	50.00	Cleared	02/28/2013
16687	02/15/2013	Betsy Taylor	595.00	Cleared	02/28/2013
16688	02/15/2013	CHARLENE HORTON	1000.00	Cleared	02/28/2013
16689	02/15/2013	Carolyn Costello	1045.00	Cleared	02/28/2013
16690	02/15/2013	Carolyn Costello	1240.00	Cleared	02/28/2013
16691	02/15/2013	Catherine Jane Grott	155.00	Outstanding	
16692	02/15/2013	Cathleen diane Whitmer	720.00	Cleared	02/28/2013
16693	02/15/2013	Christopher Andrew Lich	142.10	Outstanding	
16694	02/15/2013	City Of Billings Parking	102.00	Cleared	02/28/2013
16695	02/15/2013	City Of Billings-c/o JoLynn Yerger	50.00	Cleared	02/28/2013
16696	02/15/2013	Connie Goodbear	50.00	Cleared	02/28/2013
16697	02/15/2013	Dan Proffit	400.00	Cleared	02/28/2013
16698	02/15/2013	Daniel S Repka	50.00	Cleared	02/28/2013
16699	02/15/2013	Dolores Ann Kearns	125.00	Cleared	02/28/2013
16700	02/15/2013	Donna Huffman	50.00	Outstanding	
16701	02/15/2013	Dustin Mills	490.00	Outstanding	
16702	02/15/2013	Ervalynn Nomee	20.00	Outstanding	
16703	02/15/2013	First Interstate Bank Attn: Brian Brown	12.50	Cleared	02/28/2013
16704	02/15/2013	Gerald Pena	50.00	Cleared	02/28/2013
16705	02/15/2013	Gold Dust Casino	50.00	Outstanding	
16706	02/15/2013	Ian Michael Anderson	815.00	Outstanding	
16707	02/15/2013	Jack Gerald Plummer	330.00	Cleared	02/28/2013
16708	02/15/2013	Jack Gerald Plummer	890.00	Cleared	02/28/2013
16709	02/15/2013	James J Pavelis	25.00	Cleared	02/28/2013
16710	02/15/2013	Jerry Minch	1000.00	Cleared	02/28/2013
16711	02/15/2013	Kelly Sue Massine	500.00	Cleared	02/28/2013
16712	02/15/2013	Larry Dunlap	815.00	Outstanding	
16713	02/15/2013	Les Benner	50.00	Cleared	02/28/2013
16714	02/15/2013	Mary Valley	50.00	Cleared	02/28/2013
16715	02/15/2013	Michael Hartman	40.00	Outstanding	

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16716	02/15/2013	Nicole Hamnes	25.00	Cleared	02/28/2013
16717	02/15/2013	O'Reilly Auto Parts	25.00	Outstanding	
16718	02/15/2013	Parkway Motel	500.00	Cleared	02/28/2013
16719	02/15/2013	Pete Portra	55.00	Outstanding	
16720	02/15/2013	Rick Beckeley	295.00	Cleared	02/28/2013
16721	02/15/2013	Robert Dunn	20.00	Outstanding	
16722	02/15/2013	Rodney Rogina	29.70	Outstanding	
16723	02/15/2013	Ronald Harriss	25.00	Outstanding	
16724	02/15/2013	Sheila Lamprecht	50.00	Outstanding	
16725	02/15/2013	Tabitha Basil	.77	Outstanding	
16726	02/15/2013	Tammi Craig	295.00	Cleared	02/28/2013
16727	02/15/2013	Tanya Balbinot	100.00	Outstanding	
16728	02/15/2013	Terra Moselle Sturgill	540.08	Cleared	02/28/2013
16729	02/15/2013	Wendi Noelle Largent	100.00	Outstanding	
16730	02/15/2013	William Justice	350.00	Cleared	02/28/2013
16731	02/15/2013	William Wertman	720.00	Cleared	02/28/2013
16732	02/22/2013	K-Mart	50.00	Outstanding	
16733	02/22/2013	Sears	50.00	Cleared	02/28/2013
16734	02/22/2013	South Forty	12.50	Outstanding	
16735	02/22/2013	State Farm	19.05	Outstanding	
16736	02/22/2013	Billings Parks, Recreation and Land	25.00	Cleared	02/28/2013
16737	02/22/2013	Billings Police Dept	50.00	Outstanding	
16738	02/22/2013	Crime Victim Compensation Program	25.00	Outstanding	
16739	02/22/2013	Crime Victim Compensation Program	25.00	Outstanding	
16740	02/22/2013	Edward R Hawthorne	25.00	Outstanding	
16741	02/22/2013	Glena Estrada	195.00	Outstanding	
16742	02/22/2013	Joseph Frank Pellegrini	1252.38	Outstanding	
16743	02/22/2013	Karen Geraldine Zaso	20.00	Outstanding	
16744	02/22/2013	Larissa Mae Mraz	5.95	Outstanding	
16745	02/22/2013	Leonard E Kenney	30.00	Cleared	02/28/2013
16746	02/22/2013	NAPA Distribution Center Attn: Loren Zo	50.00	Cleared	02/28/2013
16747	02/22/2013	Phillip Drew	30.00	Outstanding	
16748	02/22/2013	Rachel Gusman	500.00	Outstanding	
16749	02/22/2013	Robert Hart	250.00	Outstanding	
16750	02/22/2013	Robin Dildine	50.00	Cleared	02/28/2013
16751	02/22/2013	Santos Antonio Mota Jr	95.10	Cleared	02/28/2013

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16752	02/22/2013	Travis David Zuroff	25.00	Outstanding	
16753	02/22/2013	Whitney Ybarra	50.00	Outstanding	
16754	03/01/2013	Crime Victims	50.00	Outstanding	
16755	03/01/2013	First Interstate Bank	25.00	Outstanding	
16756	03/01/2013	First Interstate Bank	45.21	Outstanding	
16757	03/01/2013	First National Pawn	25.00	Outstanding	
16758	03/01/2013	Office Max	25.00	Outstanding	
16759	03/01/2013	Target AP Recovery	153.72	Outstanding	
16760	03/01/2013	Walmart	3.56	Outstanding	
16761	03/01/2013	Anthony Kern	540.00	Outstanding	
16762	03/01/2013	Assurant Health	55.00	Outstanding	
16763	03/01/2013	Bernie Cole	55.00	Outstanding	
16764	03/01/2013	Beth Jones	30.00	Outstanding	
16765	03/01/2013	Bill Municipal Treatment Court	50.00	Voided	
16766	03/01/2013	Bryan Anderson	125.00	Outstanding	
16767	03/01/2013	Christopher Michael Deavila	840.00	Outstanding	
16768	03/01/2013	City Of Billings, c/o JoLynn Yerger	200.00	Outstanding	
16769	03/01/2013	City Treasurer	193875.52	Outstanding	
16770	03/01/2013	Crime Victim Comp Program	300.00	Outstanding	
16771	03/01/2013	Daniel Michael	1000.00	Outstanding	
16772	03/01/2013	Donna Hirning	155.00	Outstanding	
16773	03/01/2013	Felicia Myers	25.00	Outstanding	
16774	03/01/2013	First National Pawn	50.00	Outstanding	
16775	03/01/2013	Heather Laber	25.00	Outstanding	
16776	03/01/2013	Heather Martinez	25.00	Outstanding	
16777	03/01/2013	Jeremiah D Kenowski	12.45	Outstanding	
16778	03/01/2013	John Christianson	300.00	Outstanding	
16779	03/01/2013	Karine Perez	1095.00	Outstanding	
16780	03/01/2013	Kendal Borgeson	375.00	Outstanding	
16781	03/01/2013	Leanne Yucha	50.00	Outstanding	
16782	03/01/2013	Les Benner	50.00	Outstanding	
16783	03/01/2013	Linda Kiby Swaggerty	50.00	Outstanding	
16784	03/01/2013	Lindsay Marie Dolan	135.00	Outstanding	
16785	03/01/2013	Lindsay Marie Dolan	270.00	Outstanding	
16786	03/01/2013	Lindsay Marie Dolan	1240.00	Outstanding	
16787	03/01/2013	Lisa Heiser	445.00	Outstanding	

Billings Municipal Court

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2013 to 03/31/2013

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
16788	03/01/2013	Mariah Eslinger	50.00	Outstanding	
16789	03/01/2013	Michelle Lee George	15.00	Outstanding	
16790	03/01/2013	Molly Jacobson	295.00	Outstanding	
16791	03/01/2013	Monique Manriquez	500.00	Outstanding	
16792	03/01/2013	Monique Manriquez	500.00	Outstanding	
16793	03/01/2013	Monique Manriquez	500.00	Outstanding	
16794	03/01/2013	Monique Manriquez	1000.00	Outstanding	
16795	03/01/2013	Municipal Services Bureau	13538.80	Outstanding	
16796	03/01/2013	Reed Meschke	790.00	Outstanding	
16797	03/01/2013	Richard James Brown	50.00	Outstanding	
16798	03/01/2013	Rysn Mershon	195.00	Outstanding	
16799	03/01/2013	Shelbi M Godfrey	60.00	Outstanding	
16800	03/01/2013	Sylvia Castro	250.00	Outstanding	
16801	03/01/2013	Taylor Ita	50.00	Outstanding	
16802	03/01/2013	Thomas Patrick Gauger	50.00	Outstanding	
16803	03/01/2013	Tim R Howe	50.00	Outstanding	
16804	03/01/2013	Vernon Ray Mashek	3500.00	Outstanding	
16805	03/01/2013	Yellowstone County Treasurer	12540.40	Outstanding	
16806	03/08/2013	City Of Billings	25.00	Outstanding	
16807	03/08/2013	St. Vincent's Healthcare	50.00	Outstanding	
16808	03/08/2013	State Farm Insurance	13.79	Outstanding	
16809	03/08/2013	Alicia Friedt	35.00	Outstanding	
16810	03/08/2013	Ashley Kroll	250.00	Outstanding	
16811	03/08/2013	Ashley Buise	57.00	Outstanding	
16812	03/08/2013	Bruce M Thomas	50.00	Outstanding	
16813	03/08/2013	Carrie Purcell Brown	100.00	Outstanding	
16814	03/08/2013	Catherine Jane Grott	1996.40	Outstanding	
16815	03/08/2013	City Of Billings Police Dept.	60.00	Outstanding	
16816	03/08/2013	City of Billings Animal Shelter	50.00	Outstanding	
16817	03/08/2013	Clarence J Hofer	100.00	Outstanding	
16818	03/08/2013	David John Holland	1045.00	Outstanding	
16819	03/08/2013	David Anderson	195.00	Outstanding	
16820	03/08/2013	Deannalee Shirek	1095.00	Outstanding	
16821	03/08/2013	Donna Forbes	50.00	Outstanding	
16822	03/08/2013	Ervin Schwiegert	50.00	Outstanding	
16823	03/08/2013	Esperanza M Monroy	100.00	Outstanding	

Billings Municipal Court

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2013 to 03/31/2013

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
16824	03/08/2013	James Novotny	11.21	Outstanding	
16825	03/08/2013	Jason Eugene Braley	40.00	Outstanding	
16826	03/08/2013	Jason Ulland	195.00	Outstanding	
16827	03/08/2013	Jeff Sekavec	50.00	Outstanding	
16828	03/08/2013	John M Eadus	105.00	Outstanding	
16829	03/08/2013	John Sieversten	100.00	Outstanding	
16830	03/08/2013	John Sieversten	250.00	Outstanding	
16831	03/08/2013	John Sieversten	500.00	Outstanding	
16832	03/08/2013	June Ortman	50.00	Outstanding	
16833	03/08/2013	Justin Ostermiller	200.00	Outstanding	
16834	03/08/2013	Katie Oneil	195.00	Outstanding	
16835	03/08/2013	Kyla Jeanne Thornsley	738.80	Outstanding	
16836	03/08/2013	Langlas & Associates	16.67	Outstanding	
16837	03/08/2013	Lawrence Garriott	1240.00	Outstanding	
16838	03/08/2013	Lisa Jordan	1635.00	Outstanding	
16839	03/08/2013	Luke Oellermann	195.00	Outstanding	
16840	03/08/2013	Maria Nepoklonova	40.00	Outstanding	
16841	03/08/2013	Mary Valley	50.00	Outstanding	
16842	03/08/2013	Memri Spottedelk	25.00	Outstanding	
16843	03/08/2013	Meridian	246.00	Outstanding	
16844	03/08/2013	Natasha Freeman-batt	25.00	Outstanding	
16845	03/08/2013	Pammy Refsland	100.00	Outstanding	
16846	03/08/2013	Rachel Ortiz	50.00	Outstanding	
16847	03/08/2013	Robert A Haman	50.00	Outstanding	
16848	03/08/2013	Sara Lang	809.00	Outstanding	
16849	03/08/2013	Saud Alharbi	100.00	Outstanding	
16850	03/08/2013	Sommer Dawn Robison	100.00	Outstanding	
16851	03/08/2013	Tenille Dahlin	50.00	Outstanding	
16852	03/08/2013	Terri Lambrecht	25.00	Outstanding	
16853	03/08/2013	Thomas Salazar	25.00	Outstanding	
16854	03/08/2013	Tim Atsatt	8.33	Outstanding	
16855	03/08/2013	Title Loan Northwest	78.40	Outstanding	
16856	03/08/2013	Tom Cummings	100.00	Outstanding	
16857	03/08/2013	Vernon Olds	500.00	Outstanding	
16858	03/08/2013	Walmart - Heights	25.00	Outstanding	
16859	03/08/2013	Walter Maricich	1000.00	Outstanding	

Check Register
Bank: US BANK - Account: 150095602101
Date Range: From 01/01/2013 to 03/31/2013
All Check Types
Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
16860	03/15/2013	Rick Rabe	50.00	Outstanding	
16861	03/15/2013	1st National Pawn	240.00	Outstanding	
16862	03/15/2013	Adam Flores	50.00	Outstanding	
16863	03/15/2013	Adam Flores	90.00	Outstanding	
16864	03/15/2013	Andrew Cooper	25.00	Outstanding	
16865	03/15/2013	Assurant Health	50.00	Outstanding	
16866	03/15/2013	Bailey C Hamrick	1.55	Outstanding	
16867	03/15/2013	Blake Calvin Adams	95.00	Outstanding	
16868	03/15/2013	Bob Rux	1045.00	Outstanding	
16869	03/15/2013	Courtney Davis	55.00	Outstanding	
16870	03/15/2013	Courtney Davis	1040.00	Outstanding	
16871	03/15/2013	Crime Victim Comp Program	50.00	Outstanding	
16872	03/15/2013	Daniel S Repka	50.00	Outstanding	
16873	03/15/2013	Darlene Walker	350.00	Outstanding	
16874	03/15/2013	Deanna Falbo	15.00	Outstanding	
16875	03/15/2013	Donna Huffman	100.00	Outstanding	
16876	03/15/2013	Douglas Keith Winkler	870.00	Outstanding	
16877	03/15/2013	Douglas Keith Winkler	1040.00	Outstanding	
16878	03/15/2013	Ervalynn Nomee	20.00	Outstanding	
16879	03/15/2013	Jacqueline Cherry	195.00	Outstanding	
16880	03/15/2013	James Nathan Simpson	125.00	Outstanding	
16881	03/15/2013	Jarrett Wanner	50.00	Outstanding	
16882	03/15/2013	Joanne Rock Above	50.00	Outstanding	
16883	03/15/2013	Kathy Eder	25.00	Outstanding	
16884	03/15/2013	Krischel, Morgan-Gonzalez	200.00	Outstanding	
16885	03/15/2013	Kristina Pendill	200.00	Outstanding	
16886	03/15/2013	Kristy Clawson	100.00	Outstanding	
16887	03/15/2013	Kyle Riley Martens	445.00	Outstanding	
16888	03/15/2013	Les Benner	50.00	Outstanding	
16889	03/15/2013	Linda Susan Faw	265.00	Outstanding	
16890	03/15/2013	Michael C Plainbull	640.00	Outstanding	
16891	03/15/2013	Nicholas Stanton Brauer	50.00	Outstanding	
16892	03/15/2013	Nicole Hamnes	25.00	Outstanding	
16893	03/15/2013	Paul Raymond Christeck	1015.00	Outstanding	
16894	03/15/2013	Phillip Drew	25.00	Outstanding	
16895	03/15/2013	Robert Dunn	56.00	Outstanding	

Check Register
Bank: US BANK - Account: 150095602101
Date Range: From 01/01/2013 to 03/31/2013
All Check Types
Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
16896	03/15/2013	Scott Nickisch	445.00	Voided	
16897	03/15/2013	Spencer Lee Clampitt	140.00	Outstanding	
16898	03/15/2013	St. Vincent Healthcare	50.00	Outstanding	
16899	03/15/2013	Stacie M Warehime	25.00	Outstanding	
16900	03/15/2013	Valerie Mcmurtry	111.08	Outstanding	
16901	03/15/2013	Vicki Holle	50.00	Outstanding	
16902	03/15/2013	Wall Mart	25.00	Outstanding	
16903	03/15/2013	Westley Fuchs	200.00	Outstanding	
16904	03/15/2013	Willard B. Kellinger	475.00	Outstanding	
16905	03/19/2013	Stephen Christopher Brady Jr	1030.00	Outstanding	
16906	03/22/2013	K-Mart	50.00	Outstanding	
16907	03/22/2013	Sears	50.00	Outstanding	
16908	03/22/2013	South Forty	12.50	Outstanding	
16909	03/22/2013	State Farm	19.05	Outstanding	
16910	03/22/2013	Alexander B. Mogan	720.00	Outstanding	
16911	03/22/2013	Altimus Distributing	25.00	Outstanding	
16912	03/22/2013	Billings Parks, Recreation and Land	25.00	Outstanding	
16913	03/22/2013	Billings Police Dept	100.00	Outstanding	
16914	03/22/2013	Bradley Miller	4.05	Outstanding	
16915	03/22/2013	Brooke Roberts	295.00	Outstanding	
16916	03/22/2013	Brooke Roberts	500.00	Outstanding	
16917	03/22/2013	City Of Billings, c/o JoLynn Yerger	225.00	Outstanding	
16918	03/22/2013	City Of Billings-c/o JoLynn Yerger	64.59	Outstanding	
16919	03/22/2013	City of Billings Animal Shelter	355.41	Outstanding	
16920	03/22/2013	Clarence J Hofer	25.00	Outstanding	
16921	03/22/2013	Connie Pacheco	173.94	Outstanding	
16922	03/22/2013	Crime Victim Comp Program	300.00	Outstanding	
16923	03/22/2013	Crime Victim Compensation Program	25.00	Outstanding	
16924	03/22/2013	Crime Victim Compensation Program	25.00	Outstanding	
16925	03/22/2013	Crime Victim Compensation Program	50.00	Outstanding	
16926	03/22/2013	Daniel G. Stidham	620.00	Outstanding	
16927	03/22/2013	Edward R Hawthorne	12.50	Outstanding	
16928	03/22/2013	Felicia Myers	25.00	Outstanding	
16929	03/22/2013	First Interstate Bank Attn: Brian Brown	12.50	Outstanding	
16930	03/22/2013	Heather Martinez	25.00	Outstanding	
16931	03/22/2013	James P Jones	500.00	Outstanding	

Check Register
Bank: US BANK - Account: 150095602101
Date Range: From 01/01/2013 to 03/31/2013
All Check Types
Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
16932	03/22/2013	James Piersanti	250.00	Outstanding	
16933	03/22/2013	Jamie Fontaine	5.00	Outstanding	
16934	03/22/2013	Jennifer Blohm	640.00	Outstanding	
16935	03/22/2013	Justine Koempel	595.00	Outstanding	
16936	03/22/2013	Karen Geraldine Zaso	20.00	Outstanding	
16937	03/22/2013	Kirbi Henderson	815.00	Outstanding	
16938	03/22/2013	Larissa Mae Mraz	5.95	Outstanding	
16939	03/22/2013	Michael Hartman	40.00	Outstanding	
16940	03/22/2013	NAPA Distribution Center Attn: Loren Zo:	50.00	Outstanding	
16941	03/22/2013	Phillip Drew	270.00	Outstanding	
16942	03/22/2013	Rachel Ortiz	200.00	Outstanding	
16943	03/22/2013	Richard James Brown	50.00	Outstanding	
16944	03/22/2013	Ronald Nye	2000.00	Outstanding	
16945	03/22/2013	Sheila Lamprecht	50.00	Outstanding	
16946	03/22/2013	Sommer Dawn Robison	75.00	Outstanding	
16947	03/22/2013	Stanley Alan Heimbigner	250.00	Outstanding	
16948	03/22/2013	Susan Bell	50.00	Outstanding	
16949	03/22/2013	Tanya Lynn Jackson	100.00	Outstanding	
16950	03/22/2013	Tim R Howe	75.00	Outstanding	
16951	03/22/2013	Tonia Anderson	2000.00	Outstanding	
16952	03/22/2013	Travis David Zuroff	25.00	Outstanding	
16953	03/22/2013	Wendi Noelle Largent	100.00	Outstanding	
16954	03/22/2013	Zachery Borowiec	50.00	Outstanding	
16955	03/29/2013	Crime Victims	50.00	Outstanding	
16956	03/29/2013	First Interstate Bank	50.00	Outstanding	
16957	03/29/2013	Billings Clinic	100.00	Outstanding	
16958	03/29/2013	Bruce Belluomini	275.00	Outstanding	
16959	03/29/2013	City Treasurer	150192.74	Outstanding	
16960	03/29/2013	Cody Harris	5.75	Outstanding	
16961	03/29/2013	Dale Robert Miller	150.00	Outstanding	
16962	03/29/2013	Dawn Lansing	70.00	Outstanding	
16963	03/29/2013	Dawn Lansing	125.00	Outstanding	
16964	03/29/2013	Dustin Liudahl	100.00	Outstanding	
16965	03/29/2013	Esperanza M Monroy	361.00	Outstanding	
16966	03/29/2013	Gerald Pena	25.00	Outstanding	
16967	03/29/2013	James J Pavelis	25.00	Outstanding	

Billings Municipal Court

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2013 to 03/31/2013

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
16968	03/29/2013	Jamie Jawort	100.00	Outstanding	
16969	03/29/2013	Jay Jeremy Cutler	1240.00	Outstanding	
16970	03/29/2013	Josh Eldridge	190.00	Outstanding	
16971	03/29/2013	Kailin Roberts	1185.00	Outstanding	
16972	03/29/2013	Karen Gossett	25.00	Outstanding	
16973	03/29/2013	Laura Michelle Gabaldon	25.00	Outstanding	
16974	03/29/2013	Leanne Yucha	50.00	Outstanding	
16975	03/29/2013	Linda Kiby Swaggerty	50.00	Outstanding	
16976	03/29/2013	Matthew McCleary	595.00	Outstanding	
16977	03/29/2013	Meghan Anderson	720.00	Outstanding	
16978	03/29/2013	Memri Spottedelk	25.00	Outstanding	
16979	03/29/2013	Municipal Services Bureau	5918.02	Outstanding	
16980	03/29/2013	Natasha Freeman-batt	25.00	Outstanding	
16981	03/29/2013	Paul Morup	1340.00	Outstanding	
16982	03/29/2013	Paul Watson Palu	195.00	Outstanding	
16983	03/29/2013	Pete Portra	50.00	Outstanding	
16984	03/29/2013	Rachel Ortiz	281.72	Outstanding	
16985	03/29/2013	Ronald Harriss	20.00	Outstanding	
16986	03/29/2013	Sara Long	195.00	Outstanding	
16987	03/29/2013	Scott Gray	720.00	Outstanding	
16988	03/29/2013	Scott Nickisch	445.00	Outstanding	
16989	03/29/2013	Shane Ringo	250.00	Outstanding	
16990	03/29/2013	Shelbi M Godfrey	55.00	Outstanding	
16991	03/29/2013	Steven Dorman	620.00	Outstanding	
16992	03/29/2013	Taylor Ita	19.25	Outstanding	
16993	03/29/2013	Trevor Wilson	250.00	Outstanding	
16994	03/29/2013	Walter White	1500.00	Outstanding	
16995	03/29/2013	Yellowstone County Treasurer	10043.00	Outstanding	

Number checks: 568 Total 731233.08

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Public Hearing and Resolution for FY13 Third Quarter Budget Amendments
PRESENTED BY: Patrick M. Weber Finance Director
Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Third Quarter Budget amendments for Fiscal year 2012/2013 are requested for the following:

The City Clerk is purchasing software with a cost of $4,800 per year to manage public records requests. All departments will use this software as it is a product of AgendaQuick which the City uses for Council memos.

HUD performed a site audit of grant programs and determined that there were certain expenditures made that should not have been supported by grant funds. In FY13, the City sold land to the Catholic Church that was part of the land held for sale in the Urban Renewal Property Acquisition Fund. A portion of these proceeds will be used to reimburse the CDBG grant fund for salaries and HUD to return award monies.

On May 29, 2012, Council approved the use of $1,000 of council contingency funds to be used by the Human Relations Board. As of July 1, 2012, the amount remaining of this award was $1,000. The Board also received a $500 donation for its cost of materials, of which $41 remained as of July 1, 2012. Therefore, the Board requests that Council reduce the FY 13 Council Contingency budget by $1,000, and increase the Human Relations account by $1,041.

On March 25, 2013, Council approved the use of Council Contingency monies for four projects. One of the projects was to establish a HOME-like loan/grant program in Community Development Grants Fund of $250,000. This results in a decrease in budget authority in the Council Contingency account and an increase in revenues and expenses in the Community Development Grants Fund.

On March 25, 2013, Council approved the use of Council Contingency monies for four projects. One of the projects was to purchase New World Software for the Police Department for $600,000. Since the contracts for the new software will not be completed until FY14, the budget authority needs to be reduced in FY13 to not overstate available contingency funds. The $600,000 will be budgeted in FY 14 as a contract cannot not be executed by June 30, 2013.

ALTERNATIVES ANALYZED

The Council may approve or not approve the budget amendments. In several cases, the Council approved projects and expenditures from the affected Funds with the knowledge that amendments would be needed before the end of the fiscal year. Spending more than is permitted by official Council action would violate the state's municipal budget law.

FINANCIAL IMPACT

The requested budget amendments will be funded by additional revenues or reserves as indicated on the Resolution attachment.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and approve the resolution approving and adopting the third quarter budget amendments for Fiscal Year 2012/2013.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

Exhibit

Attachment A

RESOLUTION 13-

A RESOLUTION TO MAKE **FISCAL YEAR 2012/2013** ADJUSTMENTS TO APPROPRIATIONS PURSUANT TO M.C.A. 7-6-4006 AS AMENDED, AND PROVIDING TRANSFERS AND REVISIONS WITHIN THE GENERAL CLASS OF SALARIES AND WAGES, MAINTENANCE AND SUPPORT AND CAPITAL OUTLAY.

WHEREAS, M.C.A. 7-6-4006 provides that the City Council, upon proper resolution, adopted by said Council at a regular meeting and entered into its Minutes, may transfer or revise appropriations within the general class of salaries and wages, maintenance and support, and capital outlay, and

WHEREAS, based upon a Budget Review **(FY 2012/2013**), it is necessary to alter and change said appropriations.

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

That the attached transfers or revisions are hereby adopted.

(SEE EXHIBIT A)

PASSED AND APPROVED by the City Council, this 22nd day of April, 2013.

THE CITY OF BILLINGS:

BY:_____
Thomas W. Hanel, MAYOR

ATTEST:

BY:_____
Cari Martin, CITY CLERK

EXHIBIT A

	Revenue	Expenditure	
Fund 0100-General Fund, Non-departmental			
The City Clerk is purchasing software to manage public records requests. All departments will use this software. The cost of the software is $4,800 per year.			
0100-14120-402925		4,800	Computer equipment under $5,000
Fund 4280-Urban Renewal Property Acquisition Fund			
HUD performed a site audit of grant programs and determined that there were certain expenditures made that should not have been supported by grant funds. In FY13, Community Development sold land that was part of the land held for sale in the Urban Renewal Property Acquisition Fund. A portion of these proceeds will be used to reimburse the CDBG grant fund for salaries and HUD to return award monies.			
4280-65900-408225		8,826	transfer to reimburse CDBG grant fund
4280-65900-403560		128,000	reimbursement to HUD
4280-65900-376740	255,900		land sale to Catholic Church
2980-65010-307514	8,826		transfer to reimburse CDBG grant fund
Fund 0100-General Fund, Human Resources and Council Contingency Department			
On May 29, 2012, Council approved the use of $1,000 of council contingency funds to be used by the Human Relations Board. As of July 1, 2012, the amount remaining of this award was $1,000. The Board also received a $500 donation for its cost of materials, of which $41 remained as of July 1, 2012. Therefore, we are requesting to reduce Council Contingency budget by $1,000, and increase the Human Relations account by $1,041.			
0100-11100-407970		(1,000)	remaining contingency
0100-17540-402120		1,041	remaining donation and contingency
Fund 2770-Community Development Grants Fund			
Fund 0100-General Fund, Council Contingency Department			
On March 25, 2013, Council approved the use of Council Contingency monies for four projects. One of the projects was to establish a HOME-like loan/grant program in Community Development Grants Fund of $250,000. This results in a decrease in budget authority in the Council Contingency account and an increase in revenues and expenses in the Community Development Grants Fund.			
0100-11100-407970		(250,000)	Reduce Council Contingency Budget
0100-11100-408214		250,000	Transfer to Fund 2770
2770-65810-307514	250,000		Transfer from Council Contingency
2770-65810-407277		250,000	HOME Loans

Fund 0100-General Fund, Council Contingency Department

On March 25, 2013, Council approved the use of Council Contingency monies for four projects. One of the projects was to purchase New World Software for the Police Department for $600,000. Since the contracts for the new software will not be completed until FY14, the budget authority needs to be reduced in FY13 to not overstate available contingency funds.

0100-11100-407970	(600,000)	New World software

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: Public Hearing and Resolution Authorizing A Negotiated Sale for Refunding Special Improvement District (SID) 1385

PRESENTED BY: Patrick Weber

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

On April 8, 2013, the City Council approved a resolution of intent to refund SID 1385 bonds. The $5,360,000 of original bonds were issued in 2008 to finance the improvements on King Avenue East between South Billings Blvd. and Orchard. There is an outstanding balance of $4,945,000. This refunding is an advance refunding, meaning that the original bonds are not mature and may not be called prior to 2015. The refunding is being done at this time in order to take advantage of low interest rates. Because the bonds are being refunded prior to maturity, the City must retain enough money to make the principal and interest payments until the original bonds may be called in 2014. That requires that the City capitalize those amounts in the new issue and to pay the new bonds' issuance costs. Therefore, the principal amount of the new bonds is greater than the original outstanding bonds. Based on preliminary analysis, the City could achieve debt savings estimated to be at least 8%.

A public hearing is required to establish the desirability of issuing the refunding bonds. Notice of the public hearing was published and mailed to the property owners in the district.

ALTERNATIVES ANALYZED

After the public hearing, the Council may:

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

FINANCIAL IMPACT

The refunding bonds are being issued to reduce future interest costs, which could be $400,000 - $500,000. These savings will be passed on to the property owners in the district.

RECOMMENDATION

Staff recommends that the City Council approve the resolution authorizing the issuance and negotiated sale of SID 1385 refunding bonds.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution to Proceed

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 SPECIAL IMPROVEMENT DISTRICT NO. 1385 REFUNDING BONDS, SERIES 2013; AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE THEREOF AND THE PLEDGE OF THE REVOLVING FUND TO THE 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 April 22, 2013, 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 22nd day of April, 2013.

(SEAL)

_____
City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1385 REFUNDING BONDS, SERIES 2013; AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE THEREOF AND THE PLEDGE OF THE REVOLVING FUND TO THE SECURITY THEREFOR

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

Section 1. Recitals and Statutory Authorization.

1.01. Outstanding Bonds. The City, pursuant to Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended (the "Act"), has issued its Special Improvement District No. 1385 Bonds, dated, as originally issued, as of October 1, 2008, in the original aggregate principal amount of $5,360,000 (the "Series 2008 Bonds"), drawn against the funds of, and to finance the costs of certain local improvements (the "Improvements") in or for the benefit of, Special Improvement District No. 1385 of the City (the "District"). All of the Improvements have been completed and all proceeds of the Series 2008 Bonds and investment income thereon have been applied to costs of the Improvements or to the partial redemption of the Series 2008 Bonds, except for certain proceeds of the Series 2008 Bonds on deposit in the Special Improvement District Revolving Fund of the City (the "Revolving Fund"). The Series 2008 Bonds are presently outstanding in the aggregate principal amount of $4,945,000 (the "Outstanding Bonds").

1.02. Authorization. Section 7-12-4194 of the Act authorizes the issuance of special improvement district bonds under the Act to provide money needed to pay principal of and interest on outstanding bonds if the rate of interest on the refunding bonds is at least one-half of one percent (0.50%) a year less than the rate of interest on the bonds to be refunded.

1.03. Passage of Resolution of Intention. This Council, on April 8, 2013, adopted Resolution No. 13-19257 (the "Resolution of Intention"), pursuant to which this Council declared its intention to issue its Special Improvement District No. 1385 Refunding Bonds, Series 2013 (the "Refunding Bonds"), in the aggregate principal amount of $6,000,000 in order to provide funds to refund the outstanding Series 2008 Bonds in advance of their stated maturities.

1.04. Notice and Public Hearing; Protests. Pursuant to Section 7-12-4194 of the Act, because the Refunding Bonds will be issued in a principal amount greater than the principal amount of the outstanding Series 2008 Bonds, a public hearing was required to establish the desirability of issuing the Refunding Bonds. Notice of such public hearing was duly published and mailed and on the date hereof, this Council conducted the public hearing. No protests were filed with the City Clerk by the owners of property in the District subject to assessment in connection with the refunding.

Section 2. Findings. Pursuant to Section 7-12-4194 of the Act, this Council hereby confirms its earlier findings that it is in the best interests of the City and the owners of property in the District for the City to sell the Refunding Bonds in order to provide funds to be used to refund the outstanding Series 2008 Bonds in advance of their stated maturities. The Refunding Bonds will be issued to achieve debt service savings for the District, estimated on a net present value basis (using the yield of the Refunding Bonds as the discount factor) calculated over the remaining term of the outstanding Series 2008 Bonds, to be at least 8.0%. The savings will benefit the District and the owners of property therein by reducing the total cost of the Improvements financed from the proceeds of the Series 2008 Bonds.

Section 3. Sale of Refunding Bonds. Pursuant to Section 7-12-4194(3)(a) of the Act, this Council hereby confirms its earlier determination that it is in the best interests of the City to sell the Refunding Bonds at a private negotiated sale to D.A. Davidson, of Great Falls, Montana (the "Purchaser"), in consultation with Springsted Incorporated, financial consultant to the City in respect of the Refunding Bonds. The Refunding Bonds shall be sold to the Purchaser on terms and at a purchase price within the limitations set forth in the Resolution of Intention. All costs of issuing the Refunding Bonds (including, without limitation, the fees and expenses of bond counsel, Springsted Incorporated and the Paying Agent and Registrar, and the costs of printing the Preliminary Official Statement, the Official Statement and the Refunding Bonds, if any) shall be paid by the City as part of the financing from proceeds of the Refunding Bonds or other available sources.

Section 4. Bond Purchase Agreement. The City Administrator and City Finance Director, in consultation with Springsted Incorporated, are hereby authorized and directed to approve the final principal amount, maturity dates, interest rates and redemption provisions of the Refunding Bonds and compensation to the Purchasers, subject to the limitations contained in the Resolution of Intention and the Act. Upon approving such terms, the City Administrator and City Finance Director are hereby authorized and directed to approve, execute and deliver to the Purchaser a bond purchase agreement (the "Bond Purchase Agreement"), containing the agreement of the City to sell, and the agreement of the Purchaser to purchase, the Refunding Bonds on the terms so approved, and containing such other provisions as such officers shall deem necessary and appropriate. In the event of the absence or disability of the City Administrator and City Finance Director, the Mayor or Deputy City Administrator shall make such approvals and execute and deliver the Bond Purchase Agreement. The execution and delivery by appropriate officers of the City of the Bond Purchase Agreement shall be conclusive as to the approval of such officers of the terms of the Refunding Bonds and the agreement of the City to sell the Refunding Bonds on such terms in accordance with the provisions thereof.

Section 4. Pledge of Revolving Fund. In the resolution of intention to create the District, this Council found that it was in the public interest, and in the best interest of the City and the District, to secure payment of the principal of and interest on the Series 2008 Bonds by the Revolving Fund, on the basis of factors required to be considered under Section 7-12-4225 of the Act. It is hereby found, determined and declared that it is in the public interest and in the best interest of the City and the District, to secure payment of the principal of and interest on the Refunding Bonds by the Revolving Fund, and the findings made in the resolution of intention in respect of the pledge of the Revolving Fund for the District are hereby ratified and confirmed; no

material adverse condition relevant to the pledge of the Revolving Fund in the District having occurred since the Series 2008 Bonds were issued.

Section 5. Official Statement. The City Finance Director and City Administrator with Springsted Incorporated and Dorsey & Whitney LLP, the City's bond counsel, are authorized to prepare on behalf of the City an Official Statement, to be distributed by the Purchaser to prospective purchasers of the Refunding Bonds, if necessary for the sale of the Refunding Bonds. The Official Statement shall contain such information as shall be advisable and necessary to describe accurately the City, the security for, and the terms and conditions of, the Refunding Bonds. The City Administrator and City Finance Director are authorized on behalf of the Council to deem the Official Statement near "final" as of its date, in accordance with Rule 15c2-12(b)(1) under the Securities Exchange Act of 1934.

PASSED AND APPROVED by the City Council of the City of Billings, Montana, this 22nd day of April, 2013.

_____
Mayor

Attest: _____
City Clerk

(SEAL)

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: Public Hearing and Resolution Creating SILMD 311 - Rimrock Road, Shiloh to Forsythia

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

At the March 25, 2013, City Council meeting, Council passed the Resolution of Intent to Create SILMD 311. SILMD 311 is a street light district which will pay the energy and maintenance cost for the street lights along Rimrock Road from Shiloh Road to Forsythia Boulevard. The Resolution of Intent also established a public hearing for creation of the proposed district for the April 22, 2013 Council meeting. Legal notices and a letter explaining the district and all protest procedures were mailed to each of the landowners in the proposed new district on March 27, 2013. Information on the number and percentage of property owner protests received will be presented at the public hearing. SILMD 311 assessments are based on the linear footage of property that abuts or shares a property boundary with Rimrock Road. The assessments to each property are based on LED lights. There are 167 properties within the district, with an average yearly assessment of $38.45. The largest yearly assessment is $453.26, and the smallest yearly assessment is $2.81.

ALTERNATIVES ANALYZED

The Council may:

- Pass the Resolution Creating SILMD 311 - Rimrock Road, Shiloh to Forsythia, to provide a source of funding for operation and maintenance of the street lights; or
- Do not pass the Resolution Creating SILMD 311, leaving this section of Rimrock Road without street lighting.

FINANCIAL IMPACT

All energy and maintenance costs for this proposed light district will be paid for by assessments on properties within the district. Installation of the street lights will be paid for under the Rimrock Road reconstruction project and not by assessments. The City's contribution to the District is $272.40 based on City-owned properties.

RECOMMENDATION

Staff recommends that Council pass this Resolution Creating SILMD 311.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

Boundary Map

RESOLUTION NO. 13-_____

A RESOLUTION CREATING SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 311 OF THE CITY OF BILLINGS, MONTANA, FOR THE PURPOSE OF SECURING AND PROVIDING ENERGY AND MAINTENANCE FOR NEW STREETLIGHTING, SETTING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE, ESTABLISHING THE ESTIMATED RATE FOR ENERGY AND MAINTENANCE THEREOF, AN APPROXIMATE ESTIMATE OF THE COST OF MAINTAINING SUCH LIGHTS AND SUPPLYING ELECTRICAL CURRENT THEREFORE FOR THE FIRST YEAR, AND THE PROPORTION OF THE COST TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE METHOD OF ASSESSMENT OF SAID COSTS.

WHEREAS, the City Council of the City of Billings, Montana, on the 25th day of March, 2013, passed Resolution 13-19251, a Resolution of Intention to Create a Special Improvement Lighting Maintenance District designated as No. 311, setting the hearing on the creation of said District and hearing of protests against the extent and creation of said District, or any matter pertaining thereto, and thereafter gave notice by publication and mailing, all as required by law, and at said hearing which was held at the time and place specified in said Notice, all protests were heard and considered; and

WHEREAS, the City Council finds that the protests are insufficient to stop the creation of said district, and the protests are overruled and denied.

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

SECTION 1:

That the City Council of the City of Billings, Montana does hereby create a District, to be known and designated as Special Improvement Lighting Maintenance District No. 311, hereinafter called the District, for the purpose of securing and providing energy and maintenance for new street lights for lighting said District.

SECTION 2:

That the boundaries of the District are as set forth in Resolution of Intention No. 13-19251, hereinafter called the Resolution, on file in the office of the City Clerk of Billings, Montana, and by this reference is incorporated herein and made a part hereof.

SECTION 3:

That the City Council hereby finds and determines that each of the lots, blocks, pieces and parcels of land, situated within the boundaries of the District, are especially benefited and affected by said improvements, and each and all of the lots, blocks, pieces and parcels, more particularly described in the Resolution are hereby declared to be the property to be assessed for the cost and expense of the electrical energy for and maintenance of said District.

SECTION 4:

That the general character of the improvements to be made is hereby declared to be as described in the Resolution and is by this reference incorporated herein and made a part hereof.

SECTION 5:

The City of Billings intends to establish the contract rate for supplying electrical energy in accordance with the rate schedule approved by the Montana Public Service Commission. Said rate is currently estimated at $5.75 per unit, per month, and that NorthWestern Energy Company shall provide energy to the lighting fixtures. That the City of Billings shall provide normal maintenance to lighting fixtures, poles, cables and other incidental equipment, and shall at all times own said lighting fixtures, poles, cables and other incidental equipment.

SECTION 6:

That based upon the above figures, the estimate of the cost of the District for one year is the sum of $6,575.36, and that the entire cost of said District shall be paid by the owners of property within said District. The estimated cost of the District per year for the property owners is on the basis of approximately $0.5617 per linear foot, per year, of property that fronts the District. All of such costs of said District shall be paid by the owners of the property within the District with each lot, parcel or piece of land within said District to be assessed for that portion of the whole cost which its assessable fronting property boundary bears to the assessable boundary of the entire District, exclusive of streets, avenues, alleys, and public places.

SECTION 7:

That the entire cost of the District shall be paid by an annual assessment against the property in the District. That all monies derived from the collection of such assessments shall be paid into a fund to be known as the "Special Improvement Lighting Maintenance District No. 311 Maintenance Fund", and warrants shall be drawn on said fund for

the payment of such cost of maintaining said lights and supplying electrical current therefore.

SECTION 8:

That reference is hereby made to the Resolution, the maps, specifications, boundaries, perimeter and data pertaining to the District, on file in the offices of the City Clerk and City Engineer, for further particulars, all of which are made a part hereof.

PASSED by the City Council of the City of Billings, Montana and approved this 22nd day of April, 2013.

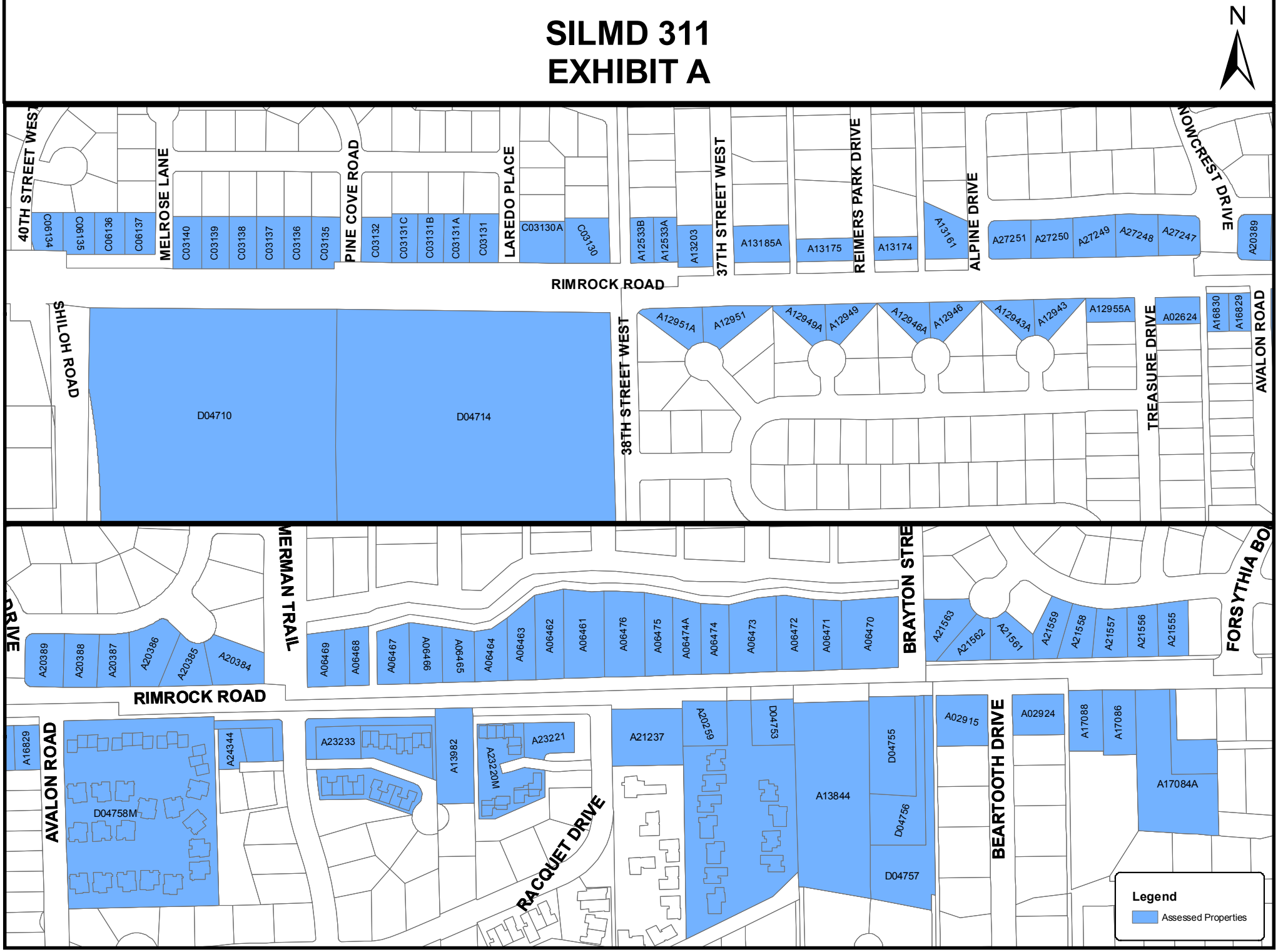
THE CITY OF BILLINGS:

BY:_____
Thomas W. Hanel MAYOR

ATTEST:

BY:_____
Cari Martin CITY CLERK

SILMD 311
EXHIBIT A



Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: Public Hearing - Great Harvest Bread - Variance from Off Street Parking Requirements

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

Great Harvest Bread Company at 907 Poly Drive has requested a variance from the off street parking requirements. The applicant is expanding their operations into the adjacent building at their existing site. Due to the fact that the expansion will include a change of use, the applicant must meet site development requirements. They currently have 7 spaces and are required by code to have 15 spaces. Great Harvest Bread Company is expanding into the portion of the building that was previously occupied by the Poet Street Market. Great Harvest Bread Company is a similar use to the Poet Street Market, and there were no recorded parking problems when the building was occupied by the Poet Street Market.

ALTERNATIVES ANALYZED

The Council may:

- Approve the variance which allows the applicant to expand their operations on the current site.
- Not approve the variance. If the variance is not approved, the bakery will not be able to use the adjacent building and another use would likely utilize the building which ultimately could make the parking situation worse.

FINANCIAL IMPACT

The administrative cost of the variance is offset by the application fee.

RECOMMENDATION

Staff recommends that Council approve the variance for the Great Harvest Bread Co. off street parking.

APPROVED BY CITY ADMINISTRATOR

Attachments

Great Harvest Bread - 907 Poly Drive - Application

Great Harvest Bread - 907 Poly Drive - Owners Letter of Request

Great Harvest Bread - 907 Poly Drive - Picture # 1

Great Harvest Bread - 907 Poly Drive - Picture # 2

Great Harvest Bread - 907 Poly Drive - Picture # 3

Site Plan

APPLICATION FOR VARIANCE

The undersigned as owner(s) of the following described property hereby request a Variance from the terms of the City of Billings-Section of the Site Development Ordinance.

1. Legal description of property: Sec 31, Town 01 N Range 26 E, Sec 31, T01N, R26E
   Tax ID# D05706
2. Address (If unknown, contact the City Engineer's office) or general location: 907 Poly Drive
   Billings MT 59102
3. Owner (s): Ellen M. Thotus, Trustee, Thotus Living Trust
   (Recorded Owner)
   4271 Heppner Lane, San Jose CA 95136
   (Address)
   406 269-3033 emthotus@gmail.com
   (Phone Number) (Email)
4. Agent (s): _____
   (Name)
   _____
   (Address)
   _____
   (Phone Number) (Email)
5. Section of the Site Development Ordinance that this request for variance applies to: Sec. 6-1200
   Municipal Code City of Billings
6. Reason for request: Variance for parking
7. Covenants for deed restriction on the property: Yes _____ No ✓

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for the variance requested. Also, that all the information presented is true and correct.

Signature: Ellen M Thotus (Recorded Owner) Date: 3/14/2013

Fee: 200 Receipt #: 027183 Hearing Date: _____ Application #_____

March 21, 2013

To whom it may concern,

My name is Bryan Layton, owner of Great Harvest Bread Co. located at 907 Poly Dr. and I am writing this letter in regard to our application for a parking variance.

The building in which our business is currently located, and has been for the past 17 years (plus or minus a year) has had tenant changes recently which has sparked our desire to purchase the property and building and expand into the entire building. Poets Street Market was formally located next to us and was a very similar type of business being a bakery/ deli.

The neighborhood and city have been very supportive over the years and I feel fortunate to be in the position to hopefully purchase this property and continue to be a well known and liked neighborhood bakery and gathering place. However, I have been told that if I were to expand into the space formerly occupied by Poets that the parking spaces would not be sufficient. Two similar businesses occupying 2,900 sq. feet is acceptable but one business occupying the same sq. footage requires a variance for parking.

If the variance is approved we plan to invest a considerable amount of money into the purchase of the property and building along with improvements of both the interior and exterior of the building. The interior would consist of expanding our production area, storage area, seating area as well as enlarging our two bathrooms to make them handicapped accessible. It would also make our bathrooms accessible from inside our building which I'm sure would be the most exciting feature to those who have had to trudge outside in the cold and snow to get to the bathrooms! The exterior would get a nice new face lift with updated façade, lighting, windows and signage.

In the seven years that I have owned the business the parking has been sufficient for all business done at this location. We currently have seven parking spaces plus one handicapped space in the front of the store. Wisconsin St. to the East of the store has roadside parking which does not interfere with the fronts of any housing, garages or ally accesses. Poly dr. also provides on street parking if needed. The busiest hours of the day are from approximately 11:30 A.M. to 1:30 P.M. during the lunch period and much of what is provided is take- out orders which the parking is turned over in a short period of time. We are closed at 6 P.M. Monday through Friday, 5 P.M. on Saturdays and closed on Sundays so late afternoon and evening traffic is not created by our business.

I realize that each situation is unique but I would also like to be able to compete with similar businesses in the area such as "Harper and Madison" located on 10th St. North which is also located in a residential area, has a similar sized building, interior seating and no parking at all other than on street in front of houses.

Thank you for your consideration in this matter.

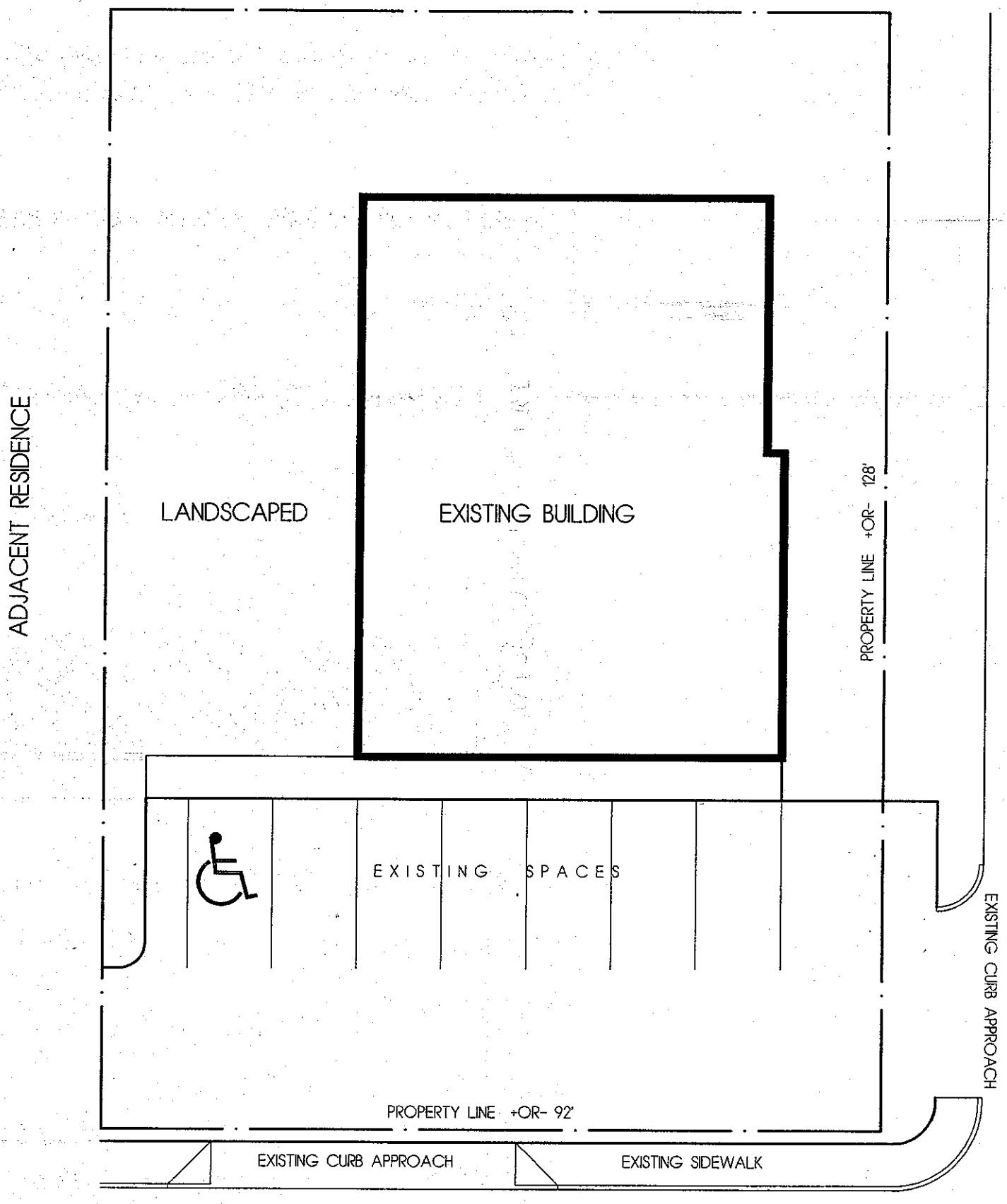
Bryan Layton

Great Harvest Bread Co.

POLY DR
WISCONSIN ST
Great Harvest Bread Co.
Soup • Sandwiches
Fresh Bread • Sweets
BAKED GOODS

POLY DR
Soup · Sandwiches
Fresh Bread · Sweets
BAKED GOODS
OPEN

905
SANDWICHES
SALADS
SPECIALTY
BREADS



EXISTING SITE PLAN

907 POLY DRIVE

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: Public Hearing & Action on Allocations / Annual Action Plan for Community Development Block Grant (CDBG) & HOME Investment Partnership (HOME) Programs

PRESENTED BY: Brenda Beckett

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The City Council is scheduled to hold a public hearing on the City of Billings CDBG and HOME funding and annual Action Plan for FY2013-2014. The public hearing is a mandatory condition to receive U.S. Department of Housing and Urban Development (HUD) entitlement funding. City Council action is needed to approve the FY2013-2014 Action Plan and budget recommendations in preparation for HUD's submission deadline for the annual Action Plan on May 15 (see Attachment A). This Action Plan represents the fourth year of the City's overall five-year Consolidated Plan covering FY2010-2014. An additional informational presentation was made during an April City Council Work Session.

ALTERNATIVES ANALYZED

1) Hold a public hearing and approve the allocation of CDBG and HOME funding and the FY2013-2014 Action Plan as recommended by Staff and the Community Development Board.

2) Hold a public hearing and approve the allocation of CDBG and HOME funding and the FY2013-2014 Action Plan based on alternative funding strategies as determined by the City Council (Please refer to the Funding Allocation Requirements section of the Council memo).

3) Not hold a public hearing and do not approve allocations of CDBG and HOME funding and the FY2013-2014 Action Plan and return funding to HUD.

FINANCIAL IMPACT

The Congressional budget for CDBG and HOME has not been set to date for FY2013-2014. Staff estimates an 8.2% decrease in new funding for both programs. However, program income and funding remaining from completed projects brings the totals projected for allocation for this fiscal year to $887,062 for CDBG and $550,210 for the HOME program, representing a slight increase in funding allocations from last year ($146,946). The increase in program income is primarily due to a $128,000 sale of Community Development Division land.

Priority-Based Budgeting: Recommendations reflect the results of the City's priority budgeting process by allocating funding to ***Tier One*** programs; First Time Homebuyer and home repair programs. ***Tier Two*** programs recommended for funding include the Foreclosure Acquisition / Rehabilitation and the Billings Metro VISTA Project.

Federal revenues projected for the CDBG and HOME programs are provided through HUD (see Attachment B). Staff and Community Development Board recommendations are attached (see Attachment C) and comply with funding limitations.

BACKGROUND

INTRODUCTION

The Community Development Board has completed the recommendations and public input process for the allocation of CDBG and HOME funding for FY2013-2014. Also considered during this process is the City's FY2013-2014 Action Plan, which addresses needs identified through the Housing Needs Assessment (2010) and the Analysis of Impediments to Fair Housing Choice (2013). The drafted plans can be viewed online at www.ci.billings.mt.us/CDreports.

The five-year Consolidated Plan for FY2010-2014 is required for participation by the City of Billings in HUD programs, including: CDBG and HOME; homeless programs funded under the McKinney-Vento Act; and the Housing for Persons with AIDS (HOPWA) program. The City of Billings does not receive McKinney-Vento or HOPWA funds, therefore the City's Consolidated Plan and Action Plans are focused on CDBG and HOME activities.

The purpose of the Consolidated Plan is to identify the housing and community development needs of low-income households in Billings and develop strategies for addressing those needs in a comprehensive, coordinated fashion utilizing available federal and non-federal resources. The Consolidated Plan and Action Plan serve as planning tools for the City's CDBG and HOME programs and combines the planning and application requirements for the City's HUD-funded programs. This allows program planning and citizen participation to take place in a comprehensive context covering both programs.

PROCEDURAL HISTORY

The City of Billings has been receiving CDBG funds since the mid-1970s and HOME funds since the early 1990s. These funds are provided by the federal government and are primarily targeted in Billings to address the affordable housing and neighborhood revitalization needs of the community.

In allocating CDBG and HOME resources, the Community Development Division facilitates an extensive process to gather public input on the use of federal funds. Applications were available at the beginning of December and due at the end of January. Applications are then forwarded to the Community Development Board and recommendations are prepared for the City Council consideration. Task force input was requested in February and March on housing and neighborhood projects (see Attachment D). The Community Development Board prepared preliminary recommendations for the use of CDBG and HOME on April 2.

The City Council public hearing is required by the Federal government and is part of the 30-day public comment period on the program beginning March 22 and extending to April 22. The City Council is also scheduled to act on the CDBG and HOME programs during the April 22 meeting. An application will then be submitted by HUD's May 15 deadline for review and, pending HUD approval, the program year will begin July 1.

FUNDING ALLOCATION REQUIREMENTS

Allocation recommendations conform to pre-determined spending requirements on several categories including: CDBG and HOME Administration caps (maximum of 20% and 10% of new funding prospectively); Public Service Caps (up to 15% of new CDBG funding); and Community Housing Development Organizations (at least 15% of new HOME funding). Changes made out

of compliance with federal spending requirements would place the City's entitlement for federal funds at risk.

The allocation of funding is restricted by the eligibility requirements for CDBG and HOME funding. Projects are focused on activities that promote new affordable housing or preserving the existing supply of affordable housing and neighborhoods where the affordable housing stock is located. The applications for housing and neighborhood activities are consistent with this focus. The Community Development Board reviewed the proposed projects and analyzed various alternatives for funding.

The City may not spend more than 20% of its CDBG funding for administration and planning type activities (estimated at $154,226), and no more than 10% of HOME funding for administrative purposes (estimated at $28,924). The City must also provide at least 15% of its annual HOME allocation (estimated at $48,000) for activities carried out by Community Housing Development Organizations (CHDOs). The City may, but is not required, to allocate up to 15% of CDBG resources ($106,903) to nonprofit organizations or other projects classified as public service activities, ranging from daycare to crime prevention activities.

FUNDING RECOMMENDATION

Recommendations from Staff and the Community Development Board reflect the following considerations:

- Long-term sustainability of operating loan programs rather than issuing grants, which will never be recouped by the City to use in future projects.

- If the City chooses to fund grant programs generating no program income, the likelihood of continuing Community Development activities would substantially diminish.

Funding recommendations include the following for CDBG:

- Administration set at the limit for the program; 20% of new allocation and eligible program income - estimated at $154,226.

- VISTA program administrative support set at $50,000 to assist with implementation costs as a Public Service activity.

- $350,000 for the Housing Rehabilitation Loan Program. This program has no forgiveness feature. Staff and Community Development Board recommend the following changes to the Subordination policy to increase the City's return on investment:
    - Homeowners must provide financial documentation demonstrating household income at or below 80% of the current Area Median Income.
    - Subordination may not be requested within three years of Rehabilitation Loan origination.
    - Requires submittal of an appraisal report. Previous policy allowed for a market analysis to be submitted in lieu of an appraisal if not required in a refinance.

- $250,000 to the Foreclosure Acquisition / Rehabilitation Loan Program. This program furthers the City's Neighborhood Stabilization Program to purchase, rehabilitate and sell foreclosed homes to low income households. This program has no forgiveness feature.

- Remaining CDBG funds to be allocated to the Manufactured Home Loan Repair Program; estimated at $82,836. This program has no forgiveness feature.

- No funding allocation for the Special Assessment Grant program, as the average annual expenditure for this program has been under $30,000 since 1994. Further, the program must be administered as a grant program through CDBG and this no longer fits the program income model recommended by the Community Development Board.

Funding recommendations include the following for HOME:

- Administration set at the limit for the program; 10% of new allocation and eligible program income - estimated at $28,924.

- Allocation of 15% of new HOME program funding set aside for Community Housing Development Organizations - as per funding regulation; estimated at $48,000 and allocated to Homeword for the Pheasant Home affordable housing project in the Billings Heights area.

- Remaining HOME funds to be allocated to the First Time Homebuyer Loan Program; this program has no forgiveness feature. Funding level is currently estimated at $473,286.

APPLICATIONS

Application summaries for activities proposed this year are included as Attachment E. CDBG and HOME resources represent the main federal commitment to communities to address the need to preserve the existing supply of affordable housing and promote the development of new affordable housing. Few other federal, state or local resources are available to address these housing needs.

PUBLIC COMMENT

Comments of the speakers at the public hearings may relate to funding amounts awarded, activities prioritized for funding with lower federal revenue allocations, and general comments regarding the Action Plan for FY2013-2014.

STAKEHOLDERS

Stakeholders for CDBG and HOME programs include:

1. Program Recipients - The City serves low income households through a variety of affordable housing programs such as home repair, first time homebuyer, etc. Full descriptions of available programs can be found online:
www.ci.billings.mt.us/comdev.

2. Neighborhood Task Forces – The task forces communicate neighborhood needs and solutions to those needs utilizing both CDBG and HOME resources. Task forces are also asked to prioritize housing and neighborhood applications. These priorities have been provided in Attachment D for your review. Funding recommendations are in alignment with Task Force priorities including emphasis on housing repair and first time homebuyer programs.

3. The Community Development Board - As an advisory body to the City Council, provides detailed oversight to both the CDBG and HOME programs throughout the year and facilitates an extensive process to prepare recommendations for the City Council consideration.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Projects proposed for consideration are consistent with the goals and objectives of the FY2010-2014 Consolidated Plan and the drafted FY2013-2014 Action Plan for the use of CDBG & HOME resources in Billings. The following strategies have been adopted by the City Council in the five-year Consolidated Plan to address Billings' housing and community development needs:

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

Strategy B. Promote new affordable housing opportunities.

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

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

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

Additional information regarding each strategy is located in Attachment A. The FY2010-2014 Consolidated Plan, the drafted FY2013-2014 Action Plan, the 2010 Housing Needs Assessment and 2013 Analysis of Impediments to Fair Housing Choice can be found online: www.ci.billings.mt.us/CDreports.

SUMMARY

City staff and the Community Development Board have made recommendations for CDBG and HOME budget allocations for FY2013-2014. The annual Action Plan for FY2013-2014 has been drafted and is ready for Council adoption.

The City Council is asked to consider the input that is received and make a final decision on FY2013-2014 CDBG and HOME budgets and FY2013-2014 Action Plan.

RECOMMENDATION

Staff recommends that the City Council hold a public hearing to gather public input on budget allocations and the drafted Action Plan and approve the allocation of CDBG and HOME funding and the Action Plan for FY2013-2014 as recommended and prioritized by the Community Development Board.

APPROVED BY CITY ADMINISTRATOR

Attachments

A - FY2013-2014 Annual Action Plan

B - FY2013-2014 Estimated Revenue

C - Staff & CD Board Recommendations

D - Task Force Priorities

E - Application Summaries

F - Subordination Policy

FY2013-2014
Year Four

of the FY2010-2014
Consolidated Plan

City of Billings Annual Action Plan

Community Development Division
PO Box 1178
Billings, Montana 59103

DUNS #194782780

www.ci.billings.mt.us
406.657.8281

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SECTION ONE - Executive Summary

Five-year Consolidated Plans and one-year action plans are required by the United States Department of Housing and Urban Development (HUD) for the City of Billings to participate in and receive funding through the Community Development Block Grant (CDBG) and HOME Investment Partnership programs (HOME).

The City of Billings, acting primarily through the Community Development Division, will continue to act as the lead agency for administration of the City's CDBG and HOME program activities targeted to meet the goals of the Consolidated Plan. The City works closely with the Housing Authority of Billings, nonprofit organizations, private developers, lending institutions, and neighborhood groups to garner feedback on proposed strategies and also to meet the goals established in Consolidated and Annual Action Plans.

Consolidated planning activities are also required for homeless programs funded under the McKinney-Vento Homeless Assistance Act and the Housing Opportunities for Persons with AIDS (HOPWA) Program. The City does not receive McKinney funds or HOPWA funds directly. Separate Consolidated Plans are prepared by the City of Great Falls, the City of Missoula, and the State of Montana for non-entitlement areas of the state. The structure and content of this plan are based on specific HUD requirement for the preparation of the Consolidated Plan. Many terms used in this document are specific to the Consolidated Plan process and HUD programs. The reader may consult with the City of Billings - Community Development Division for additional information.

Focused on CDBG and HOME activities, the Consolidated and Annual Action Plan combines the planning and application requirements for the CDBG and HOME programs. Consolidation of the submission requirements for the CDBG and HOME programs allows program planning and citizen participation to take place in a comprehensive context covering both programs. The CDBG and HOME programs covered by the Consolidated Plan have three basic goals:

1. **To provide decent housing**, including: maintaining the affordable housing stock in the community; increasing the availability of permanent housing that is affordable to lower-income households without discrimination; increasing support of housing which enables persons with special needs to live independently; and assisting homeless persons obtain affordable housing.
2. **To provide a suitable living environment**, which includes: improving the safety and livability of neighborhoods; increasing access to quality facilities and services; reducing the isolation of low-income households within areas by de-concentrating housing opportunities and revitalizing deteriorating neighborhoods; restoring and preserving natural and physical features of special value for historic, architectural, or aesthetic reasons; and conserving energy resources.
3. **To expand economic opportunities**, including: creating jobs accessible to lower-income individuals; providing access to credit for community development activities which promote long-term economic and social viability; and empowering lower-income persons living in federally assisted and public housing to achieve self-sufficiency.

All activities undertaken by the City utilizing CDBG and HOME funding must primarily benefit low-income persons. The strategies described in the Consolidated Plan outline a specific course of action for the community's housing and community development activities. The plan builds on local assets to meet the needs of the community and sets forth goals, objectives, and performance measures to ensure progress in achieving the strategies described in the plan.

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Purpose of the Consolidated Plan

The purpose of the Consolidated Plan is to identify the housing and community development needs of low-income households in Billings and develop strategies for addressing those needs in a comprehensive, coordinated fashion utilizing available federal and nonfederal resources.

Consolidated plans are developed every five years and must be submitted to HUD not less than 45 days prior to the start of the grantee's program year start date (July 1 for the City). The City's five-year Consolidated Plan for FY2010-2014 identifies activities to be carried out from July 1, 2010 through June 30, 2015 to address priority needs in the community and serves as a guiding document for the use of the City's CDBG Program and HOME funding.

This document constitutes the City's one-year Annual Action Plan for FY2013-2014 which identifies goals and strategies to be undertaken from July 1, 2013 through June 30, 2014. While both documents contain similar information, a more detailed presentation of needs and overarching strategies is described in the five-year plan. The Annual Action Plan describes identified resources to be utilized during the program year, which is not identified in the five-year plan. The City must also report on the performance of activities funded via the Comprehensive Annual Performance Evaluation Report (CAPER) in September of each year.

The FY2010-2014 Consolidated Plan and the FY2013-2014 Annual Action Plan followed a development process which integrated priorities identified in the 2010 Billings Housing Needs Assessment and the 2013 Analysis of Impediments to Fair Housing Choice. The development process also included input from neighborhood groups and public hearings on housing and community development needs, relative to findings from both data studies.

The FY2010-2014 Consolidated Plan and the FY2013-2014 Annual Action Plan was open for public comment extending from March 22, 2013 through April 22, 2013. A public hearing was held on April 22, 2013 during the Billings City Council meeting to accept public comments on the Annual Action Plan, and Community Development Board recommendations for funding allocation. The plan was adopted by the Billings City Council on April 22, 2013.

HUD Objectives and Outcomes

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

HUD PERFORMANCE MEASUREMENTS	
Objectives	*Outcomes*
Suitable Living Environment	Availability or Accessibility
Decent Housing	Affordability
Economic Opportunities	Sustainability

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City Objectives & Outcomes

The City's objectives and outcomes are briefly identified below. Strategies, objectives and activities were determined utilizing a combination of data from housing needs and fair housing studies, in addition to seeking extensive public comment and input on the overall development of this plan. This year's focus is greatly reduced due to declining federal resources. Therefore, the City has prioritized affordable housing preservation and new affordable housing opportunities. A more comprehensive chart can be found in Table 3A, Section Eight.

Strategy	***Objective***	***Activity***	***Measurement Type***	***FY13-14 Goals***
A: Promote the preservation of the existing supply of safe, affordable housing in the community.	Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs, citywide.	Housing Rehabilitation Loan Program	Housing Units	**10**
		Manufactured Home Repair Loan Program	Housing Units	**5**
		Foreclosure Acquisition / Rehabilitation Loan Program	Housing Units	**1**
B: Promote new affordable housing opportunities.	Encourage the development of new affordable single-family, multi-family and special needs housing in the community through private developers and non-profit organizations.	Affordable Housing Development Program	Housing Units	**16 Units Total** **4 CHDO Units**
		Complete Kings Green single-family development	Housing Units	**4**
	Provide affordable financing and support to promote homeownership opportunities citywide.	First Time Homebuyer Program	Households	**30**
		Homebuyer Education	Households	**100**
C: Active partnerships with non-profits, neighborhood groups and others to address housing and community development specific to lower income and special needs households.	Support partnerships and regular meetings to facilitate community participation and collaboration.	Affordable Housing Task Force	Quarterly Meetings	**4**
		Billings Partners American Indian Homeownership	Quarterly Meetings	**4**
		Fair Housing	Completed Annual Action Plan addressing issues	**1**
	Encourage activities that promote fair housing and increase awareness of the rights of protected classes.	Continue to support organizations with an interest in fair housing to apply for fair housing funding, dependent on staff availability	Grant application submitted	**0 or 1**
	Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Mayor's Committee on Homelessness	Bi-Monthly Meetings	**6**
		Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.	Completed FY2013-2014 Staff Action Plan	**1**
			Completed FY2012-2013 Performance Report	**1**
		Facilitate AmeriCorps VISTA application and pursue project status	Annual submission of VISTA grant application / VISTA member placements	**1**
D: Promote the preservation and revitalization of the community's older neighborhoods.	Preserve housing stock in older, lower-income neighborhoods.	See objectives / activities / goals outlined in Strategy A		-
	Infill development of vacant lots and redevelopment of substandard properties.	Affordable Housing Development Program	See goals for Strategy B	-
		Redevelopment 27th Street Corridor	Redevelopment Projects	**1**

Past Performance

The City - Community Development Division receives written comments from HUD regarding action plans and performance annually. Overall evaluations conclude the City's CDBG and HOME programs are making strides in providing affordable housing and addressing community needs.

General: According to the HUD's annual assessment of performance for last year, the City is meeting the primary objective of the CDBG program and has expended 96.4% of funding to benefit low income populations, exceeding minimum requirement for the primary purpose of the program. Projects funded were consistent with strategies and objectives in the Consolidated and Annual Action Plans. The City's Comprehensive Annual Performance Evaluation Report (CAPER) clearly described the City's priorities through the use of illustrative charts. The City has met both CDBG and HOME timeliness goals without fail since 2006 and has consistently been in compliance with administration and public service caps.

Fair Housing: The HUD Fair Housing Equal Opportunity Officer review for last year's Action Plan found the City met all elements necessary to affirmatively further fair housing. The City has achieved a LOW risk rating.

Corrections: The City received HUD's CAPER review on December 17, 2012. HUD identified a finding relative to the South 27th Street Redevelopment project, which began in the 1980s. The City has maintained lots purchased with CDBG funding utilizing a property disposition activity to pay for maintenance and assessments within the CDBG program. The City responded to this finding by closing all property maintenance accounts and ceasing expenditures for maintenance through CDBG. City staff received approval through the Billings City Council on February 11, 2013 to utilize proceeds from a recent non-federal land sale to send the appraised value of the CDBG lots to HUD in order to release restrictions on the lots. This funding will be allocated to the City through HUD's line of credit system and will be allocated for the FY2013-2014 fiscal year.

HUD also noted a concern regarding methodology utilized by staff to create the PR26 report. Staff has requested technical assistance be provided to the City.

As of March 13, 2013, the above finding and concern have been cleared by HUD.

Please refer to the latest CAPER for an analysis of the City's performance on Consolidated Plan goals for recent years and the resources utilized to meet objectives established (www.ci.billings.mt.us). HUD's assessment of the City's activities is available upon request.

Community Development Division Vision / Mission

Vision: The Community Development Division acts as a catalyst for joining community partners with resources to increase access to housing, to create a sustainable community, and to promote neighborhood revitalization.

Mission: The Community Development Division strives to exceed the expectations of our stakeholders by supporting our housing and community partners with quality leadership, accountability, and innovative programs and services.

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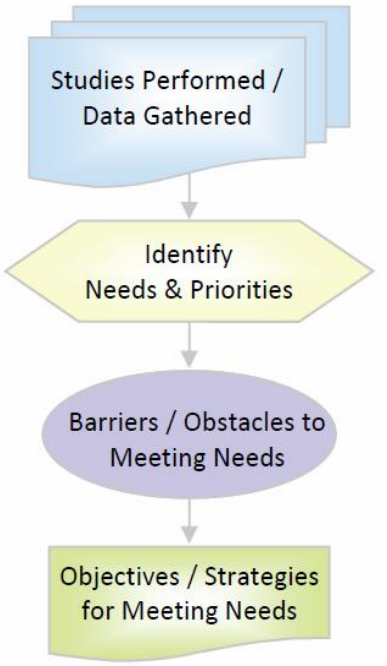
Report Standards

All reports generated by the Community Development Division are based on studies and data, the identification of needs and priorities, identifying obstacles and barriers to meeting those needs, and creating objectives and strategies to meet identified needs.



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SECTION TWO - Consultation & Coordination

91.200 (b) & 91.215(l)

General

91.100(a)(1)

A number of organizations in the community are involved in affordable housing and community development-related activities in Billings and are asked to comment on the Consolidated and Annual Action Plans. The continued cooperation of these organizations in pursuing affordable housing for the community is required to meet the Consolidated Plan goals. Consultations include review of the plan with public and private agencies that provide health care, social services and fair housing education. Populations targeted for consultation include agencies that provide services for children, the elderly, the disabled, persons with HIV / AIDS and their families, and homeless individuals and families.

The Consolidated Plan is distributed widely during the public comment period and interested persons can attend a number of staff-facilitated, regularly scheduled meetings to find out more about Community Development initiatives. Routine meetings are facilitated through staff for the Community Development Board, the Billings Partners for American Indian Homeownership, the Affordable Housing Task Force, the Billings Area Resource Network and the Mayor's Committee on Homelessness. Additional information regarding these groups can be found throughout the Consolidated and Annual Action Plans

The City impacts new and existing housing development and neighborhood revitalization through neighborhood planning, development standards, capital improvement programs, the Annexation Policy, and the Growth Policy.

Regulation Citations

Throughout the Consolidated Plan, staff members have identified regulatory citations for the Code of Federal Regulations (CFR), shown in italics. The code references are located in sections of the Consolidated Plan required by regulation.

Homeless Strategy & Housing Opportunities for Persons with AIDS

91.100(a)(2) & 91.100(b)

Public and private agencies have assisted the City in developing a ten-year plan to impact homelessness, ***Welcome Home Billings***. Local organizations that provide housing, health services, and social services have been intricately involved in planning processes for the homeless and chronically homeless, including members of the *Mayor's Committee on Homelessness* and the *Billings Area Resource Network*. The City does not receive Housing Opportunities for Persons with AIDS (HOPWA) funding directly, but collaborates with the *Yellowstone AIDS Project* to implement goals and objectives to support HOPWA funding.

Adjacent Governments

91.100(a)(4)

Communication regarding non-housing community development needs is conducted via collaboration through homeless initiatives and agencies serving the disabled. Adjacent governments include: the State Department of Public Health and Human Services; homeless presentation regarding the City's ten-year plan to impact homelessness, *Welcome Home Billings*, to the Yellowstone County Commissioners; and

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communication and recommendations to the State Continuum of Care coordination group. Collaboration regarding economic development initiatives includes communication with the Big Sky Economic Development Authority, the Native American Development Corporation and other development agencies.

Metropolitan Planning

91.100(a)(5)

The City of Billings - Community Development Division is included in the Planning and Community Services Department. The Department, overall, includes Code Enforcement, Planning / Transportation (includes the City of Billings and Yellowstone County), and the Building Division. These Divisions work internally to implement the Growth Policy, Transportation Plan and Neighborhood Plans collectively. All projects are reviewed for residential access to public transportation.

Public Housing

91.100(c)

The Housing Authority of Billings (HAB) is primarily responsible for administration of the public housing and Section 8 Programs for the community. HAB will continue to work on developing additional units of low-income housing in Billings. HAB is an independent organization established under the laws of the State of Montana. Board members for HAB are appointed by the Mayor for the City of Billings. The City enjoys a cooperative and collaborative relationship with HAB, including participation in task forces, committees, and affordable housing development.

Shelter Plus Care, Single Room Occupancy and Supportive Housing Program funding amounts are not included in the City's Action Plan, as the funds are not available for allocation through the City's Consolidated Plan process. Funding allocated to the Housing Authority of Billings is contained in their Annual Action Plan and the City is not duplicating the reporting requirements that already exist in the Public Housing Agency Plan.

The City has provided $923,850 in CDBG and HOME funding from 1996 to 2011 to support affordable housing, including: family self-sufficiency; tenant-based rental assistance; low income area infrastructure; and affordable housing development. The City does not have adequate federal funding resources to allocate to the HAB this fiscal year.

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Citizen Participation Plan

91.105

The City's Citizen Participation Plan is designed to ensure citizen involvement in the planning and reporting on programs covered under the HUD Consolidated and Annual Action Plan requirements. The purpose of the Citizen Participation Plan is to ensure that citizens, nonprofit organizations, and other interested parties are afforded adequate opportunity to review and comment on plans, programs, activities and reports regarding the City's federally funded housing and community development programs.

Citizen Participation Plan Objectives

The primary objectives of the City's Consolidated and Citizen Participation Plans are to:

- Encourage citizen participation in the development of the Consolidated Plan and the Comprehensive Annual Performance and Evaluation Report (CAPER) with emphasis on participation from individuals and households identified as low to moderate income, residents of blighted areas, minorities, those with limited English proficiency, the disabled, female-headed households and those residing in areas where funding will be utilized.
- Provide citizens with reasonable and timely access to meetings, information and records relating to the City's plan for utilizing funding in addition to allowing reasonable opportunity to comment on the Consolidated Plan, the Citizen Participation Plan and the CAPER.
- Finalize consultation with the Housing Authority of Billings (HAB) on the development and implementation of the Consolidated Plan through the Annual Action Plan, which includes input from residents of public and assisted housing.
- Provide technical assistance to neighborhood task forces which represent the low to moderate income and the highest concentrations of minority populations in Billings.
- Provide public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program. All hearings and meetings shall be provided in areas where accommodations for the disabled can be provided.

Community Development Board

The Community Development Board is a citizen's advisory board consisting of nine members who are appointed by the Mayor of Billings with the consent of the City Council. Six members are appointed from lower-income neighborhoods of the City as defined by federal regulations for the Community Development Block Grant (CDBG) program and three members represent the community at large. This board serves in an advisory capacity to the City Council for the purpose of providing citizen input on policy decisions to the City Council. The primary responsibilities of the board are to review existing and proposed City policies and to review the Community Development Division's activities to ensure policies are being implemented and carried out.

The Community Development Board makes recommendations to the City Council regarding the Consolidated Plan, the Annual Action Plan, the Citizen Participation Plan, and the CAPER. In addition, the Community Development Board reviews applications submitted for CDBG and HOME funding in order to make funding recommendations to the City Council for approval.

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Billings City Council

The Billings City Council is the final citizen policy body that reviews and takes action on the Annual Action Plan, including the Citizen Participation Plan. The Community Development Board presents recommendations to the City Council during a scheduled work session preceding the public hearing in April in order to deliver information on decisions made regarding recommendations. After receipt and consideration of public comments, the City Council approves the Annual Action Plan and proposed funding allocations. Following approval in May, the Annual Action Plan is forwarded to HUD.

Neighborhood Task Forces Representing Low-Income, Minority & Female-Headed Households

In order to encourage citizen participation emphasizing the involvement of lower-income residents in areas where housing and community development funds may be spent, the City will continue to work with neighborhood organizations representing the City's lower-income areas. These areas are predominantly illustrated as established task force areas in Billings. A map of the City's neighborhood task force areas is located on the following page.

The City will continue to work with neighborhood task forces that represent the community's lower-income areas to ensure input from these areas in the development and implementation of the City's community development strategies as described in the Consolidated Plan. The City will also continue to support the activities for the Adjacent Neighborhood Committee, which is comprised of task force officers who meet bi-monthly to collaborate and exchange information regarding the task force areas. The Community Development Division will continue to request project rankings from task force participants on housing and neighborhood activities for the annual allocation process.

The Community Development Division staff attends meetings of lower-income task force neighborhoods when requested for specific presentations. Staff also provides information regarding housing and community development programs and activities during each allocation process and garners rankings of housing / neighborhood activities preferred for funding.

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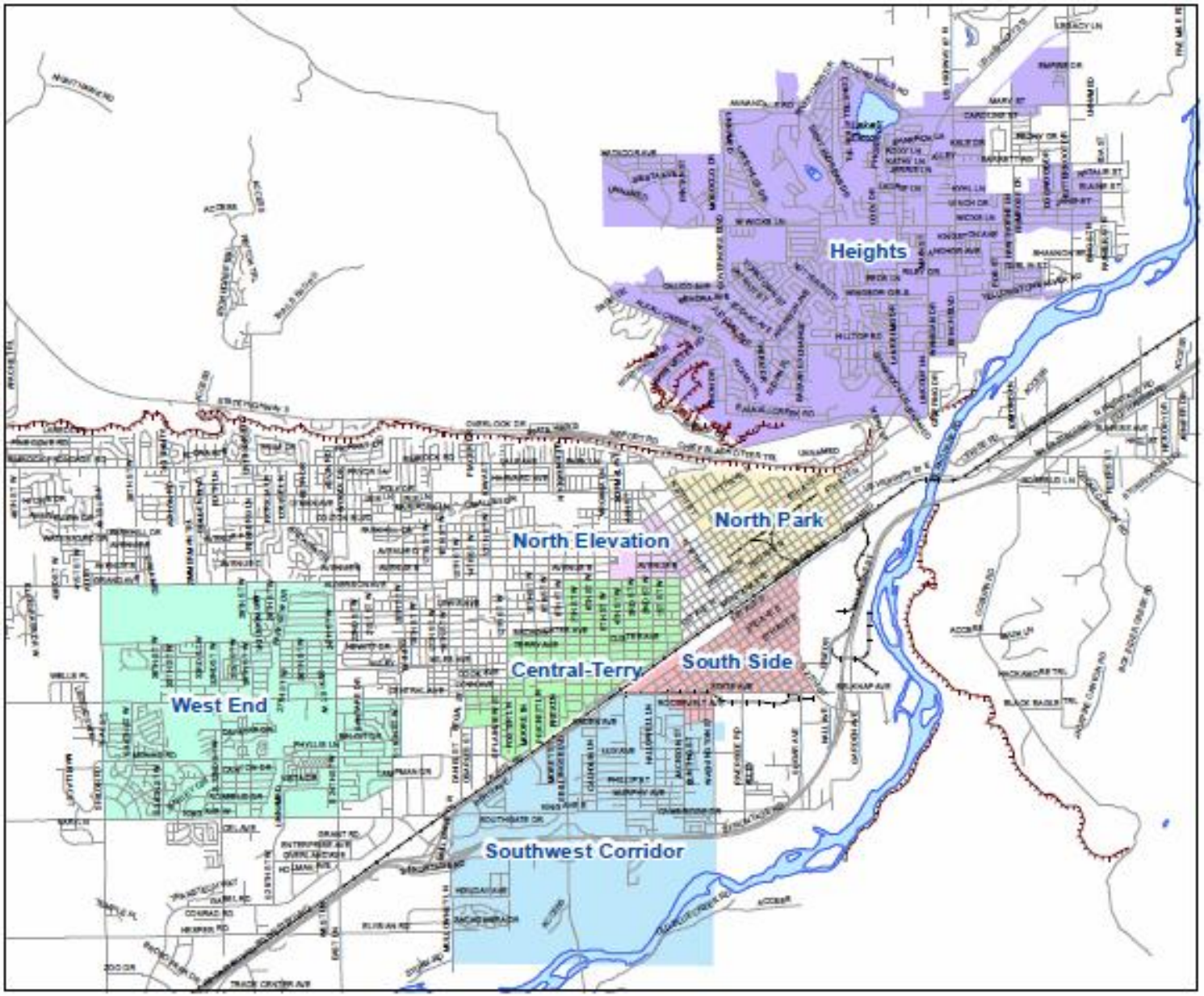
Heights
North Park
North Elevation
South Side
Central-Terry
West End
Southwest Corridor

Participation through Partnerships

The Community Development Division's vision is to act as a catalyst for joining community partners with resources to increase access to housing, to create a sustainable community and to promote neighborhood revitalization. The Division's mission focuses on striving to exceed the expectations of our stakeholders by supporting housing and community partners with quality leadership, accountability, and innovative programs and services. Guiding values and principles include:

- Embracing diversity and being respectful of all viewpoints.
- Utilizing creativity to develop best practices in programs, administration, and community service.
- Recognizing the City's first responsibility is to low-income individuals who would most benefit from programs.
- Showing integrity as public servants to thoughtfully manage and pursue resources to the benefit of the community.

Establishing and maintaining partnerships with myriad organizations that support the community vision is the keystone to the Division's planning efforts. The Community Development Division supports the following organizations and includes their input throughout the year:

- ***Affordable Housing Task Force*** – The Affordable Housing Task Force is comprised of lenders, realtors, the Housing Authority of Billings (HAB) local housing developers, and other organizations working in housing to ensure coordination and collaboration in identifying needs, undertaking actions to meet those needs, and evaluating activity effectiveness. The vision of the group is to successfully identify the housing needs of the community and provide expertise and innovative solutions to ensure attainable housing for all. Their mission is to work as a positive voice coordinating action, and organizing and energizing efforts to promote affordable housing in the Billings area.
- ***Billings Partners for American Indian Homeownership*** – The Billings Partners for American Indian Homeownership (BPAIH) was formed in order to provide an organized approach to outreach and education for American Indians who would like to purchase a home. This group has identified a 26% American Indian homeownership rate compared to 67% for whites and 45% for blacks and Hispanics. Their vision is to increase American Indian private homeownership in the greater Billings community. This organization is comprised of lenders, realtors, housing organizations, credit counseling organizations, Indian Health Service, Yellowstone County Extension Office, and others.
- ***Mayor's Committee on Homelessness*** - The Mayor's Committee began meeting in June 2006 following Mayor Tussing's charge to develop a 10-Year Plan to address the needs of the chronically homeless in Billings. The development of this plan was part of a national movement to change the way in which communities address homelessness and was the first of its kind in Montana. To date, over 300 cities across the nation have committed to implementing 10-Year Plans to impact chronic homelessness. The Mayor's Committee includes representation from a broad stakeholder group including housing / service providers, civic / business leaders, economic / work force agencies, faith based / philanthropy groups, and other interested parties.
- ***Fair Housing Organizations*** – The City actively partners with organizations with an interest in fair housing. In May 2004, the City Council required City staff to facilitate fair housing efforts via competitive processes in order to ensure equal access for organizations with an interest in fair housing. City staff has facilitated several grant applications for the Fair Housing Initiative

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Program (FHIP) available competitively through HUD and was awarded grant funding in 2006, 2007, 2008 and 2011. Continuing the practice of grant writing for fair housing activities this upcoming year is contingent on available staff time. Previous and current partners and Subrecipients of FHIP funding include: Homeword; the Community Housing Resource Board; Interfaith Hospitality Network; the Billings Partners for American Indian Homeownership; Rimrock Foundation; Yellowstone AIDS Project; and Yellowstone County Council on Aging in Billings.

Racial / Minority / Female-Headed Household Participation

Actions taken to establish and oversee a minority outreach program to ensure inclusion of minorities and women, entities owned by minorities and women, including real estate firms, construction firms, appraisal firms, management firms, financial institutions, investment banking firms, and underwriters in all contracts is accomplished by the following:

- Facilitating the *Billings Partners for American Indian Homeownership*; a group of lenders, realtors and affordable housing professionals with an interest in increasing minority homeownership opportunities.
- Facilitating the *Affordable Housing Task Force*; a group of lenders, realtors and affordable housing professionals with an interest in affordable housing maintenance and development.
- Maintaining a current email distribution list for the lending community and the real estate community at large in the Billings area, including women, low income individuals, minorities, and female-headed households.
- Contract opportunities for contracts are emailed to :
    - Chairpersons for the neighborhood task forces, which cover both low income areas and higher concentrations of minority residents, including female-headed households. The City's most concentrated minority populations are located in the Southside, Southwest Corridor, North Park, North Elevation, and Central – Terry Park task force neighborhoods.
    - Housing Authority of Billings to post for residents utilizing public assistance, also a higher female headed-household and minority population.
    - Members of the Mayor's Committee on Homelessness and the Billings Area Resource Network, representing social service providers serving high concentrations of low-income, female-headed and minority households.
- Annual advertisement for contractor opportunities in construction in publications distributed to low-income, and minority and female-headed households.

For additional information on standard practices, please refer to the City's comprehensive Section 3 procedures, available online.

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Persons with Disabilities & Reasonable Accommodation

The City provides accommodations for individuals with disabilities in public meetings, public hearings and in written documentation regarding programs and services available from the Division. Statements are included in notices of public hearings and service brochures indicating that office and hearing locations are accessible to persons with disabilities. Accommodations can be made for other disabilities as well.

Limited English Proficiency & Language Assistance Plan

The City complies with federal regulations regarding the provision of a Language Assistance Plan in order to adequately provide for the needs of those individuals who have self-identified a primary language which is not English. Statements are included in notices of public hearings and service brochures regarding the availability of language interpretation for those requiring this accommodation. The full Language Assistance Plan is located in the Appendices.

Technical Assistance

The Community Development Division provides technical assistance as requested and as staff time allows to lower income groups to develop proposals for housing and community development activities in the City limits. The technical assistance is offered any time proposals for the use of funding are requested, and is offered routinely in January prior to application deadlines for CDBG / HOME funding allocations.

Public Involvement & Consolidated Plan Review

Citizen participation is the foundation of housing and community development programs. Reasonable efforts are made to make all citizens aware of public hearing and citywide events concerning the development of the Annual Action Plan.

City Council agendas covering housing and community development programs are made available to the public as required by Montana State Law. The City follows State Law governing advertising of public hearings required for CDBG and HOME activities. The City is required to advertise the public hearing on two consecutive Thursdays prior to the City Council Meeting on Monday or Tuesday in the event of a holiday.

Plans and reports on the City's housing and community development activities are made available for review by citizens, public agencies, and other interested parties. These documents are available at the Community Development Division and posted on its website at www.ci.billings.mt.us. All records regarding these activities are maintained according to the City Record Retention Schedule and as required by federal regulations.

Public Hearings

The City holds public hearings each year regarding housing and community development activities. A public hearing is held by the City Council in April to provide nonprofit agencies, organizations, and individuals with an opportunity to provide input on the Consolidated / Annual Action Plan and the allocation of CDBG and HOME funds in the community. A second public hearing is held by the City

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Council in September to gather public input on the City's performance and progress in meeting the strategies included in the City's Five-Year Consolidated Plan and Annual Action Plan for the previous fiscal year ending each June 30th. All public hearings are accessible to disabled individuals, publicized as required by State law and allow for accommodation of individuals with hearing, visual, or mobility impairments.

Report & Plan Availability

The availability of the reports and plans required under the Consolidated Plan is published in the local newspaper with complete copies available on the internet at www.ci.billings.mt.us and at the City's Community Development Division. The public notice describes the contents and purpose of each document including the location at which the complete plan can be examined. Subrecipients, housing partners, and neighborhood task force chairpersons are contacted regarding the availability of the information described above.

A summary of the plan development process and public comments received during this process will be included in final version of the Consolidated Plan, Annual Action Plans, and Comprehensive Annual Performance and Evaluation Report submitted to the U.S. Department of Housing and Urban Development. The Community Development Division office is located at the Parmly Billings Library, 4th Floor, 510 North Broadway, Billings, Montana 59101 and has office hours Monday through Friday, 8:00am to 5:00pm.

Public Comments

Public comments are requested at least 30 days prior to submission of reports required under HUD's Consolidated Plan process. The City will consider all written comments by citizens, public agencies and other interested parties prior to submission of its final Consolidated Plan and related reports to HUD and attach a summary of each comment to the final submission. If written comments are not accepted for inclusion in the Plan, the City will provide written explanation of why those comments were not accepted.

The City provides written responses to all written complaints and grievances related to the Consolidated Plan requirement and the City's housing and community development programs within 15 working days of receipt of the complaint or grievance where practical.

For the purposes of reviewing the Annual Action Plan, a public hearing was held on April 22, 2013 6:30pm (advertised March 21 and April 4, 2013)

The public comment period was held from March 22 through April 22, 2013, and the Consolidated Plan was available online at www.ci.billings.mt.us/conplan. Public comments submitted for the Annual Action Plan include the following as stated in the Public Hearing during the City Council meeting:

- **Name:** Comment
- **Name:** Comment

There were no other speakers, and the public hearing was closed. City Council member comment includes the following:

- **Councilmember Name:** Comment

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- **Councilmember Name:** Comment

Criteria for Amending the Consolidated Plan / Annual Action Plans

24 CFR part 91.105(c) of the Final Rule requires grantees of CDBG and HOME programs make public the criteria the City will use for determining what changes in planned or actual activities constitute a substantial amendment to the Five-Year Consolidated Plan / Annual Action Plans. An amendment to the approved plan will occur when the City of Billings decides:

- Not to carry out a project or activity described in the plan.
- To carry out a project not previously described.
- Substantially change the purpose or scope of a project.

Prior to the submission of any substantial change in the proposed use of federal housing and community development funds, the City of Billings will hold a public hearing to allow citizens reasonable notice of, and opportunity to comment on, proposed amendments. Public comment periods will not be less than thirty (30) days.

Substantial changes are defined as the creation of any new budget line item to be funded under the City's HOME and CDBG programs, or a budget amendment resulting in an increase or decrease in a previously approved line item of more than $25,000.

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SECTION THREE - Strategies & Compliance

Overall Strategies

This section combines overall strategies and regulatory references for Consolidated Plans in one area for ease of reference. Federal regulations accompany all federal funding allocations and all activities / projects funded through the Community Development Division's CDBG and HOME programs.

Institutional Structure

91.215(k)(l)

As previously mentioned, the City's dedication to partnerships and inclusive participation contributes to the community's ability to meet overall community development goals. The Community Development Division is committed to assisting in capacity-building efforts for local nonprofit organizations and local partners in order to build a stronger community, and will continue to act as a catalyst to bridge the gaps between resources and organizations that can meet community need through housing development, social services and economic development.

Other organizations involved with housing and community development in Billings include:

- **Neighborhood Groups**: South Side Neighborhood Task Force, North Park Task Force, Central-Terry Park Neighborhood Task Force, North Elevation Task Force, Southwest Corridor Task Force, West End Task Force, and the Heights Community Development Task Force.
- **Economic Development Organizations**: Downtown Billings Alliance, Big Sky Economic Development Authority, and Beartooth Resource Conservation and Development Council.
- **Government Agencies**: Montana Board of Housing, the Montana Department of Commerce, and Yellowstone County.
- **Nonprofits**: Montana Homeownership Network, Homeword, Community Leadership Development, Montana Rescue Mission, Family Service, Inc., Community Housing Resource Board, Habitat for Humanity, Yellowstone AIDS Project, Living Independently for Today and Tomorrow, and Rebuilding Together.
- **Private Sector**: Local Lending Institutions, Federal Home Loan Bank, Property Managers Association, Montana Landlords Association, Eastern Montana Landlords Association, and the Realtors and Home Builders Association.
- **Advisory groups**: Affordable Housing Task Force, Adjacent Neighborhood Committee, and the Billings Partners for American Indian Home Ownership.

Economic development strategies in the community are primarily served through the Big Sky Economic Development Authority. Strengths of the current delivery system, including public housing, include the immense collaboration the City facilitates in Consolidated Plan development and implementation. Gaps in the current system can be met with increased funding allocated through the entitlement processes.

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Anti-Poverty Strategy

91.215(j)

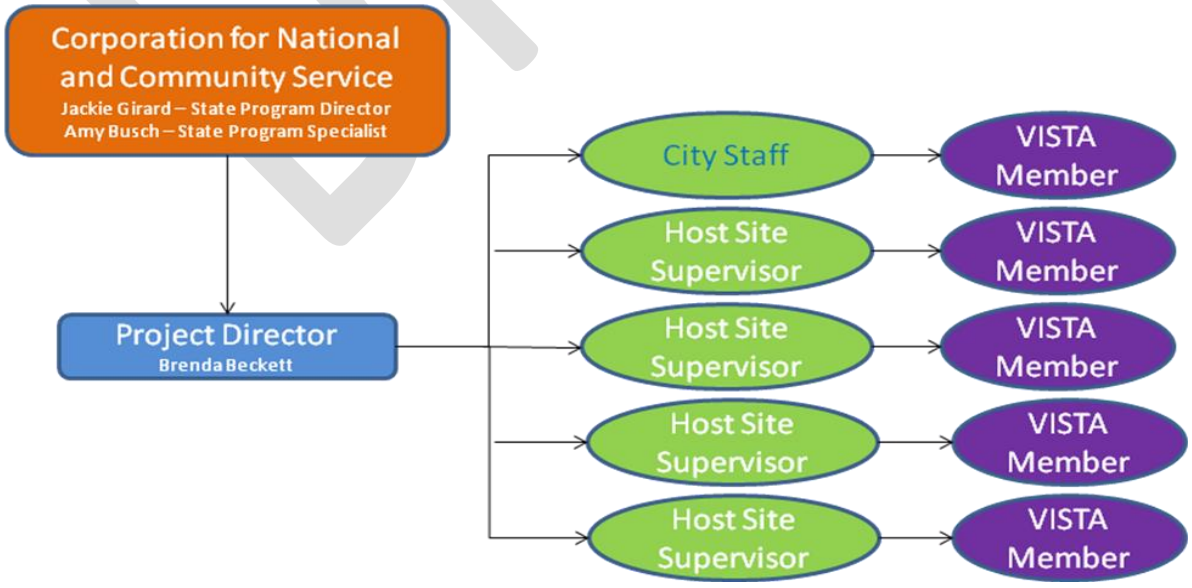
The Housing Needs Assessment contains comprehensive information on the lower income status of local households. Current findings indicate a need to address economic conditions locally and in the State of Montana in a comprehensive manner.

The Consolidated Plan strategies target the improvement of economic conditions of lower income households (as defined by the IRS determination of Adjusted Gross Income) in the community, including housing development, financing home repair, continuing partnerships and funding public service activities. The City's strategies to promote affordable housing and fair housing city-wide, and to preserve the existing housing stock and the neighborhoods where the affordable housing stock is located, will compliment economic development efforts by providing safe, decent, and affordable housing and livable neighborhoods for lower income households in our community.

The City proposes to support statewide efforts to improve economic conditions and proposes to support the following specific activities in this Consolidated Plan to address economic conditions of low and moderate-income households in Billings:

- Continue to work with nonprofit organizations to help address the human service needs of lower income residents of the community in general and of our lower income neighborhoods in particular. This would be achieved primarily through funding of social service agencies as public service activities under the CDBG Program. *(Strategy E)*
- Continue to support the work of local economic development organizations to help create higher wage jobs for lower income persons. *(Strategy C)*
- Continue to apply for the ***AmeriCorps VISTA (Volunteers in Service to America)*** project status in order to bring full-time volunteers to work on capacity-building for the homeless initiatives through ***Welcome Home Billings***, the City's ten-year plan to impact homelessness. The City was awarded project status and placed seven VISTA members to work on poverty issues beginning in July 2009. The structure of the ***Billings Metro VISTA Project (MVP)*** serves to build the capacity of nonprofit organizations to work on poverty issues. *(Strategy C)*

Billings Metro VISTA Project (MVP) Model



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Regulatory Compliance

The following sections reference regulatory compliance issues for all projects and activities undertaken by the City with CDBG and HOME funding. Statements made herein are subject to change for the HOME program, as HUD published a significant proposed regulation in December 2011. Programmatic changes are intended to enhance performance and accountability, and to clarify existing regulatory provisions.

Environmental Review

The Community Development Division staff is fully trained in current Environmental Review Records procedures. The City utilizes multi-year review processes to accommodate environmental review for core programs including housing repair, planning activities, and down payment assistance programs. The City reviews each project for environmental clearance prior to securing funding.

Lead-Based Paint

91.215 (i)

The City continues to be in compliance with HUD's lead-based paint requirements as established in September of 2000. According to the American Community Survey estimates from 2007-2011, it is estimated that there are over 29,317 housing units built before 1979 that are at risk of containing lead-based paint, which comprises 64% of the total housing stock in Billings. Not all of the homes built prior to 1979 contain lead-based paint and lead hazards. However, projects involving structures built prior to 1978 are considered to have the potential for lead-based paint and consistent procedures have been developed to ensure compliance with federal regulations.

In 2012, the Center for Disease Control recommended action for children with elevated levels greater than or equal to 5 ug/dL. The Montana Department of Public Health and Human Services cited a 2012 field study conducted in 11 counties in the state. Children enrolled in Medicaid aged one to five years were tested for elevated blood lead levels. Nearly 600 children participated in the study, and 3% of the children had levels ≥ 5 ug/dL. One in four of the children tested had ≥ 1 ug/dL.

The City will continue diligence while undertaking rehabilitation and construction activities in order to maintain the safety of households participating in federal programs. Participants in the City's housing programs are made aware of the requirements the City must follow when providing assistance. Education on the hazards of exposure to lead is provided for each rehabilitation project. The City currently offers risk assessments, through certified staff, paint inspections, clearance testing, and has access to lead-safe certified contractors to ensure compliance.

In addition, the City also promotes lead-safe work practices training whenever it is offered in Montana, which gives local contractors the opportunity to become certified in lead-safe work methods. The City will continue to maintain working relationships and partner in furthering educational efforts with lead-based paint professionals to ensure HUD requirements are effectively met.

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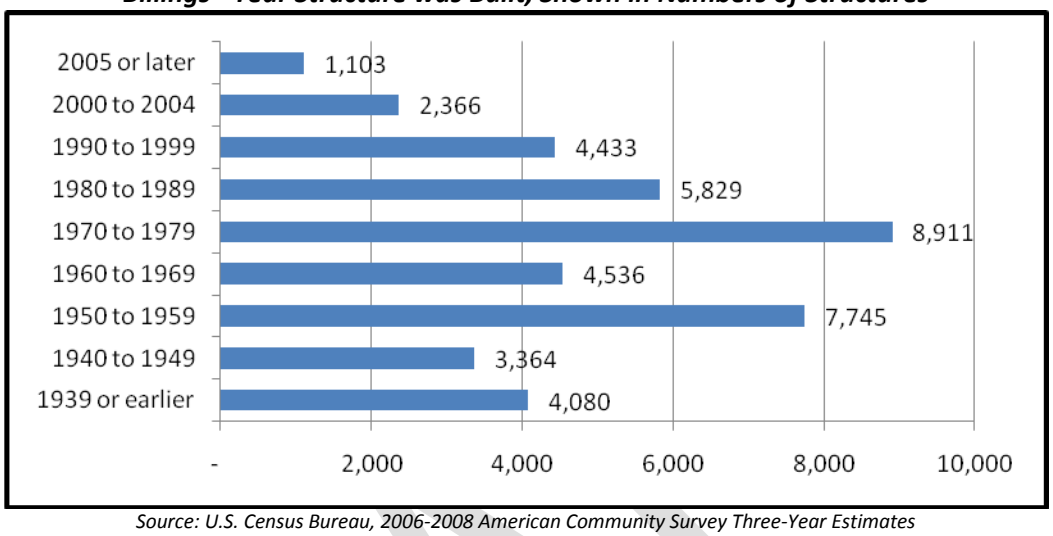
Historic Review

All activities and projects undertaken by the City are reviewed for the potential for historic significance prior to implementation. Approximately 15,000 homes in the City were built prior to 1959. These homes are more than 50 years old and require historic review to ensure the historic value of the property will be maintained while undergoing housing rehabilitation utilizing federal funding.

Billings - Year Structure was Built, Shown in Numbers of Structures



Source: U.S. Census Bureau, 2006-2008 American Community Survey Three-Year Estimates

The City utilizes both the Yellowstone Historic Preservation Board and the State Historic Preservation Office to review projects for potential impacts on historic integrity prior to implementation.

PCE Groundwater Contamination Site

The Environmental Protection Agency (EPA) has identified an area in the City limits with Perchloroethylene (PCE) groundwater contamination. This is a man-made chemical used for dry cleaning and degreasing metal parts. The EPA has finalized remediation in this area and has notified, tested, and remediated the high level PCE properties in the area (see map, following page).

The groundwater in this area is not potable; however, all of the residences / businesses in the area have established access to the City water system and do not rely on groundwater for drinking. The predominant issue when reviewing properties in this area for housing rehabilitation is exposure to soils in basements, active groundwater well systems and adequate ventilation.

The City has developed site-specific environmental review procedures in collaboration with the EPA and the procedures have been reviewed and approved by HUD. Properties in this area will be reviewed for open well systems, exposure to soil and adequate ventilation. Work lists containing remedies to address these issues are a priority for all properties located in the PCE area.

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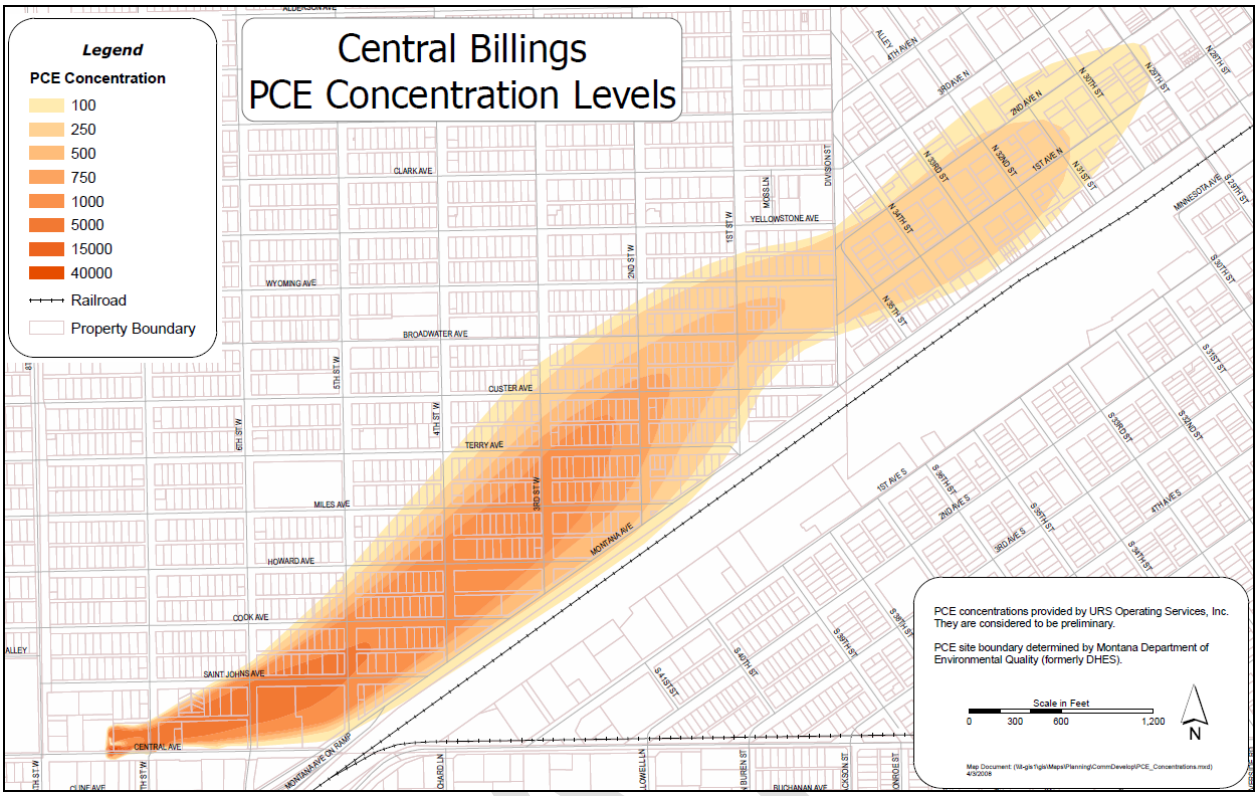

Location of PCE Site in Billings

Fair Housing & Equal Opportunity

The City has completed an Analysis of Impediments to Fair Housing Choice (AI) study every five years since the 1990s. The Community Development Division staff is dedicated to supporting fair housing efforts and initiatives in Billings. This includes ensuring that activities, projects and programs funded utilizing CDBG and HOME funding are carried out without discrimination, directly or indirectly, on the basis of race, color, religion, gender, national origin, age, familial status, disability, creed, sexual orientation, and gender identity.

Primary Planning Tool: The City utilizes the AI as a primary planning tool to develop strategies and activities for the Consolidated Plan, as illustrated in the identified Action Plan activities in the Annual Objectives and Tables section. The most recent AI was completed in March 2013 by Planning / Communications. The following impediments have been identified:

1. Concentrations of minorities that would not exist in a free market not distorted by discrimination suggest that Billings has a dual housing market, one for non–Hispanics whites and Asians, and another for all other minorities.
2. Discriminatory real estate industry practices such as racial and ethnic steering distort the free market in housing.
3. Discrimination against Latinos in issuing government–backed mortgage and refinancing loans continues unabated in Billings as it does throughout the nation.

4. The relatively high cost of housing continues to pose a barrier to fair housing choice in Billings by fostering economic concentrations and the racial and ethnic concentrations that accompany economic concentrations due to the median income of Billings' Native American and Hispanic residents being less than its non–Hispanic white households.
5. When revising its comprehensive plan and neighborhood plans, the City of Billings should explicitly address how to reduce existing economic and racial/ethnic concentrations and foster socio–economic diversity throughout the city.
6. Billings' planning process does not directly address fair housing issues that the city can help resolve and fair housing violations that the city can help prevent. Residential developments that require city review and approval are approved without any requirements to promote compliance with the Fair Housing Act, the Montana Human Rights Act, or the accessibility requirements of the Americans with Disabilities Act.
7. Billings' Unified Zoning Regulations impermissibly treat community residences for more than eight people with disabilities differently than other families including smaller community residences.
8. Billings' Unified Zoning Regulations limit housing occupancy to two occupants per bedroom in a dwelling unit.
9. Billings' Unified Zoning Regulations do not permit accessory dwelling units; a cost–effective way to provide housing affordable to individuals and households of modest means that also enables families with declining incomes to remain in their homes.
10. Allowing townhouse development only via special review and excluding townhouses completely from the R–96 district imposes significant barriers to the construction of this more affordable form of housing.
11. The 40–foot height limit in the Residential Multi–Family District creates a barrier to construction of additional affordable housing.
12. Billings' Unified Zoning Regulations do not allow small lot or cottage–style development of clustered single–family detached homes.
13. There continues to be a serious shortage of housing affordable to holders of Housing Choice Vouchers in the areas of Billings where the proportion of public school students from lower–income households is relatively low.

Consolidated Planning: The following recommendations have been offered as suggestions to begin to address impediments over the next five years:

1. City Council adopts goal and policy to promote the expansion of housing choice throughout the city.
2. Work to expand housing choices of existing and potential new residents beyond the neighborhoods identified by their own race or ethnicity.
3. Conduct on-going educational publicity campaign to make people aware they can move anywhere in the area they can afford.
4. Arrange for ongoing, systematic, and thorough testing of real estate industry practitioners to identify discriminatory practices in rental and for sale housing.
5. Provide counseling, especially to Latinos, before they apply for a mortgage.

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6. Amend the zoning code to:
    a. Require that no less than 20 percent of the units in all residential developments of five or more dwelling units be affordable to households with modest incomes. In exchange, the zoning ordinance should give the developer a 20 percent density bonus so that the developer makes at least as much profit as if this requirement were not in effect.
    b. Adopt inclusionary zoning that gives the Housing Authority of Billings priority to purchase inclusionary units.
7. Amend Billings' comprehensive plan and neighborhood plans to explicitly establish a comprehensive approach with goals, objectives, policies, and implementation tools to achieve stable, socio–economically diverse neighborhoods throughout Billings.
8. Require developers to agree to affirmatively market develop to all racial and ethnic groups to receive zoning or subdivision approval.
9. Require that billboard advertising reflect full diversity of Billings to receive zoning or subdivision approval.
10. Require developer and sales agents to distribute brochure to all clients that clearly identifies illegal discriminatory practices and provides clear contact information to file a fair housing complaint.
11. Require for subdivision and zoning approval agreement to include the Fair Housing logo and/or phrase "Equal Opportunity Housing" and contact information for filing a housing discrimination claim.
12. Get local newspapers and magazines to public housing discrimination notice in sections with real estate advertising.
13. Amend the Unified Zoning Regulations to treat these uses the same as other families: community residences for more than eight people with disabilities, and these residences for people with disabilities: “community residential facilities not providing care on a 24 hour–a–day basis,” “rehabilitative centers” that house people with disabilities, adult foster family care homes, halfway houses, youth foster homes, and youth group homes.
14. Amend the Unified Zoning Regulations to replace the two occupants per bedroom limitation with one based on the square footage of each bedroom.
15. Amend the Unified Zoning Regulations to allow accessory dwellings in as many residential zoning districts as practical, particularly the districts with the largest minimum lot sizes.
16. Amend the Unified Zoning Regulations to allow townhouses in the R–96 district.
17. Establish a new zoning district in which townhouses are among the residential uses allowed as of right, or amend the Unified Zoning Regulations to allow townhouses as a permitted use in one or more zoning districts where there is a significant amount of land available for new residential development.
18. Amend the Unified Zoning Regulations to allow a greater height in the Residential Multi Family district.
19. Research amending the Unified Zoning Regulations to enable development of small lot cottage–style, clustered single–family detached homes. The city should carefully examine its maximum lot coverage restrictions to remove barriers to this type of housing.

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20. The Unified Zoning Regulations should be amended to require that no less than 20 percent of the dwelling units in new residential developments of five or more units be affordable to households with modest incomes and that the Housing Authority of Billings be allowed to purchase up to one–third of the inclusionary units.
21. Schools should adopt and implement a policy to achieve economic diversity in all of its schools so that every school has a strong middle class population with at least a majority of pupils in each school coming from households with middle–class or higher income families.
22. The Housing Authority of Billings should expand the geographic range of housing choices that holders of Housing Choice Vouchers consider.
23. The Housing Authority of Billings can take steps now to expand the geographic range where holders of Housing Choice Vouchers will look for housing.

Affirmatively Furthering Fair Housing: City staff commits to continuing the following efforts to affirmatively further fair housing during this fiscal year, such as:

- Meet with City staff from other departments, stakeholders and organizations with an interest in fair housing regarding recommendations to begin the process of prioritizing and isolating all that can be done this fiscal year.
- Base program development strategies on activities to ensure diversity and benefit across the city, which also assists in avoiding segregation.
    - Ensure all housing repair, development, and acquisition activities are based on program parameters allowing city-wide implementation to avoid segregation.
- Staff facilitation and administration of fair housing initiatives.
- Facilitate capacity-building efforts for local non-profit organizations with an interest in fair housing.
- Facilitate specific grant-writing activities to further local educational efforts, when staff time allows.
- Promote fair housing choice for all persons.
- Work to alleviate housing discrimination in Billings.
- Promote housing that is accessible / usable by persons with disabilities.
- Provide opportunities for all persons to live in any given housing development.
- Continue to notify participants, beneficiaries, applicants and employees, including those with impaired vision and / or hearing and members of collective bargaining agreements, that the City does not discriminate on the basis of race, color, National Origin, Disability, Handicap, Familial Status, Sex, Religion, Creed, Marital Status, Age, Sexual Orientation, or Gender Identity.
- Report on efforts taken to further fair housing in the Comprehensive Annual Performance Evaluation Report, found online.

Fair Housing Initiatives Program (FHIP): The City actively partners with organizations with an interest in fair housing and has facilitated several grant applications for the FHIP grant available competitively through HUD. The City was awarded this grant in 2006 for over $93,000. In 2007 and 2008, grant awards were made for over $99,000 for each year. In 2011-2012, the City was awarded another $125,000 to further fair housing education and outreach and completed over 40 activities in April 2012. Previous and

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current partners and Subrecipients of FHIP funding include: Homeword; the Community Housing Resource Board; Interfaith Hospitality Network; the Billings Partners for American Indian Homeownership; Rimrock Foundation; Self Help Law Center; Yellowstone AIDS Project; and Yellowstone County Council on Aging in Billings.

From May 1, 2011 to April 30, 2012, City staff addressed urgent needs identified in this underserved area by partnering with several non-profit and community representation organizations to build capacity and expand the professional knowledge base regarding fair housing issues. Partnering organizations assisted in building a comprehensive community-based response to pressing fair housing needs, including targeting: American Indians and other minority groups; the disabled - particularly those in recovery from addiction or individuals who have been diagnosed with HIV / AIDS; homeless families; and people experiencing poverty. Impediments these individuals face include segregation, steering, blatant discrimination, hostility, and disparate treatment when applying for housing during the rental application process and also when applying for housing financing.

Staff will analyze the City's ability to apply for and carry out an additional FHIP grant during this fiscal year. Staff members also review policies, procedures and service outcomes on an annual basis through the Consolidated Plan and performance reporting processes to determine whether impediments to fair housing choice were inadvertently imposed. Plans for future actions are implemented to address concerns during the fiscal year allocation process.

Affirmative Marketing

The City adheres to an Affirmative Marketing Procedure which furthers the City's commitment to nondiscrimination and equal opportunity in housing. Proposed affordable housing development projects with more than five units are required to submit an Affirmative Marketing Plan with the application for funding. The plan includes procedures for marketing units to minority / disabled populations and performing significant outreach to ensure equal housing opportunity for potential renters / owners of the housing units. The City's complete Affirmative Marketing Plan is located in the Appendices.

To further carry out the intentions of the City's affirmative marketing practices, core programs (such as housing repair, down payment assistance, and special assessment grants) are communicated directly with neighborhood task force chairpersons, who distribute the information in predominantly low income and high-minority concentration areas. Core programs are also marketed to agencies serving the elderly, disabled and those experiencing homelessness.

The Citizen Participation Plan ensures comprehensive public notices and opportunities to solicit and receive public comment and participation in the allocation process. This process includes staff attendance at local neighborhood task force meetings during the allocation process. These areas have been identified with high minority densities and are predominantly low-income.

Section 504

The City operates its federally assisted programs and activities in a manner ensuring accessibility and usability by individuals with disabilities. The City continues to notify program participants, beneficiaries, applicants, and employees that the City does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, federally assisted programs and activities. The Human

Resources Department is responsible for notifications to employment applicants, collective bargaining units and current employees. Contact information can be found online.

Minimum accessibility requirements in accordance with Uniform Federal Accessibility Standards (UFAS) are mandated with all affordable housing projects developed utilizing federal funding. This standard ensures at least 2% of the total number of dwelling units in new construction multifamily complexes is accessible for persons with visual or hearing impairments. If the City funds a project with substantial alterations costing 75% or more of the replacement cost of a completed facility, the City applies new construction provisions. For federally assisted housing in developments constructed prior to July 11, 1988, the City ensures the housing complies with the Section 504 accessibility requirements using UFAS as the design and construction standard to the maximum extent practicable.

Subrecipients of federal funding are all monitored for Section 504 accessibility requirements pursuant to ensure that non-dwelling service facilities are fully accessible to those with disabilities. All Subrecipients are provided a copy of the Self-Evaluation and Assessment of Accessibility to ensure compliance with Section 504 requirements. Brenda Beckett, Community Development Manager, coordinates the Division's Section 504 compliance and can be contacted via phone at 406.657.8286 or email beckettb@ci.billings.mt.us.

Section 3 - Opportunities for Low-Income Individuals & Businesses

Section 3 is a provision of the Housing and Urban Development Act of 1968, which recognizes that HUD funds are typically one of the largest sources of federal funding expended in communities through the form of grants, loans, entitlement allocations and other forms of financial assistance. Section 3 is intended to ensure that when employment or contracting opportunities are generated because a covered project or activity necessitates the employment of additional persons or the awarding of contracts for work, preference must be given to low- and very low-income persons or business concerns residing in the community where the project is located.

Section 3 is both race and gender neutral. The preferences provided under this regulation are based on income-level and location. The Section 3 regulations were designed to encourage recipients of HUD funding to direct new employment and contracting opportunities to low-income residents, and the businesses that employ these persons, within their community regardless of race and / or gender.

The City has a comprehensive procedure for compliance with Section 3 requirements. This includes procedures to provide job training, employment and contract opportunities for low income residents in connection with projects and activities in their neighborhoods.

Relocation Assistance & Displacement

The City minimizes displacement of persons and assists any persons displaced during the Division's affordable housing and redevelopment activities according to the Uniform Relocation Act. The Uniform Act provides important protections and assistance for people affected by the acquisition, rehabilitation, or demolition of real property for Federal or federally-funded projects.

This law was enacted by Congress to ensure that people whose real property is acquired, or who move as a direct result of projects receiving federal funds, are treated fairly and equitably and receive

assistance in moving from the property they occupy. The Division will require developers to make relocation benefits available to displaced persons during housing initiatives funded with federal dollars.

Short Sales

The term "short sale" can be described as the sale of a property where the sale proceeds fall short of the balance owed on the loan. The City carries liens on properties as a result of owner participation in programs such as First Time Homebuyer and Housing Rehabilitation.

On occasion, the City is asked to participate in "short sales," which is a process that routinely begins with homeowner that is default on a first-position mortgage. This typically involves a request from a third-party to lower the balance of the lien owed to the City.

Foreclosure proceedings mandate owner protections that can be diluted when a third-party short sale takes place. The City will not participate in any third-party short sale when the City holds an interest in a property. This includes lowering the balance of liens placed when the owner participated in City-financed programs. Short sales initiated by the owner without a third-party will be considered on a case-by-case basis. The City may reconsider this policy with further guidance from HUD in the future.

Labor Standards

The Davis-Bacon Act requires, when applicable, the payment of prevailing wage rates, as determined by the US Department of Labor, to all laborers and mechanics on federally-funded construction projects. As a rule, CDBG construction contracts in excess of $2,000 will trigger Davis-Bacon, and HOME contracts involving twelve or more HOME units will require Davis-Bacon compliance. Staff will evaluate each application to determine if Davis-Bacon applies to a specific project.

Davis-Bacon Definitions

- **Laborer or mechanic:** Anyone performing construction work on the project, including trade journeymen, apprentices, and trainees. "Laborers" and "mechanics" are the two groups of workers that must be paid not less than Davis-Bacon wage rates.
- **Employee:** Every person who performs the work of a laborer or mechanic is "employed" regardless of any contractual relationship that may exist between a contractor or subcontractor and such person.
- **Apprentices and trainees:** The only workers who can be paid less than the wage rate on the wage decision for their work classification are "apprentices" and "trainees" registered in approved apprenticeship or training programs. Apprentices and trainees are paid wage rates in accordance with the wage schedule in the approved program. The maximum number of apprentices or trainees on the job site cannot be more than the ratio of apprentices or trainees to journeymen allowed in the approved program.
- **Prevailing wages:** Prevailing wages are listed on the wage decision for the project. The wage decision will list a minimum basic hourly rate of pay for each work classification. Wage decisions may include fringe benefits such as health insurance, retirement, vacation and contributions to training funds.

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- **Site of work:** The "site of work" is where the Davis-Bacon wage rates apply, usually the boundaries of the project. "Site of work" can also include other adjacent or nearby property used by a contractor or subcontractor in the construction of the project.
- **Proper designation of trade:** A work classification on the wage decision for each worker based on the actual type of work he performed must be done. In addition, each worker must be paid no less than the wage rate on the wage decision for that classification regardless of skill level. The only people who can be paid less than the rate for their craft are apprentices and trainees registered in approved programs.
- **Split-classification:** Employees performing work in more than one classification should be paid the wage rates specified for each classification only if accurate time records showing the time spent in each classification of work are maintained. If accurate time records are not maintained, these employees must be paid the highest wage rate of all of the classifications of work performed.

Wage Decisions: Davis-Bacon wage decisions define the minimum wage payment requirements for classifications such as carpenters, electricians, plumbers, and roofers that work on the project. The geographically specific Davis-Bacon wage decision, provided by the Department of Labor, contains a schedule of work classifications and wage rates to be followed. Wage decisions can be found online.

The prime contractor, or the party ultimately accountable for meeting Federal regulations, is responsible for several key steps in a Davis-Bacon contract. Prior to bidding a construction contract, the Davis-Bacon wage decision must be obtained and included in the bid package. Once the project is underway, a copy of the wage decision and a copy of a Department of Labor "Notice to Employees" at the job site must be posted in a place easily accessible to construction workers employed at the project.

Reporting: A certified payroll report beginning the first week a company works on the project and continuing until the firm has completed its work will be required by the project monitor. The payrolls are certified because each payroll is signed and contains language certifying that the information is true and correct. "No work" payrolls may be submitted whenever there is a temporary break in work on the project.

The prime contractor reviews each subcontractor's payroll reports for compliance prior to submitting the reports to the contract administrator. The prime contractor is responsible for the full compliance of all subcontractors and will be held accountable for any wage restitution found due to any laborer or mechanic that is underpaid and for any liquidated damages that may be assessed for overtime violations.

Every contractor (including subcontractors) must keep a complete set of payrolls and time cards for a Davis-Bacon project for three years after the project is completed. The prime contractor must keep a complete set of all of the payrolls for every contractor for three years after completion of the project.

Compliance Reviews: The contract administrator or other inspector may visit the project site and interview workers concerning their employment on the project. The interviewer will record the interview information and will compare it to payrolls and related submissions to ensure that the labor standards requirements have been met. Additional information on this topic can be found on the Department of Housing and Urban Development website.

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Housing Quality Standards

All City projects involving residential construction, rehabilitation, and / or acquisition shall meet the Division's standards to provide decent, safe and sanitary housing that minimally meets or exceeds all applicable local and State codes, rehabilitation standards, ordinances, and zoning ordinances. This includes meeting or exceeding Housing Quality Standards, which will be verified by staff inspection, as the City does not have approved rehabilitation standards. In addition to meeting quality standards, all housing projects undertaken by the City emphasize energy efficiency, universal design, and green building components whenever possible and feasible.

Should the proposed HOME Program rule be formally adopted by HUD, the City is ready to comply with ensuring property standards meet updated requirements.

Housing Rehabilitation Standards

The City operates home repair programs for both traditional and manufactured housing. Federal regulations require rehabilitation standards be defined in the Consolidated Plan.

Definitions

***Standard condition dwelling unit*:** A unit which currently meets *Housing Quality Standards* as described above with no major defects in the structure and only minor maintenance is required. The City of Billings does not currently have a rehabilitation code. Such a dwelling would have the following characteristics post-rehabilitation within the funding limits for each project: a reliable roof; a sound foundation; adequate and stable floors; walls and ceilings; surfaces and woodwork without serious damage or paint deterioration; sound windows / doors; adequate heating, plumbing and electrical systems; adequate insulation, and adequate water and sewer systems. With the exception of emergency rehabilitation, a unit in standard condition would not be eligible for City's housing rehabilitation or home repair funds.

Financially Feasible: A traditionally-built structure that does not require more than $25,000 to rehabilitate for a single or multi-family unit, which is within the maximum rehabilitation dollar amount for the City's Housing Rehabilitation Loan program. A manufactured home that does not require more than $10,000 to rehabilitate for a single unit is considered financially feasible. This is the maximum rehabilitation dollar amount for the City's Manufactured Housing Loan program.

Not Financially Feasible: A traditionally-built home that requires more than $25,000 to rehabilitate for a single or multi-family unit, or a manufactured home that requires more than $10,000 to rehabilitate for a single unit.

Structurally Feasible: The structure is determined sound and suitable for rehabilitation.

Poor Structural Condition: The unit has a cracked foundation in multiple places, heavy structural damage through expansive soils or other causes.

Substandard Condition Suitable for Rehabilitation: A dwelling unit not meeting the definition of a standard condition dwelling unit as defined above as reflected in the Housing Quality Standard inspection and the City's current housing code, but IS both structurally feasible and financially feasible to rehabilitate. The unit is likely to have deferred maintenance and may have some structural damage such as a leaking roof, deteriorated interior surfaces and inadequate insulation. The unit has other items noted as 'general standards of items that fail' as reflected by the Housing Quality Standard inspection.

Substandard Condition NOT Suitable for Rehabilitation: A dwelling unit in such poor condition that it is neither structurally nor financially feasible to rehabilitate.

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Monitoring

The goals to be achieved through the Consolidated Plan will be monitored on a yearly basis as required as part of the Comprehensive Annual Performance Evaluation Report (CAPER) submitted to HUD for the Consolidated Plan. Monitoring consists of:

- Examination of the community's use of available HUD, state, and local resources to meet the affordable housing and community development needs as outlined in the Consolidated Plan.
- Examination of the effectiveness of the programs that are in place.
- Review of public comments received on the community's performance in meeting the affordable housing and community development needs described in the City's Consolidated Plan.

The City funds a variety of Subrecipients to carry out CDBG and HOME funded activities each year. Each of these Subrecipients is required to enter into a detailed sub-recipient agreement that specifically describes funding use.

CDBG Subrecipient Monitoring

Subrecipients will be monitored on-site by Community Development staff at least every other year to ensure compliance with the terms of the agreement and applicable regulations. Site visits will include monitoring in the following areas: compliance with the timeframe of the agreement; rate of expenditures; continued eligibility of the activities under the agreement; and adequate documentation concerning client eligibility and service delivery. Compliance with standard CDBG regulations will also be monitored, including (but not limited to) a review of the following: American Disabilities Act; Fair Housing Act; Equal Employment Opportunity; Section 3 of the Housing and Urban Development Act of 1968; Uniform Administrative Requirements; Davis-Bacon; etc. Inspections are conducted prior to disbursement of CDBG funds and site-visits are conducted to monitor Davis-Bacon compliance during construction. Subrecipients are required to have audits performed pursuant to OMB Circular A-133 and submitted to the City on an annual basis. In addition, Subrecipients are required to submit quarterly / annual reports during the grant period.

HOME Monitoring

The City will monitor the terms and conditions of all agreements made between the City and HOME Subrecipients to ensure compliance with HOME Program requirements, identify information that will allow us to improve our program design and management, and to evaluate how well our programs and projects are achieving desired outcomes. Monitoring elements include: compliance with the timeframe of the agreement; rate of expenditures; eligibility of expenses; adequate documentation regarding the income eligibility of homeowners and tenants; maximum subsidy limits; rents; property maintenance and eligibility; recapture provisions; and affordability periods. Compliance with other HOME regulations will also be monitored, including (but not limited to): Fair Housing and Equal Opportunity; Affirmative Marketing; Americans with Disabilities Act; Davis-Bacon; etc. Inspections are conducted prior to disbursement of HOME funds and site-visits are conducted to monitor Davis-Bacon compliance during construction.

Community Housing Development Organizations (CHDOs)

The City requires CHDOs apply for recertification on an annual basis to ensure continued requirements are being met for CHDO designation, including (but not limited to) maintenance of Board composition,

including at least one-third membership by residents of low-income neighborhoods and no more than one-third may be public officials or local / state employees.

Affordable Housing: Housing projects are monitored via site-visits / inspections on a schedule based on the number of units in the project:

# of Units	*Frequency of On-Site Monitoring*
1 - 4 Units	Every 3 years
5 - 25 Units	Every 2 years
26+ Units	Every year
Source Documentation	Every 6 years
Staff inspects 15% - 20% of the total HOME units per project, minimum one unit in each building	

City staff will conduct on-site visits that will include Housing Quality Standards (HQS) compliance inspections, tenant file review, household income verification, etc. City staff will also conduct annual desk reviews to ensure leases are in compliance with HOME regulations; rents are compliant with HOME limits; tenant incomes are reviewed annually and they are within eligibility limits; the property owner/manager is inspecting the property at least annually; that adequate project reserves have been established and annual reports are received; and the year-end profit and loss statements show the project is profitable and/or sustainable for the period of affordability.

Timeliness

The City is required to both commit and expend CDBG and HOME funding in a timely manner. The CDBG program mandates that the City carry less than 1.5 times the previous year's award in the HUD payment system at the beginning of May each year. HOME funding allocated to the City must be committed to specific projects via contract (which must be approved through City Council) within 24 months of allocation and funds must be expended within five years of initial allocation. Failure to comply with commitment and expenditure deadlines will result in funding being recaptured by HUD.

The City must draw down funds at acceptable rates to prevent funding recapture. Therefore, the City will adhere to the following procedures regarding timeliness:

- Allocating funding to grantees that can expend funding expeditiously.
- Prioritizing applications for funding based on timeline for expenditure.
- Reallocating funding from projects that have not expended funds to new projects.
- Draw funding from HUD systems at least quarterly to ensure compliance.
- Perform a timeliness review at the end of each calendar year and plan to move funding to progressive accounts / projects if timeliness will become an issue.
- Work with Community Housing Development Organizations (CHDO) to pre-allocate future mandatory CHDO reserve funding.
- Communicating the importance of timeliness to applicants, the Community Development Board and the City Council.

Performance Measures

HUD requires certain objectives and outcomes be identified for all activities funded through CDBG and HOME. These include objectives for suitable living environment, the provision of decent housing and creating economic opportunities. Outcomes include increasing availability and / or accessibility, affordability and sustainability.

HUD PERFORMANCE MEASUREMENTS	
Objectives	*Outcomes*
Suitable Living Environment	Availability or Accessibility
Decent Housing	Affordability
Economic Opportunities	Sustainability

In addition to the utilization of HUD standard objectives and outcomes, the City will provide benchmark data on performance and outputs, including the following numbers:

- Housing units assisted
- Years in compliance with stated benchmarks / requirements
- Funding leveraged
- Meetings facilitated by staff
- Grant application submissions to further Consolidated Plan goals
- Strategic / Action Plans generated / implemented
- Organizations supported
- AmeriCorps VISTA members placed

Subsidy Layering

All projects funded through the City with HOME funds that combine other federal funding sources will be reviewed to ensure the project will not use more federal funding than necessary to provide affordable housing. This includes a review of four major components, some requiring documentation and others requiring analysis and review of project details:

- Sources and Uses of Funds Statement
- Certification of Federal Assistance
- Project Development Budget
- Operating Pro-Forma, or Rate of Return on Equity Investment

The City's comprehensive ***Subsidy Layering Procedures*** are available by request.

HOME Program Recapture Provisions

Recapture provisions permit the original homebuyer to sell the assisted property to any willing buyer during the period of affordability while the City is able to recapture all or a portion of the HOME assistance provided to the original homebuyer. The City utilizes recapture provisions exclusively when assisting homeowners and the provisions are enforced via a Promissory Note (not recorded), the use of a Deed Restriction Agreement and a Montana Trust Indenture that are both recorded at the Yellowstone

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County Clerk and Recorder's office. These written, legal documents contain language outlining the recapture provisions as established herein. The City does not use Subrecipients or other grantees to carry out these activities.

Homebuyer Requirements: In order for homeownership housing to qualify as affordable housing eligible for HOME funding, it must be: single-family; considered modest housing; be acquired by a low income household for their principal residence; and meet affordability requirements for a single period of time as determined by the amount of assistance provided.

Direct HOME Subsidy: The amount of HOME assistance that enabled the homebuyer to buy the unit. The direct subsidy includes down payment and closing costs provided directly to the homebuyer, which resulted in a reduced purchase price from the fair market value of the home to an affordable price. **The entire amount of HOME assistance is subject to recapture.**

Net Proceeds: The sales price, less the superior loan repayment and any closing costs. **The City will only recapture the net proceeds from a sale.** Any loans or improvements made to the property after the time of the HOME assistance will be paid after the City is repaid the amount owed under its recapture provisions. If the net proceeds are not sufficient to recapture the full HOME investment, the City will accept the available net proceeds as full payment.

Recapture Model - City Recaptures Entire HOME Assistance Amount: The City allows the assisted homebuyer to retain all appreciation and the City expects to recapture the entire direct HOME subsidy invested in the project. Therefore, the homeowner will retain any value of the appreciation of the property after the City's HOME assistance has been recaptured / repaid. The homeowner's down payment, principal payments, and any capital improvement investment made in the property after the HOME assistance was provided will be returned to the homeowner at closing after the City's HOME assistance is recaptured and repaid from the net proceeds as described above.

Long Term Affordability: Under the recapture provision, there is no requirement that the original HOME-assisted homebuyer sell the unit to another low-income homebuyer.

Affordability Periods

For City-assisted homebuyer units under the recapture provision, the period of affordability is based upon the direct HOME subsidy provided to the homebuyer that enabled the homebuyer to purchase the unit. Any program income used to provide direct assistance to the homebuyer is included when determining the period of affordability. The following table outlines the required minimum affordability periods:

HOME Affordability Periods	
Amount of Direct Subsidy	*Period of Affordability*
Under $15,000	5 Years
Between $15,000 and $40,000	10 Years
Over $40,000	15 Years

Recapture provisions for the First Time Homebuyer program are either five or ten years for each assisted property beginning after the transfer of the property to the property owner as evidenced by the Deed Restriction Agreement, Montana Trust Indenture and Promissory Note.

The overall Kings Green Affordable Housing Development project will bring a total of 49 new affordable single-family units to the overall housing stock in Billings. Phases I, II and III resulted in 39 units and Phase IV, which commences this fiscal year, will add an additional 10 units. These units will be subject to recapture provisions. If the HOME funds used to develop the property assist in selling the home below fair market value, the difference between the fair market value and purchase price will be considered a direct benefit attributable to the HOME subsidy.

Subordination

The City does not subordinate loans in the First Time Homebuyer program and other homeowner-assisted projects without City Council approval. Therefore, if an assisted homeowner refinances the property, the City will need to be repaid the full amount of HOME assistance provided. Assisted homeowners wishing to pursue City Council approval may write a letter explaining the need for the subordination and submit it to the Community Development Division. Staff will then prepare a memo and place the subordination on the Community Development Board agenda for recommendation to the City Council.

Use of Recaptured Funds

Recaptured HOME funds will be used to assist other first time homebuyers to purchase property in Billings or other HOME-eligible activities to be determined through the City's budget allocation process in accordance with the Citizen Participation Plan. Homebuyers must be low-income and must use the assisted property with the recaptured funds as their principal residence. Low-income and first time homebuyer status will be determined based on HOME program regulations.

The City of Billings does not propose the use of HOME funds to refinance existing debt secured by multi-family housing that is being rehabilitated with HOME funds.

Tenant-Based Rental Assistance

Tenant-Based Rental Assistance will be used to meet the priority need for rental deposit assistance as determined by the gap analysis in ***Welcome Home Billings***, the City's 10-year plan to impact homelessness. This need was also identified in the Housing Needs Assessment. Additional information regarding this need can be found in the City's five-year Consolidated Plan. This investment should assist in narrowing the affordability gap for very low income households.

Income Definitions

The City will utilizes *adjusted gross income* as defined for reporting purposes under the IRS Form 1040 long form for home repair, rental and first time homebuyer programs. The Housing Authority of Billings utilizes the *Part 5 Annual Income* definition to administer the City's HOME-funded Tenant-Based Rental Assistance deposit assistance program, when funding is available.

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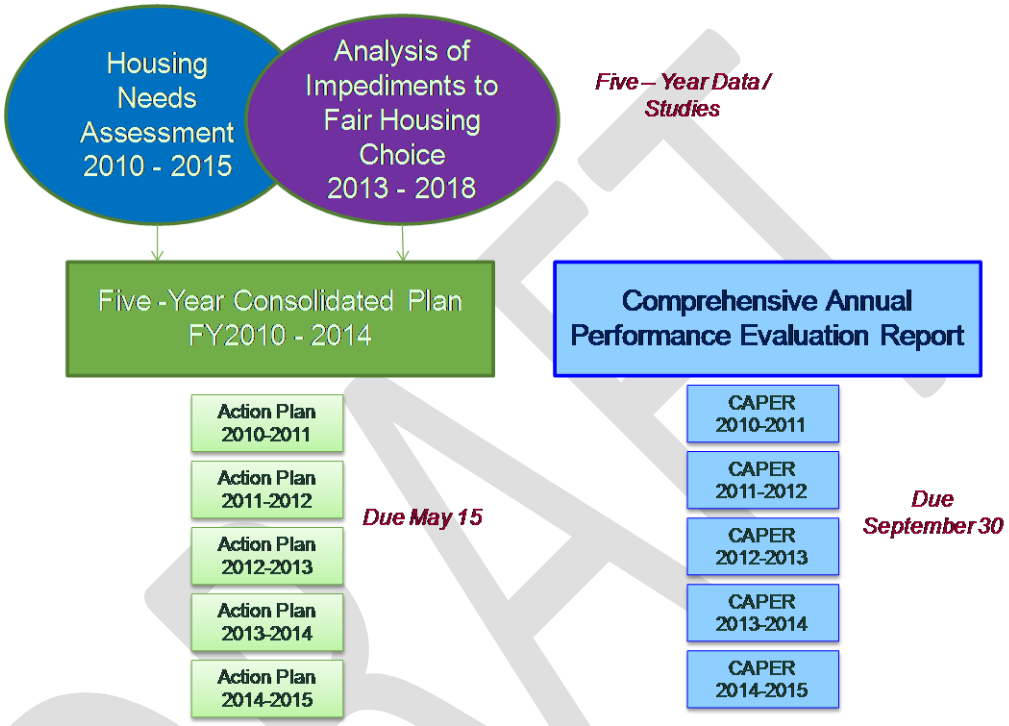
SECTION FOUR - Consolidated Plan & Budget Development

Significant Aspects of the Process

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



The Budget Allocation Process flowchart (following page) illustrates the significant aspects of public involvement and input processes utilized for Consolidated Plan development and implementation. The process includes a technical assistance meeting to facilitate training of CDBG / HOME applicants regarding application expectations and project requirements. All plans and studies are posted on the City's website and emails are distributed announcing application and Consolidated Plan postings.

The Community Development Board conducts applicant site visits to review each application with the submitting organization. In addition, City staff visit each of the seven neighborhood task forces to garner housing / neighborhood activity rankings prior to the public comment period. The City also maintains extensive email distribution lists and utilizes these lists to make announcements of study results and drafted plans. Budget hearings are also held to give presentation opportunities to each applicant. Each neighborhood task force is also offered an opportunity to speak during the hearings.

A formalized public comment period is held for no less than 30 days and various community groups are visited during this time to garner feedback on studies, plans and activities. Agenda items are also scheduled for a City Council Work Session and regular City Council meeting; the latter includes an additional, specific public hearing to review the Consolidated Plan and activities. All meetings are open to the public, advertised in the regionally-distributed Billings Times newspaper and agendas offer a specific time for additional public comment.

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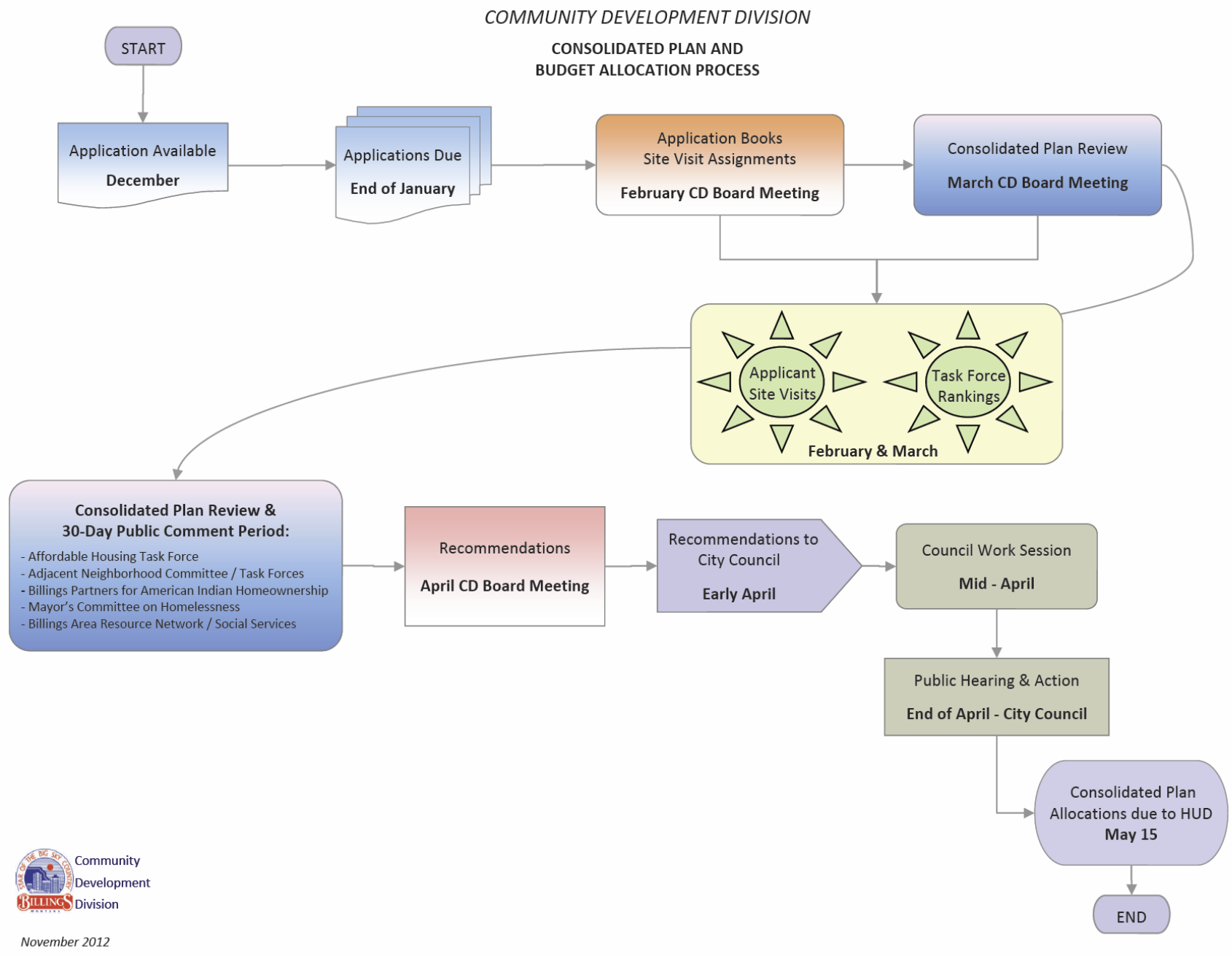

COMMUNITY DEVELOPMENT DIVISION
CONSOLIDATED PLAN AND
BUDGET ALLOCATION PROCESS
START
Application Available
December
Applications Due
End of January
Application Books
Site Visit Assignments
February CD Board Meeting
Consolidated Plan Review
March CD Board Meeting
Applicant
Site Visits
Task Force
Rankings
February & March
Consolidated Plan Review &
30-Day Public Comment Period:
- Affordable Housing Task Force
- Adjacent Neighborhood Committee / Task Forces
- Billings Partners for American Indian Homeownership
- Mayor's Committee on Homelessness
- Billings Area Resource Network / Social Services
Recommendations
April CD Board Meeting
Recommendations to
City Council
Early April
Council Work Session
Mid - April
Public Hearing & Action
End of April - City Council
Consolidated Plan
Allocations due to HUD
May 15
END
Community
Development
Division
November 2012

SECTION FIVE - Geographic Data

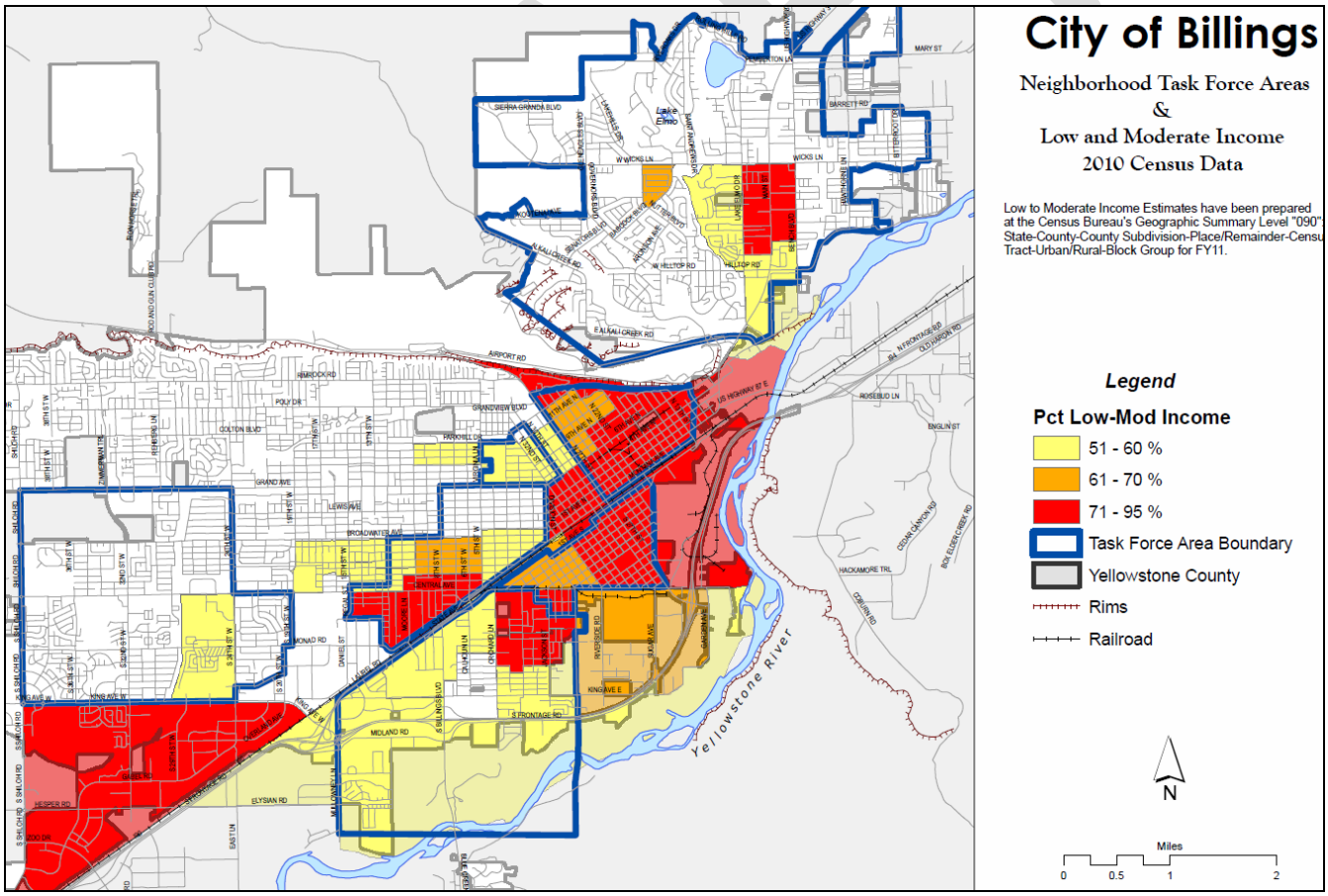
Geographic Area

91.220(d)

The geographic area served by the Consolidated Plan is defined by the current City of Billings limits. Target areas include Census tracts and block groups with high concentrations of low to moderate income households, particularly those with higher concentrations of racial / minority households.

Lower-Income Household Concentration

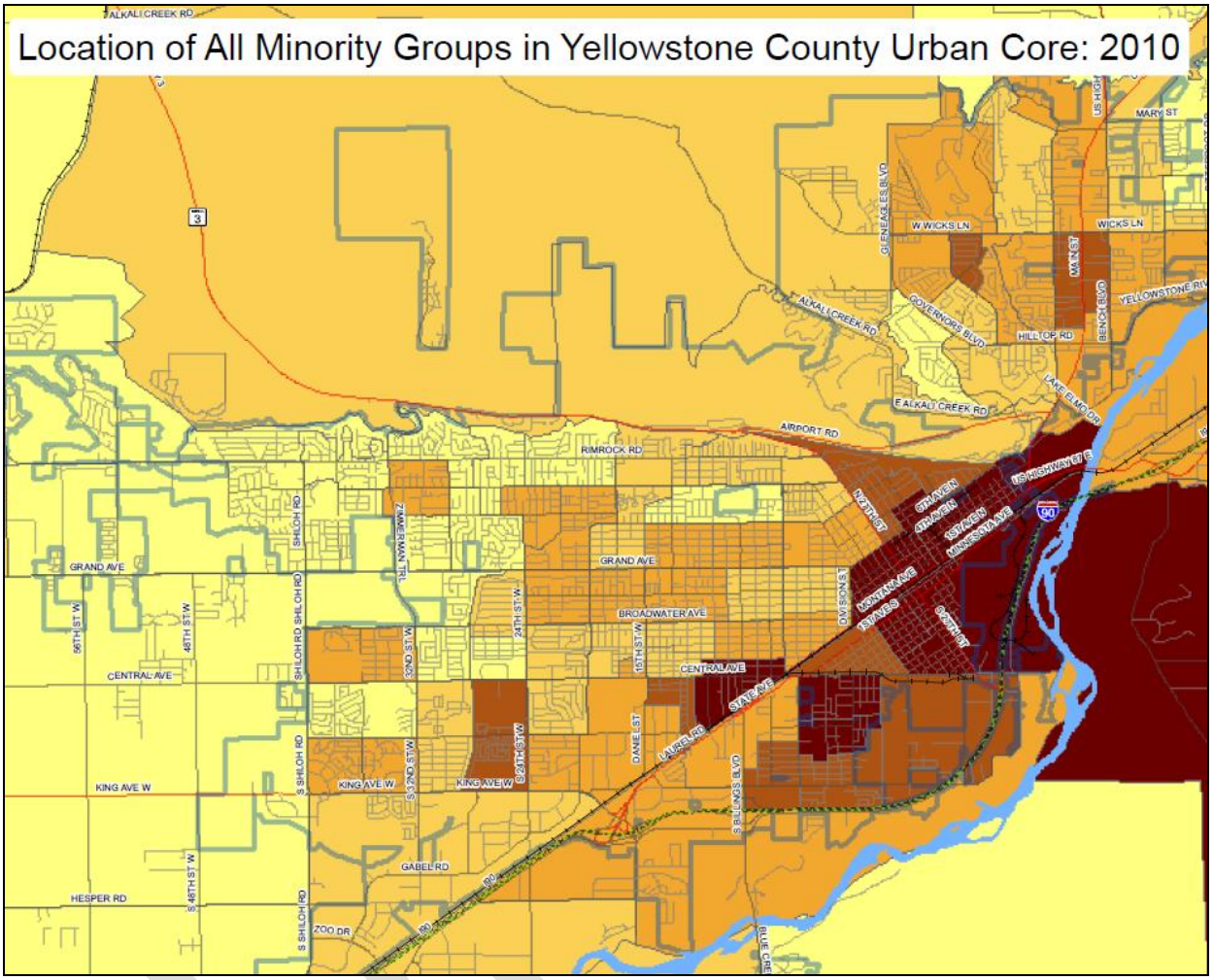
The strategies identified in the Consolidated Plan will be addressed on a citywide basis to encourage the distribution of low-income affordable housing and other assistance to lower income households throughout the community. Strategy D ensures assistance provided through CDBG and related programs to lower income neighborhoods of the communities where the majority of the City's affordable housing stock is located. The map below identifies areas of the community with lower income population above 71%, between 61% and 70%, and between 51% and 60% to allow further prioritization of limited resources.

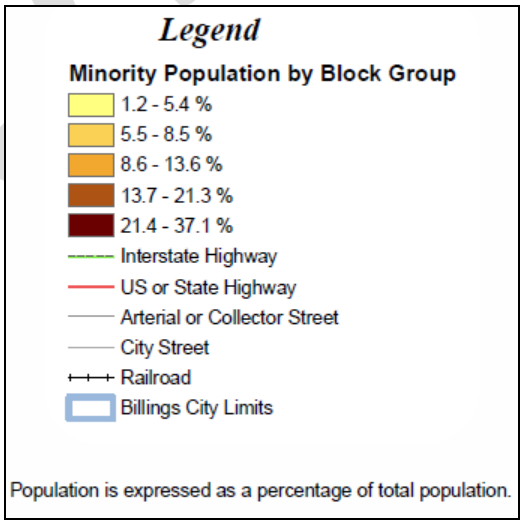


Lower Income Areas in Billings

Racial / Minority Concentration

In 2012, the City generated a map illustrating the results of the 2010 Census relating to concentrations of racial / ethnic minorities. The resulting map below shows the highest concentration of protected class residents in Billings.





Geographic Basis for Allocation of Investments

91.220(f) & 91.215(a)(2)

The City of Billings is the largest city with the highest population in the state. However, the city only has an estimated population of nearly 104,000 in 2008, according to the 2010 Billings Housing Needs Assessment.

Citation 24 CFR 91.220(f) reads as follows, *"When appropriate, jurisdictions should estimate the percentage of funds they plan to dedicate to target areas."* Estimating the percentage of funds planned for dedication to target areas is not appropriate for the Billings community due to the following reasons:

- Geographic area is defined by the current City of Billings limits.
- Target areas include high concentrations of low income households, particularly those with higher concentrations of racial / minority households.
- City-wide strategies encourage the distribution of resources support affirmatively furthering fair housing and equal opportunity to avoid segregation in Billings.
- Geographic distribution of investments description includes the focus of resources on a city-wide basis to support diversity across the community.
- The City of Billings is classified as a smaller city on a national scale.
- The actual dollar amount dedicated to each program is included in this Action Plan.

The City will focus distribution of investments on a citywide basis in order to support diversity and mixed-income development across the community. The City's performance in serving predominantly low income households is clear via Integrated Distribution Information System reporting; nearly 100%.

Neighborhood Revitalization Strategy areas ***have not been established*** in Billings and there is no specific amount of funding allocated for a target area in the City's geographic distribution of resources. **Therefore, the City plans to dedicate 0% of funding to target areas in favor of supporting a citywide approach to further fair housing, equal opportunity and anti-segregation efforts.**

Basis for Assigning Priority - Overall Consolidated Plan

Priorities for funding are based on both the most recent Housing Needs Assessment and the Analysis of Impediments to Fair Housing Choice. Priorities for housing development are identified as "High" "Medium" and "Low" based on data analysis.

Obstacles to Meeting Underserved Needs - Overall Consolidated Plan

91.215(a)(3)

The primary obstacle faced by the City in undertaking the activities described in its Consolidated Plan and meeting under-served needs is the amount of available funding. The Housing Needs Assessment identified the affordable housing needs and conditions of our community. These conditions, particularly the cost burden faced by very low income renters and homeowners, is difficult to address given existing resources, and other needs of the community related to neighborhood improvement, housing preservation, and improving the economic conditions of lower income households.

In addition to funding for projects and programs, there is a need for additional funding for administration and planning costs to help design strategies and undertake projects to help meet these needs. The City attempts to leverage its CDBG and HOME resources as evidenced by past partnerships with the Montana Board of Housing, Wells Fargo, and Fannie Mae.

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The City's ability to undertake such activities is limited by staffing levels. This issue has been partially addressed by establishing and supporting community partnerships to address housing and community development needs. The work of the Affordable Housing Task Force, Adjacent Neighborhood Committee, neighborhood groups, various Fair Housing organizations, and the Billings Partners for American Indian Homeownership increase local resources and capacity to address housing and community development needs.

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SECTION SIX - Resources

Available Funding, Expenditure Limits & Match Requirements *91.220(c)(1&2)*

At the time of this writing, HUD has not provided the City with allocation amounts for this fiscal year and the budget has been estimated at an 8.2% reduction from last year's allocation. CDBG administration and planning activities are estimated and budgeted at $154,226 which is 20% of the new CDBG estimated allocation ($523,603) in addition to eligible program income left over from the previous year and including income from the current year ($247,526). The proposed budget includes $115,933 in funding from projects which have been cancelled or completed (cannot be included in administration costs). One hundred percent of available funding will be used to benefit the low to moderate income households.

The maximum amount of funding available for Public Service Activities is $106,903. This amount represents 15% of prior year income (15% of $189,082 is $28,362) and the new CDBG estimated allocation (15% of $523,603 is $78,541), and no additional reprogrammed funding from Public Services from prior years. The City is choosing to allocate only $50,000 in Public Service Activity funding to support the expenses of the AmeriCorps VISTA program to facilitate the City's anti-poverty strategy.

HOME administration activities are estimated and budgeted at $28,924 which includes 10% of estimated new HOME revenue (10% of $289,243 is $28,924). As First Time Homebuyer funding returned to the City prior to the affordability period expiring is considered "recaptured" funding, no additional "program income" has been received and considered eligible for additional administration expenses. Total amount of recaptured income received and dedicated to this year's budget is $260,967.

The HOME program requires 25% match funding for projects be dedicated from non-federal sources. The City of Billings meets HOME matching requirements through low-interest financing available for First Time Homebuyer Loans issued through the Montana Board of Housing (MBOH) and matching funds provided for other affordable housing projects undertaken with HOME funds, such as private contributions and other local bank financing.

Expected Program Income - CDBG & HOME

Program income expected for the CDBG program includes repayments for funding loaned through the Housing Rehabilitation Loan program and other revitalization efforts. The City expects to receive approximately $100,000 in repayments for this fiscal year which will be reprogrammed for CDBG-eligible activities for next fiscal year. The City will not receive proceeds for Section 108 loan guarantees, surplus funds from urban renewal settlements, or float-funded activities.

Program income expected for the HOME program includes repayments from Homeword for the High Sierra project in an annual amount of $1,500 according to the HUD-approved work out plan completed in December 2009. Other repayments include recaptured and program income funding generated by the First Time Homebuyer Loan program. The City expects to receive approximately $100,000 in HOME funding through these venues, and the funding will be re-programmed and utilized for HOME-eligible activities next fiscal year. The City of Billings programs 100% of CDBG and HOME funding to benefit low to moderate income households and / or areas.

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Neighborhood Stabilization Program Plan & Expected Program Income

The City of Billings approved a Substantial Amendment to the City of Billings' Annual Action Plan for FY2008-2009 on January 26, 2009 to utilize funds provided under the Housing and Economic Recovery Act of 2008 (HERA) (Pub. L. 110-289, 122 Stat. 2654, enacted July 30, 2008) through the HUD Neighborhood Stabilization Program (NSP). The geographic area covered in the Action Plan and amendment is the City of Billings municipal boundaries, with priority emphasis on areas with a high foreclosure risk in low income task force areas.

The NSP provided $19.6 million in CDBG funds to the Montana Department of Commerce (MDOC) to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. In addition, the funds can be used to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes.

The City of Billings intends to utilize granted funding and program income in a manner that complies with regulations established by HUD. This includes obligating funding via contract for service within 18 months of HUD's approval of the MDOC's Action Plan Amendment[1] and full expenditure of obligated funds within 48 months of HUD's approval date.

Approximately $100,000 in program income is anticipated from the initial sale of vacant and foreclosed homes to low income households as acquisition funds are repaid to the City. Funding will be utilized to further the goals of the NSP program until July 30, 2014. Funding received thereafter is subject to the requirements of the CDBG program. As per HUD, the City will avoid the undue enrichment of entities, including individuals and households benefitting from the program.

All projects will be located in the City of Billings municipal limits which have been determined to be eligible for NSP project funding due to city blocks having HUD foreclosure risk scores between five and eight. Periods of affordability will be assigned in accordance with the subsidy amount committed and expended for each project. The City will not undertake activities which will trigger the Uniform Relocation Act. The City will be leveraging funding from available application sources including CDBG, HOME and partner-provided funding sources to facilitate NSP activities.

In general, the City will undertake the following activities, to be funded in part with NSP funding:

- Acquisition, rehabilitation (including infrastructure as part of redevelopment) and resale of foreclosed or abandoned homes to income-qualified homebuyers as their primary residence.
- Financial assistance to income-qualified homebuyers who are purchasing an abandoned or foreclosed home.
- Acquisition of properties and demolition of existing structures that meet the definition of blight in the community. These properties will be redeveloped in the future for use as permanent affordable housing.

[1] Montana Department of Commerce Website, November 2008, http://housing.mt.gov/Includes/CP/ApplicationDocs/CP_NSP-Amendment.pdf

Resources Complimenting the HOME Program

In addition to HOME funding, the City of Billings will also work with the Montana Board of Housing to secure primary mortgages for first time homebuyer activities. The City of Billings will also support applications for funding as requested for the following programs subject to the priorities established in the Consolidated Plan:

- HUD Section 202 Senior Housing
- HUD Section 811 Housing for the Physically Disabled
- HUD Supportive Housing and Shelter Plus Care Programs
- Special appropriations available through Congress for special projects
- Funding through the Federal Home Loan Bank
- Low-Income Housing Tax Credits

The City of Billings also is considered a partner in many activities that address the community's housing needs, particularly those carried out by human service agencies as public service activities in the CDBG program. The City's contribution to these projects often represents a small part of the overall funding resources to address a particular need. Furthermore, there are other local, state, and federal resources to address those needs such as FEMA funding for emergency shelters, funding received by the Housing Authority of Billings, and rental assistance provided by private non-profit assisted housing providers.

The City does not plan to use HOME funds to refinance existing debt secured by multifamily housing that is being rehabilitated with HOME funds, with the exception of approval of a Community Housing Development Organization (CHDO) project. In this instance, the terms of repayment will be established in accordance with 24 CFR 92.206(b).

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SECTION SEVEN - Allocations & Project Descriptions

FY2013-2014 Program Allocations

Allocation recommendations conform to pre-determined spending requirements on several categories including: CDBG and HOME Administration caps (maximum of 20% and 10% of new funding prospectively); Public Service Caps (up to 15% of new CDBG funding); and Community Housing Development Organizations (at least 15% of new HOME funding).

At the time of publication, HUD has not released final allocations for the CDBG and HOME programs. Therefore, the City has estimated an 8.2% decrease for both programs. The City has made the following funding recommendations, regardless of the level of HUD funding

CDBG:

- Administration: Fund at the maximum allowed, which is 20% of new funding allocation and program income.
- VISTA Support: $50,000 as a Public Service activity.
- Housing Rehabilitation Loan Program: funded at $350,000 as a firm figure.
- Foreclosure Acquisition / Rehabilitation Loan Program: funded at $250,000 as a firm figure.
- Manufactured Home Repair Loan Program: Remaining funding, estimated at $82,836.

HOME:

- Administration: Fund at the maximum allowed, which is 10% of new funding allocation.
- Community Housing Development Organization: fund at $48,000 to Homeword's Pheasant Home affordable rental housing project.
- First Time Homebuyer Loan Program: Remaining funding, estimated at $473,286.

Funding estimates utilizing these priorities are found on the following page.

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PROJECT SUMMARIES

Housing, Neighborhood and Public Service Activities

FY2013-2014 Consolidated Plan

#	Organization Name	Project Name	Award Amount
HN-01	City of Billings	CDBG Administration	$154,226

General CDBG administration expenditures and salary and benefits for Community Development Block Grant (CDBG) Program. CDBG resources also provide the resources for administration of other grants related to community development received by the City.

HN-02	City of Billings	HOME Administration	$28,924

General HOME administration expenditures and salary and benefits for the HOME Program Coordinator.

HN-03	City of Billings	Community Housing Development Orgs	$48,000

A minimum of 15% of the HOME annual allocation is required by HUD to be reserved for Community Housing Development Organizations (CHDOs) for new housing development activities.

HN-04	City of Billings	First Time Homebuyer Program - HOME	$473,286

Assists low-income first time homebuyers with down payment and closing costs. Assistance is based on household size and income. Loans are 0% interest, no-payments due until the home is sold / refinanced.

HN-05	City of Billings	Housing Rehabilitation	$350,000

Housing rehabilitation assistance is available to low-income homeowners and staff costs to implement the program. Loans are 0% interest, no-payments due until the house is sold / refinanced.

HN-06	City of Billings	Manufactured Home Repair	$82,836

The City of Billings offers a loan program for low-income manufactured home owners. This program is intended to revitalize established neighborhoods and preserve the existing affordable housing stock through the completion of repairs to manufactured housing.

HN-07	City of Billings	Foreclosure Acquisition / Rehab	$250,000

The Neighborhood Stabilization Program purchases vacant and foreclosed properties for the purpose of rehabilitation and direct homeownership assistance to income qualified homebuyers as their primary residence. The purpose of the program is to stabilize neighborhoods, stem the decline of house values of neighboring homes due to foreclosure, and to preserve decent affordable housing.

PS-01	City of Billings	VISTA Support - Public Service Activity	$50,000

Project would support administration costs to implement the Billings Metro VISTA Project. These AmeriCorps members work on poverty impact issues in the community including hunger, homelessness, education, and veterans / military family support.

Total Awards:	**$1,437,272**

Homeless, Non-Homeless & Special Needs Populations

The City would serve non-homeless individuals exclusively through home repair and first time homebuyer programs for this year, which would also serve special needs populations such as the disabled and elderly. There is no specific funding allocation to exclusively serve special needs populations through these programs; therefore, they are not listed in the City's Table 3B adaptation.

The City has allocated CHDO funding to Homeword for Pheasant Home, an affordable rental housing project, before this fiscal year and the project will undoubtedly serve some special needs populations. However, this funding allocation was not specifically designated to serve a special needs population.

Providers Named in the Plan & Funding Allocations

The City identifies programs and partnerships in Table 3A (beginning on page 51) with identified funding sources the City receives. If ADMIN is noted as a funding source, City staff support the overall initiative with facilitation within the allocation caps for CDBG and HOME to support the overall goals of the Consolidated Plan. The City's recommended funding allocations for programs are included on the previous page. There are no allocations to other organizations this fiscal year due to very low funding levels.

Other Sources of Federal Funding

The City has not estimated the amount of funding allocated to the Supportive Housing Program, Single Room Occupancy residences, the Shelter Plus Care program, Housing Opportunities for People With AIDS, or Emergency Shelter Grants, as the City does not directly receive these funds. These sources of funding are not available for allocation through the City's Consolidated Plan process. The City will not be duplicating reporting provided through other sources of funding.

The City has provided funding to organizations receiving the above-mentioned program funding, but does not have adequate funding to do so for this fiscal year.

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SECTION EIGHT - Annual Objectives & Tables

Required Tables

91.220(c)(3)

HUD's **Table 3A, Version One**, *Summary of Specific Annual Objectives*, is a summary of specific annual objectives which organizes objectives by type, including rental housing, owner housing, special needs, community development, public facilities, public services, and economic development. The table identifies sources of funds, performance indicators, expected numbers, actual numbers and the identification of HUD's established outcomes / objectives.

HUD's **Table 3A, Version Two** is a summary of specific annual objectives which organizes objectives by HUD's established outcomes / objectives, including:

- Availability / accessibility of decent housing (DH-1)
- Affordability of decent housing (DH-2)
- Sustainability of decent housing (DH-3)
- Availability / accessibility of suitable living environment (SL-1)
- Affordability of suitable living environment (SL-2)
- Sustainability of suitable living environment (SL-3)

HUD OBJECTIVES / OUTCOMES MATRIX			
	Availability / Accessibility	*Affordability*	*Sustainability*
Decent Housing	DH-1	DH-2	DH-3
Suitable Living Environment	SL-1	SL-2	SL-3
Economic Opportunity	EO-1	EO-2	EO-3

Version Two also identifies sources of funds, performance indicators, expected number, actual number and percent completed. These figures will be located in the City's Comprehensive Annual Performance Evaluation Report (CAPER) for each fiscal year.

The Table 3A provided in this Annual Action Plan meets the requirements of both versions (one and two, described above). Goals related to capacity-building for non-profit organizations and administrative support tasks such as newsletter distribution for low-income neighborhood task forces do not relate well to the established HUD Outcomes / Objectives matrix, and are also identified in the table as "Admin."

Table 3B: Annual Affordable Housing Completion Goals information will be provided in the CAPER. Expected annual number of housing units and funding source is currently identified in Goals for the Consolidated Plan and Tables 3C. The City utilizes a modification of Table 3B to illustrate the components of the information recommended for inclusion in the Annual Action Plan, including: estimated number of units; funding source; Table 3B type (special beneficiary, rental, homeowner, combined owner/renter); and Table 3B Activity (rehab, production of new units, homebuyer assistance, and special beneficiaries such as homeless households).

Tables 3C can be found in the Appendices.

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Affirmatively Furthering Fair Housing: The following chart illustrates the results of the latest AI, including identified impediments to fair housing choice and recommended strategies to impact barriers. In order to further illustrate the City's intent to affirmatively further fair housing, impediments and strategies identified in the AI are linked to the City's overall Annual Action Plan activities in Table 3A.

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE	
Selected Impediments	***Proposed Strategies***
A. Concentrations of minorities that would not exist in a free market not distorted by discrimination suggest that Billings has a dual housing market; one for non-Hispanics, whites and Asians and another for all other minorities.	**A1:** Produce and disseminate consumer education on Fair Housing issues through ongoing publicity campaigns to make people aware that they can move anywhere in the area they can afford.
	A2: Work to expand housing choices of existing and potential new residents beyond neighborhoods identified by their own race or ethnicity.
B. Discriminatory real estate industry practices such as racial and ethnic steering distort the free market in housing.	**B1:** Continue to partner with enforcement agencies providing testing of the real estate industry practitioners to identify discriminatory practices in rental and for-sale housing.
C. Discrimination against Latinos in issuing government-backed mortgage and refinancing loans continues unabated in Billings as it does throughout the nation.	**C1:** Support the efforts of local housing counseling agencies, especially to Latinos, before they apply for a mortgage.
	C2: Continue to provide brochures containing information apprising potential home buyers of the availability of housing counseling and how to spot / report discriminatory lending practices.
D. The relatively high cost of housing continues to pose a barrier to fair housing choice in Billings.	**D1:** Continue to work toward the provision of affordable housing through Community Development programs.
E. Review Unified Zoning Regulations and review requirements to foster compliance with fair housing law and to promote inclusionary zoning.	**E1:** Support the efforts of the Planning Division in reviewing: - Minimum percentage of affordable housing units per development with five or more units. - Housing Authority of Billings first right of refusal for inclusionary units. - Amendments for neighborhood plans to promote stable, socio-economically diverse neighborhoods throughout Billings. - Affirmative marketing and billboard advertising requirements. - Developer brochure distribution requirements. - Fair Housing logo / language requirements for agreements. - Occupancy requirements and equal treatment for group living for the disabled. - Accessory dwelling units / cottage cluster homes.
F. There is a serious shortage of housing affordable to holders of Housing Choice Vouchers in the areas of Billings where the proportion of public school students from low-income neighborhoods is relatively low.	**F1:** Support efforts promote economic diversity in all schools to ensure every school has a majority of pupils coming from middle-class / higher-income households.
	F2: Support the Housing Authority's efforts to expand the geographic range where holders of Housing Choice Vouchers look for housing.

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Integration of Livability Principles: The formation of the interagency Partnership for Sustainable Communities involved HUD, the U.S. Department of Transportation and the US Environmental Protection Agency in June 2009. These three agencies are working together to support efforts to expand housing and transportation efforts while protecting the environment. This partnership promotes reinvestment in existing communities, expanding access to employment and education, and collaborative planning.

LIVABILITY PRINCIPLES		
Principles	***Strategies***	***City Principles***
A. Provide more transportation choices.	Develop safe, reliable, and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.	Ensure all newly developed housing units supported with City funds are located adjacent to existing transportation services and undergo Environmental Review to assure impact to the environment is minimized.
B. Promote equitable, affordable housing.	Expand location- and energy-efficient housing choices for people of all ages, incomes, races, and ethnicities to increase mobility and lower the combined cost of housing and transportation.	Ensure equal access to projects supported by home repair, first time homebuyer, and development programs, and ensure projects are offered citywide.
C. Enhance economic competitiveness.	Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services and other basic needs by workers, as well as expanded business access to markets.	Support public service activities, the development of social enterprise businesses and Section 3 activities.
D. Support existing communities.	Target federal funding toward existing communities through strategies like transit oriented, mixed-use development, and land recycling to increase community revitalization and the efficiency of public works investments and safeguard rural landscapes.	Ensure community revitalization efforts remain in overall strategies and activities of the Consolidated Plan and continue to work cooperatively with other departments to integrate planning.
E. Coordinate and leverage federal policies and investment.	Align federal policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy.	Ensure partnerships, where possible, are created and maintained to maximize program usage.
F. Value communities and neighborhoods.	Enhance the unique characteristics of all communities by investing in healthy, safe, and walkable neighborhoods; rural, urban, or suburban.	Support housing and transportation development activities designed to reflect existing neighborhoods and walkable / vistable communities.

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GOALS FOR FY2013-2014 CONSOLIDATED PLAN

Table 3A - Summary of Specific Annual Objectives & Affirmatively Furthering Fair Housing

July 1, 2013 through June 30, 2014 Goals

Strategy	Objective	Activity	Measurement Type	FY13-14 Goals	Objectives / Outcomes	Funding Source	AI Barriers Impacted	AI Strategies Implemented	Livability Principles
A: Promote the preservation of the existing supply of safe, affordable housing in the community.	Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs, citywide.	Housing Rehabilitation Loan Program	Housing Units	**10**	SL-2	CDBG	D	D1	B, C, F
		Manufactured Home Repair Loan Program	Housing Units	**5**	SL-2	CDBG	D	D1	B, C, F
		Foreclosure Acquisition / Rehabilitation Loan Program	Housing Units	**1**	SL-2	CDBG	A, C, D	A1, A2, C1, C2, D1	B, C, F
	Provide financing and assistance through partnerships to facilitate needed repairs for special needs populations located citywide.	Rehabilitation for special needs populations	Housing Units	**2**	DH-1	CDBG	D	D1	B, C, F
	Benchmark Performance Measures	% of total funding allocated to enhance existing housing:		**37%**	-	-	-	-	-
B: Promote new affordable housing opportunities.	Encourage the development of new affordable single-family, multi-family and special needs housing in the community through private developers and non-profit organizations.	Affordable Housing Development Program	Housing Units	**16 Total / 4 CHDO Units**	SL-2	CDBG/HOME	A, C, D	A1, A2, C1, C2, D1	A, B, C, D, F
		Complete Kings Green single-family development	Housing Units	**4**	SL-2	HOME	C, D	C1, C2, D1	A, B, C, D, F
		Support the efforts of the Housing Authority of Billings	Five-Year Plan Implemented	**1**	DH-2	ADMIN	A, D, E, F	A1, A2, D1, E1, F2	E
		Meet CHDO commitment / expenditure deadlines	Years in Compliance	**1**	SL-2	HOME	A, D	A1, A2, D1	A, B, C, D, F
	Provide affordable financing and support to promote homeownership opportunities citywide.	First Time Homebuyer Program	Households	**30**	SL-2	CDBG/HOME	A, C, D	A1, A2, C1, C2, D1	A, B, E, F
		First Time Homebuyers - MBOH Set-Aside Use	Households	**3**	DH-2	-	A, C, D	A1, A2, C1, C2, D1	A, B, E, F
			Leveraged Funding	**$0.3M**	DH-2	-	A, C, D	A1, A2, C1, C2, D1	A, B, E, F
		Homebuyer Education	Households	**100**	EO-3	CDBG/HOME	A, C, D	A1, A2, C1, C2, D1	B, C, E, F
		Billings Partners American Indian Homeownership	Homeownership Rate (1992 benchmark: 22%)	**0.08**	EO-1	ADMIN	A, C, D	A1, A2, C1, C2, D1	B, C, E, F
	Benchmark Performance Measures	% of total funding allocated to promote new housing opportunity citywide:		**47%**	-	-	-	-	-

Strategy	*Objective*	*Activity*	*Measurement Type*	*FY13-14 Goals*	*Objectives / Outcomes*	*Funding Source*	*AI Barriers Impacted*	*AI Strategies Implemented*	*Livability Principles*
C: Active partnerships with non-profits, neighborhood groups and others to address housing and community development specific to lower income and special needs households.	Support partnerships and regular meetings to facilitate community participation and collaboration.	Affordable Housing Task Force	Quarterly Meetings	**4**	DH-2	ADMIN	A, B, C, D, E, F	A1, A2, B1, C1, C2, D1, E1, F1, F2	B, E, F
		Billings Partners American Indian Homeownership	Quarterly Meetings	**4**	EO-1	ADMIN	A, B, C, D, E, F	A1, A2, B1, C1, C2, D1, E1, F1, F2	B, E, F
		Analysis of Impediments to Fair Housing Choice completed to implement activities by 2013	Analysis / Plan completed	**1**	SL-1	ADMIN	A, B, C, D, E, F	A1, A2, B1, C1, C2, D1, E1, F1, F2	B, E, F
	Encourage activities that promote fair housing and increase awareness of the rights of protected classes.	Continue to support organizations with an interest in fair housing to apply for FHIP, facilitate application if necessary	Consider annual submission of FHIP grant representing residents of Billings, depending on staff time availability	**0 or 1**	SL-1	ADMIN	A, B, C, D, E, F	A1, A2, B1, C1, C2, D1, E1, F1, F2	B, E
	Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Mayor's Committee on Homelessness	Bi-Monthly Meetings	**6**	EO-3	ADMIN	D, F	D1, F2	B, E
		Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.	Completed FY13-14 Staff Action Plan	**1**	SL-1	ADMIN	D, F	D1, F2	E
			Completed FY2012-2013 Performance Report	**1**	SL-3	ADMIN	D, F	D1, F2	E
		Facilitate AmeriCorps VISTA application and pursue project status	Annual submission of VISTA grant application / VISTA member placements	**1**	EO-1	CNCS	D, F	D1, F2	E
	Benchmark Performance Measures	% of total funding allocated to support partnerships:		**13%**	-	-	-	-	-
D: Promote the preservation and revitalization of the community's older neighborhoods.	Preserve housing stock in older, lower-income neighborhoods.	See objectives / activities / goals outlined in Strategy A		-	SL-1	CDBG/HOME	D	D1	B, F
	Infill development of vacant lots and redevelopment of substandard properties.	Affordable Housing Development & Home Repair Programs	See goals for Strategy B	-	SL-3	CDBG/HOME	D	D1	B, F

Strategy	*Objective*	*Activity*	*Measurement Type*	*FY13-14 Goals*	*Objectives / Outcomes*	*Funding Source*	*AI Barriers Impacted*	*AI Strategies Implemented*	*Livability Principles*
D: Promote the preservation and revitalization of the community's older neighborhoods, continued.	Support activities that provide amenities, neighborhood stabilization and maintain infrastructure needs.	Neighborhood improvements through the Capital Improvement Plan (CIP)	CIP Years Implemented	**1**	SL-3	-	D, E	D1, E1	A, B, C, D, E, F
E: Provide assistance to agencies serving lower income and special needs populations, particularly the homeless, the elderly, minorities and those with disabilities.	Support non-profit organizations in efforts to build capacity in order to better serve special needs populations.	Facilitate AmeriCorps VISTA application and pursue project status	See goals for Strategy C	-	EO-1	CNCS	D, F	D1, F1	E
	Provide CDBG Public Service funding and HOME Tenant-Based Rental Assistance (TBRA) for deposits to non-profit organizations and provide assistance for supportive services, including job creation.	CDBG Public Service and HOME TBRA funding allocations for basic needs assistance and supportive services	Years Funding Committed	*Funding inadequate*	EO-1	CDBG/HOME	A, F	A1, F2	B, C, E
			Organizations	*Funding inadequate*	EO-3	CDBG/HOME	A, F	A1, F2	B, C, E
	Benchmark Performance Measures	% of total funding to support basic needs of special and lower-income populations:		**3%**	-	-	-	-	-
Overall Benchmark Performance Measures	CDBG Timeliness Compliance			**< 1.5**	-	-	-	-	-
	% of completed HOME rental disbursements to all rental commitments, benchmark subject to HUD adjustment			**> 72.37%**	-	-	-	-	-
	% of completed CHDO disbursements to all CHDO reservations, benchmark subject to HUD adjustment			**> 49.28%**	-	-	-	-	-
	% of renters below 50% of the area median income			**> 70%**	-	-	-	-	-
	Note: 90% of rental and TBRA units must assist households less than 60% of the area median income				-	-	-	-	-
	% of occupied HOME rental units to all rental units, benchmark subject to HUD adjustment			**> 90.81%**	-	-	-	-	-
	Allocation years not distributed for HOME, benchmark subject to HUD adjustment			**< 3.07%**	-	-	-	-	-

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Table 3B - Annual Affordable Housing Completion Goals

July 1, 2013 through June 30, 2014 Goals

Activity	*Measurement Type*	*3B Type*	*3B Activity*	*FY13-14 Goals*	*# Completed*	*Funding Source*
Housing Rehabilitation Loan Program	Housing Units	Homeowner	Rehab Existing Unit	**10**		CDBG
Manufactured Home Repair Loans	Housing Units	Homeowner	Rehab Existing Unit	**5**		CDBG
Foreclosure Acquisition / Rehabilitation Loan Program	Housing Units	Homeowner	Rehab Existing Unit	**1**		CDBG
Affordable Housing Development Program	Housing Units	Combined Owner / Renter	Production of New Units	**16 Total Units 4 CHDO Units**		CDBG/HOME
Complete Kings Green single-family development	Housing Units	Homeowner	Production of New Units	**4**		HOME
First Time Homebuyer Program	Households	Homeowner	Homebuyer Assistance	**30**		CDBG/HOME
Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.	Completed FY13-14 Action Plan	Beneficiary	Homeless Households	**See Welcome Home Billings Reports**		ADMIN
	Completed Performance Report	Beneficiary	Homeless Households			ADMIN

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CONSOLIDATED PLAN ACTIVITIES BY HUD OBJECTIVE / OUTCOME: Table 1C

Objective	*Activity*	*Measurement Type*	*FY13-14 Goals*	*HUD Objectives / Outcomes*	*Admin*
DECENT HOUSING & AFFORDABILITY					
Encourage the development of new affordable single-family, multi-family and special needs housing in the community through private developers and non-profit organizations.	Support the efforts of the Housing Authority of Billings	Five-Year Plan Implemented	**1**	DH-2	Admin
Provide affordable financing and support to promote homeownership opportunities.	First Time Homebuyers - MBOH Set-Aside Use	Households	**3**	DH-2	-
Support partnerships and regular meetings to facilitate community participation and collaboration.	Affordable Housing Task Force	Quarterly Meetings	**4**	DH-2	Admin
SUITABLE LIVING ENVIRONMENT & AVAILABILITY / ACCESSIBILITY					
Support partnerships and regular meetings to facilitate community participation and collaboration.	Analysis of Impediments to Fair Housing Choice completed 2013 to implement activities for 2013-2018	Analysis / Plan completed	**1**	SL-1	Admin
Encourage activities that promote fair housing and increase awareness of the rights of protected classes.	Continue to support organizations with an interest in fair housing to apply for FHIP, facilitate application if necessary	Consider annual submission of FHIP grant representing residents of Billings, depending on staff time availability	**0 or 1**	SL-1	Admin
Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.	Completed FY2012-2014 Staff Action Plan	**1**	SL-1	Admin
Preserve housing stock in older, lower-income neighborhoods.	See objectives / activities / Goals outlined in Strategy A	See objectives / activities / Goals outlined in Strategy A	-	SL-1	-
SUITABLE LIVING ENVIRONMENT & AFFORDABILITY					
Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs.	Housing Rehabilitation Loan Program	Housing Units	**10**	SL-2	-
	Manufactured Home Loan Repair Program	Housing Units	**5**	SL-2	-
	Foreclosure Acquisition / Rehabilitation Loan Program	Housing Units	**1**	SL-2	-
Encourage the development of new affordable single-family, multi-family and special needs housing in the community through private developers and non-profit organizations.	Affordable Housing Development Program	Housing Units	**16 Units Total** **4 CHDO Units**	SL-2	-
Encourage the development of new affordable single-family, multi-family and special needs housing in the community through private developers and non-profit organizations.	Complete Kings Green single-family development	Housing Units	**4**	SL-2	-
Encourage the development of new affordable single-family, multi-family and special needs housing through private developers and non-profit organizations.	Meet CHDO commitment / expenditure deadlines	Years in compliance	**1**	SL-2	-

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Objective	*Activity*	*Measurement Type*	*FY13-14 Goals*	*HUD Objectives / Outcomes*	*Admin*
SUITABLE LIVING ENVIRONMENT & AFFORDABILITY, Continued.					
Provide affordable financing and support to promote homeownership opportunities.	First Time Homebuyer Program	Households	**30**	SL-2	-
Support activities that provide amenities, neighborhood stabilization and maintain infrastructure needs.	Special Assessment Grants	Housing Units	**4**	SL-2	-
SUITABLE LIVING ENVIRONMENT & SUSTAINABILITY					
Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.	Completed FY2012-2013 Performance Report	**1**	SL-3	Admin
Infill development of vacant lots and redevelopment of substandard properties.	Affordable Housing Development Program	See goals for Strategy B	**-**	SL-3	-
	Redevelopment 27th Street Corridor	Redevelopment Projects	**1**	SL-3	-
Support activities that provide amenities, neighborhood stabilization and maintain infrastructure needs.	Neighborhood improvements through the Capital Improvement Plan	CIP Years Implemented	**1**	SL-3	-
ECONOMIC OPPORTUNITY & AVAILABILITY / ACCESSIBILITY					
Provide affordable financing and support to promote homeownership opportunities.	Billings Partners American Indian Homeownership	Homeownership Rate (1992 benchmark: 22%)	**40%**	EO-1	Admin
Support partnerships and regular meetings to facilitate community participation and collaboration.	Billings Partners American Indian Homeownership	Quarterly Meetings	**4**	EO-1	Admin
Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Facilitate AmeriCorps VISTA application and pursue project status	Annual submission of VISTA grant application / VISTA member placements	**1**	EO-1	Admin
Provide CDBG Public Service funding and HOME Tenant-Based Rental Assistance (TBRA) for deposits to non-profit organizations.	CDBG Public Service and HOME TBRA funding allocations for basic needs assistance	Years Funding Committed	*Inadequate funding*	EO-1	-
ECONOMIC OPPORTUNITY & SUSTAINABILITY					
Provide affordable financing and support to promote homeownership opportunities.	Homebuyer Education	Households	**100**	EO-3	-
Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Mayor's Committee on Homelessness	Bi-Monthly Meetings	**6**	EO-3	Admin
Provide CDBG Public Service funding and HOME Tenant-Based Rental Assistance (TBRA) for deposits to non-profit organizations.	CDBG Public Service and HOME TBRA funding allocations for basic needs assistance and supportive services	Organizations	*Inadequate funding*	EO-3	-

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OBJECTIVE CATEGORIES Staff review includes Consolidated Plan, Welcome Home Billings, and the Neighborhood Stabilization Program.					
☒	***Decent Housing***	☒	***Expanded Economic Opportunities***	☒	***Expanded Economic Opportunities***
☒	Assisting homeless persons obtain affordable housing.	☒	Improving the safety and livability of neighborhoods.	☒	Job creation and retention.
☒	Assisting persons at risk of becoming homeless.	☒	Eliminating blighting influences and the deterioration of property and facilities.	☒	Establishment, stabilization and expansion of small business (including micro-businesses).
☒	Retaining the affordable housing stock.	☒	Increasing the access to quality public and private facilities.	☒	The provision of public services concerned with employment.
☒	Increasing the availability of affordable permanent housing in standard condition to low-income and moderate-income families, particularly to members of disadvantaged minorities without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability.	☒	Reducing the isolation of income groups within areas through spatial de-concentration of housing opportunities for lower income persons and the revitalization of deteriorating neighborhoods.	☒	The provision of jobs to low-income persons living in areas affected by those programs and activities under programs covered by the plan.
☒	Increasing the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/AIDS) to live in dignity and independence.	☒	Restoring and preserving properties of special historic, architectural, or aesthetic value.	☒	Availability of mortgage financing for low income persons at reasonable rates using non-discriminatory lending practices.
☒	Providing affordable housing that is accessible to job opportunities.	☒	Conserving energy resources and use of renewable energy sources.	☒	Access to capital and credit for development activities that promote the long-term economic social viability of the community.

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SECTION NINE - Other Required Narratives

Public Housing Strategy

The HAB serves local residents who are extremely low income, very low income, and low income. The HAB plans to apply for all grants that will assist the organization in adding units to its existing programs, and any programs that complement existing services and are able to be implemented by the HAB. The HAB will continue to assess and implement modernization funds to upgrade and restore units and complete energy efficient repairs as needed.

Family Self-Sufficiency: The HAB implements the Family Self-Sufficiency program whose graduates have a 55% homeownership rate. This program links participants to community agencies to help them become self-sufficient through individual goal setting. HAB has been operating the Section 8 Homeownership program since 2006. Thirty-five households have achieved homeownership through this program to date. Resident councils and the Advisory Board are involved in providing input on program needs and assisting others to become actively involved in the process. Additional information is included in the HAB's Five-Year Plan on file at the HAB office.

Housing Authority of Billings Assistance Program Usage / Demand – April 2013

Assistance Programs	*Vouchers / Units in Use*	*Waiting List*
Housing Authority Section 8 / 60 VASH HCV Vouchers	579	1,685
State Section 8 - Managed through HAB	450	2,075
Public HAB (Income Eligibility)	274	1,700
HOME Units	27	274
Section 8 Project-Based	102	114
MOD Rehab	39	325
Tax Credit Units	32	114
Total:	**1,503**	**6,287**

Source: Housing Authority of Billings

Public Housing Partnerships

The City has granted the HAB funds to build new units through the HOME and CDBG programs in neighborhoods where HAB property exists. The City has also provided funding for a variety of rehabilitation and new construction projects to neighborhoods that have Public Housing units in need of upgrading.

The City has helped rehabilitate properties, sold land for new businesses, and granted land to nonprofits to assist with neighborhood revitalization efforts in neighborhoods where HAB complexes have been built. The City has provided funding for parks and play areas for the neighborhoods where HAB families reside. In addition, the businesses that have moved into areas where HAB properties are located have contributed to the economic stability of the HAB clients. The City's HOME program assists with home ownership down payment assistance and home ownership counseling for clients considering homeownership.

The City coordinates with the HAB for environmental reviews, housing needs assessments, assists in funding new projects when appropriate, and assists with applications for supportive services when called upon for needed assistance. The HAB is a High Performer for PHAS and, therefore, a review of troubled status needs is not required as part of this Consolidated Plan.

Loss of Public / Assisted Housing Units

The HAB does not anticipate any loss in public housing units during the period of this plan. Additionally, the City does not anticipate the loss of other assisted housing units in our community that are owned by other nonprofit housing providers during the period of this plan.

Barriers to Affordable Housing

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Several barriers to the construction of affordable housing and maintaining residency in housing have been identified. They include:

- **Economic Conditions –** The Housing Needs Analysis reports median housing cost has exceeded median household income for certain household income levels. Lower income households have a difficult time affording and maintaining a suitable home in the current market and effects of the economic recession.
- **Cost of Development** - This includes infrastructure costs and leapfrog development.
- **Difficulty in Paying for Needed Repairs** - Many low-income households often pay the maximum percentage of their income for housing costs. Many of these households do not have the resources to pay for needed repairs to the property.
- **Few New Manufactured Housing Developments** - It is difficult for new manufactured housing developments to be approved, which raises the price of existing lots. Owners of manufactured homes have a difficult time finding an affordable place for their housing unit. While manufactured housing does have drawbacks, it also provides an affordable option for many families. The construction quality with manufactured housing continues to improve.
- **Tax Structure** - Dependence on property taxes to support local government costs, including infrastructure.

Specific Housing Objectives for the City

Consolidated Plan strategies are identified following each objective and can be found in Section Eleven.

1. Homebuyer assistance is still needed to close the affordability gap, and has been provided through the First Time Homebuyer program. The Affordable Housing Development program can also be utilized to develop affordable housing. *(Strategy B)*
2. Support affordable housing development at the same levels. This goal is dependent on consistent levels of funding through CDBG and HOME programs. *(Strategy B)*
3. Provide affordable financing opportunities for housing repair to maintain the affordable housing stock. *(Strategy A)*
4. Provide CDBG / HOME financing opportunities through routine allocation processes and the Affordable Housing Development program. *(Strategy B)*

5. Offer affordable financing through the Affordable Housing Development program. *(Strategy B)*
6. Provide affordable financing for rental housing development / repair through the Affordable Housing Development program and deposit / rent assistance through Tenant Based Rental Assistance and Public Service grants. *(Strategies B and E)*
7. Prioritize Universal Design in Request for Proposal processes and also through the Affordable Housing Development program. *(Strategy B)*

Homeless Strategic Plan

The Montana Continuum of Care (CoC) plans to facilitate increased partnership of local governments in addressing homelessness. The City supports this strategy and has become more involved with the CoC Coalition through the Mayor's Committee on Homelessness. A local Continuum of Care group has been convened through the Billings Area Resource Network. The Community Development Division works with service providers to shape outreach, referral and permanent supportive housing programs into a local continuum. Throughout this process, the City supports the Montana Continuum of Care's goals and strategies regarding homelessness, chronic homelessness, and homelessness prevention; the City also assists in the development of plans using services already in place.

Welcome Home Billings is the City's completed ten-year plan to impact homelessness. It is a comprehensive document that includes data, resources, cross-cutting strategic goals and programmatic goals. The "Strategic Framework" can be utilized as a tool and duplicated by other communities wishing to implement plans to impact homelessness. Further, the Mayor's Committee on Homelessness and the Billings Area Resource Network has committed to two-year action plans (located in the City's FY2010-2014 Consolidated Plan appendices). These documents represent full commitments of the leadership involved in both groups, and primarily consist of fully-committed financial resources to implement the plans. Consolidated Plan Strategies are noted on the Programmatic Strategic Goals and Priorities for Housing, Prevention, Services and Assets.

The City's full plan is available online at: www.ci.billings.mt.us/homeless and a copy of the plan is located in the Appendices.

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WELCOME HOME BILLINGS

Strategic Framework

Ten-year Plan to Impact Homelessness

Vision: No one in Billings has to be homeless. Everyone in Billings has access to tools and opportunities for safe, appropriate and affordable housing.

Mission: The Mayor's Committee on Homelessness has partnered with local organizations and community members to develop and implement a comprehensive ten-year plan in the pursuit of ending chronic homelessness in the Billings community.

CROSS-CUTTING STRATEGIC GOALS

COLLABORATION	**A:**	**Join community partners with resources to address homelessness intervention and prevention efforts and facilitate partnerships to improve collaboration, service array, leveraging and capacity.**
	A1:	Develop resources for funding homeless initiatives and coordinate grant efforts.
	A2:	Support Project Homeless Connect as an annual event.
	A3:	Support the Billings Area Resource Network as a working homeless services / advisory body for the Mayor's Committee on Homelessness.
	A4:	Support the Business Consortium for Social Change to involve businesses in impacting the homeless / near-homeless.
	A5:	Create modes of communication between partnering organizations to facilitate coordination, avoid duplication, and increase collaboration to maximize resources.
AWARENESS	**B:**	**Increase advocacy and public knowledge on behalf of the homeless.**
	B1:	Utilize the ten-year plan to provide guidance regarding homeless policy for local, state, and federal entities.
	B2:	Increase understanding of the causes and economic realities of homelessness through targeted public awareness campaigns for homeless projects and service events.
	B3:	Promote understanding and respect for all people experiencing homelessness.
	B4:	Provide venues for those experiencing homelessness to have their ideas and concerns heard.
ACCOUNTABILITY	**C:**	**Ensure innovation, fiscal responsibility and long-term effectiveness for projects and programs.**
	C1:	Support both prevention and intervention modalities for projects and programs.
	C2:	Closely monitor trends in the needs of the homeless and near-homeless in Billings in order to respond to community need.
	C3:	Research innovation in homeless services and facilitate capacity-building with local service providers and community organizations to implement improved services.
	C4:	Support education efforts for case management, mentoring and services.
SUSTAINABILITY	**D:**	**Ensure high standards for management, accountability and performance measurement.**
	D1:	Embrace public involvement, comment and input for ten-year planning and project development efforts.
	D2:	Ensure performance measurements are implemented with each project and data is gathered and analyzed on a routine basis.
	D3:	Evaluate projects for long-term sustainability as part of the routine processes prior to endorsement or facilitation.
	D4:	Evaluate cost-effectiveness, essential services, and long-term business resource planning for all projects.
	D5:	Embrace public involvement, comment and input for ten-year planning and project development efforts.

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WELCOME HOME BILLINGS

Strategic Framework

Ten-year Plan to Impact Homelessness

PROGRAMMATIC STRATEGIC GOALS & PRIORITIES

HOUSING		PREVENTION		SERVICES		ASSETS	
E: Increase the city's supply of decent, affordable housing. Con Plan Strategy B		**F: Provide adequate emergency homeless prevention programs.** Con Plan Strategies B, C, E		**G: Expand treatment /service capacity and linkage to essential services.** Con Plan Strategy C, E		**H: Increase personal income levels and economic opportunities.** Con Plan Strategy C, E	
E1:	Increase supportive housing units, permanent rentals, transitional housing units, veterans housing, emergency shelter beds, housing for those returning from prison and those in recovery.	**F1:**	Increase funding dedicated to rent, utilities and mortgage assistance.	**G1:**	Expand coordinated intensive case management and street outreach services for the homeless.	**H1:**	Increase access to social service and income benefits by ensuring assistance is provided to complete applications.
E2:	Seek federal, state and local funding sources to support affordable housing development for households with very low income (0 - 30% Area Median Income).	**F2:**	Support incentive programs for landlords to rent to the homeless or those at risk for homelessness, and increase service provider capacity to engage in long-term leasing and / or rental ownership.	**G2:**	Increase assistance to complete applications and facilitate application streamlining to access services, transportation, employment and housing.	**H2:**	Support asset development, education, job training, and employment opportunities serving the homeless (and those at risk of homelessness) throughout the community.
E3:	Build local service provider capacity for affordable housing development, management and housing rehabilitation.	**F3:**	Support pre-release / discharge planning education and intervention for all institutional services including foster care, prison, jail, and behavioral health facilities.	**G3:**	Increase availability and capacity of health care, mental health, substance abuse services, medication assistance and access to legal assistance to the very low income / uninsured.	**H3:**	Establish mentoring support systems, life skills training, and childcare assistance to the homeless (and those at risk of homelessness) currently in the workforce.
E4:	Provide Community Housing Development Organization (CHDO) capacity-building opportunities through the City's Community Development Division.	**F4:**	Utilize *housing first* and *rapid re-housing* philosophies in developing housing options to shorten homelessness.	**G4:**	Support increases in capacity for day center operations across the city.	**H4:**	Support the expansion of financial fitness and credit assistance programs.
E5:	Decrease barriers to obtaining existing housing units and refine housing placement services and coordination.	**F5:**	Support case management efforts to transition occupants from shelter care to permanent supportive housing.	**G5:**	Support expansion of community-based, criminal justice diversion and re-entry programs.	**H5:**	Promote fair wage rates and competitive bidding through the expansion of social enterprise efforts.
E6:	Facilitate collaborative grant and loan applications for affordable housing development to serve the homeless.	**F6:**	Support landlord-tenant intervention to prevent eviction.	**G6:**	Establish one-stop shop to access all services for the homeless.	**H6:**	Increase financial management services for those in need.

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Services in Place

A complete list of service providers for the homeless can be found in the appendices. The City provides 15% of our annual CDBG allocation to Public Service activities in the community. In the past, the City has funded the YWCA Gateway Shelter, Tumbleweed Runaway and Homeless Youth Program, the District 7 Human Resources Development Council (HRDC), Family Service, Inc. and the Yellowstone Health Partnership. These programs provide services to the homeless and near-homeless and are described below.

The YWCA Gateway Shelter serves victims of domestic abuse and violence and sexual assault. CDBG funding is used to support general operating expenses of the program, which include housing, support, education, and advocacy for victims of domestic violence and sexual assault.

Tumbleweed Runaway and Homeless Youth Program is the only agency in Yellowstone County that directly addresses the needs of youth who are homeless, or at-risk of being homeless. The Tumbleweed program's goal is to divert youth from the juvenile justice system through the prevention of delinquency and other social problems. Youth are provided a positive alternative to running away / living on the streets. When youth are unable to return home, Tumbleweed provides shelter as appropriate, and also provides an alternative to jailing runaway and other status offender youth. Tumbleweed's mission and goals are all directed toward the prevention of homelessness, running away, severe family conflict, delinquency, and other social problems among youth.

HRDC District 7 receives Emergency Shelter Grants funds and provides emergency rent or mortgage assistance through those funds. They also administer the Low Income Energy Assistance Program for assistance in meeting the energy use needs of low-income families and individuals. Another program the HRDC administers is the Energy Share program, which helps low-income families remain in their homes. This program provides emergency utility assistance to low income families and individuals. The City provides funds to the HRDC for Housing Counseling, which prevents homelessness through default / foreclosure and rental counseling. Family Service, Inc. helps low-income individuals and families with emergency rent or mortgage expenses.

In the past, the City has provided funding to Yellowstone Health Partnership - Medication Assistance Program, which provides medications to low income households unable to pay for them, and also provides medications in the interim between the application and approval for SSI and Medicaid.

In addition to these activities, CDBG funding has been made available as a rehabilitation activity to build ramps for the disabled and to make accessibility improvements through the Housing Rehabilitation and Manufactured Home Repair programs.

HOME funding may also be available for housing for homeless and the special needs population, including Tenant-Based Rental Assistance, if funding levels should increase. The City lists several goals and strategies in the Consolidated Plan which can be utilized to guide activities to assist the homeless, including promoting new affordable housing opportunities, emphasizing new / converted special needs housing, and working as an active partner with nonprofits, neighborhood groups, and others to address housing and community development needs.

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Essential Services

The Office of Public Assistance provides assistance for obtaining Food Stamps and Medicaid.

Food Banks are active participants in the local continuum and provide free groceries that oftentimes free up cash resources for rent, transportation and other essential needs. The City has funded the Food Bank with CDBG Public Services funds in the past to assist them in expanding their operational storage facility to meet ongoing and growing needs in the community.

The Salvation Army, St. Vincent de Paul and other faith-based organizations and churches in Billings also offer emergency assistance. Billings has the addition of a faith-based partnership, Interfaith Hospitality Network, to assist in providing assistance to homeless families. The Interfaith Hospitality Network is a unique partnership of area churches designed to assist homeless families by utilizing existing community resources. The churches provide rooms for overnight accommodations, congregations supply volunteers and food, and social service organization assess and refer homeless families to this and various other programs. Because the program utilizes volunteers, it does not accept person with substance abuse or untreated severe mental health issues. The program includes ten host congregations and four supporting congregations. The program does not require clients to attend church services or activities of the host congregation.

Discharge Coordination Policy

The City does not receive McKinney-Vento Homeless Assistance Act funds and is not required to develop and implement a Discharge Coordination Policy. The City supports the Montana Continuum of Care in their efforts to establish a Statewide Discharge Coordination Policy.

The City's Community Development Division staff authored the only ten-year plan to impact homelessness in Montana and is facilitating action plans to implement activities identified in the plans with 50 local service providers.

The City's involvement in supporting homeless initiatives is explained in the Billings FY2013-2014 Annual Action Plan located in the appendices. One of the goals in *Welcome Home Billings* is specifically designed to prevent homelessness by supporting pre-release discharge planning education and intervention for all institutional services including foster care, prison, jail and behavioral health facilities.

Staff is familiar with the State's Discharge Policy, as noted in the State's Annual Action Plan for FY2012-2013 (excerpts on following page).

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Discharge Coordination Policy

Montana is committed to the objective of not discharging someone into homelessness. The work of the Governor's Council on Homelessness, coupled with research and outreach, has provided the foundation for a 10-year plan to address homelessness as it exists in Montana and to end chronic homelessness. Although Governor Schweitzer chose not to reinstate the Montana Council on Homelessness after Executive Order 40-2006 expired in 2009, it does not mean overarching efforts to address homelessness in Montana have been abandoned. Although the structure is undergoing some revision, the Governor and the state of Montana remain committed to addressing homelessness by furthering the efforts to meet the goals of the 10-Year Plan.

On a practical level, not discharging someone into homelessness is easier said than done, particularly with the corrections population. Many housing policies preclude serving felons, and federal policy prevents sexual and violent offenders from accessing public housing. This population does not have the resources to pay market rate for their housing, even if they can find someone to rent to them. Add in the lengthy wait for a housing choice voucher, and the problem of not discharging someone into homelessness becomes even more difficult. Unfortunately, the need for housing assistance is so great and the vouchers and public housing resources are so limited, it is rare that someone being discharged from correctional facilities will ever be able to access a voucher. This is particularly difficult when the individual leaving a state corrections facility or county jail is suffering from disabilities, including one or more mental health diagnoses, physical disabilities, PTSD, organic brain damage or co-occurring disorders that make it difficult to self-advocate.

It is also very difficult to find housing for youth coming out of foster care. The Public Health and Human Services Child and Family Services Division has an estimated $500,000 in John H. Chafee grant funds to provide direct services to assist eligible youth aging out of foster care or who have aged out of foster care. The purpose of these grants is in establishing, maintaining, and/or expanding educational, housing, mentoring, and employment services to current and former foster care youth age 16 to 21 to assist them to achieve self-sufficiency.

In practice, persons with serious mental illnesses who are leaving treatment facilities may be discharged to an emergency shelter (i.e., into homelessness), which can often mean moving to the top of the waiting list for housing, thus being able to access mental health and other services in a more timely way. Without an immediate link to case management, housing providers are reporting that many coming out of homelessness, particularly those who have serious and disabling mental illness (SDMI) have a great deal of difficulty maintaining housing after finding it.

The policy further explains various efforts and recommendations to prevent homelessness through discharge.

Lynda Woods, Community Development Coordinator for the City of Billings, is an active participant in the *Montana Coalition for the Homeless* which supports discharge planning education and outreach efforts for the State of Montana. Representative Ellie Hill, also a member of the Coalition, authored a legislative bill in 2011 to require discharge planning for individuals released from prison or community corrections programs. Unfortunately, the bill was not passed. The Coalition is also extensively referenced in a policy brief outlining discharge planning to reduce homelessness which was prepared by University of Montana graduate students. Every effort possible is being made to support discharge planning to eliminate homelessness through the Community Development Division.

City staff homeless impact efforts are also extensively noted in the State's Annual Action Plan for FY12-13:

The work of the Governor's Council on Homelessness, coupled with research and extensive outreach, provided the foundation for Montana's 10-year plan to address homelessness as it exists in Montana, with an emphasis on ending chronic homelessness. Although Governor Schweitzer chose not to reinstate the Montana Council on Homelessness after Executive Order 40-2006, overarching efforts to address homelessness in Montana have not been abandoned. State leaders remain committed to addressing homelessness by furthering the efforts to meet the goals of the 10-Year Plan. The MTCOH Demonstration Project in Billings continues to move ahead with its expensive efforts to address homelessness. To date, these efforts have included Second Chance Homes, housing first apartments, a dedicated VISTA project, a VOA Veterans Transitional Housing project, a very detailed and extensive analysis of local homelessness, including a cost/benefit analysis, social enterprise, and more. This robust effort was the result of some technical assistance by the MTCOH in its first incarnation, coupled with $300,000 in Food Stamp Bonus Funds that were given by DPHHS on the single condition that they be used to address homelessness in the way that made the most sense to Billings.

- State/City Partnerships: The Montana Council on Homelessness (MTCoH), originally comprised of policymakers from state and federal agencies and select community leaders, settled on a state/city partnership approach to addressing homelessness. The Council and its participants agreed that they could offer technical assistance, easy access to policymakers, flexible seed money, staff time and other supports. Billings was selected as the first demonstration city because it had the largest documented community of persons who were homeless and a good service palette. Prior to approaching Billings, the Council Coordinator created Homeless in Billings, a report based partially on data from the Point-in-Time Survey, as a frame of reference on homelessness as it existed in Billings. Leadership, including the Lt. Governor, met with Billings leaders, then convened a series of day-long educational/planning sessions. Each session was attended by approximately 150 people.

- The upshot was the creation of the Billings Mayor's Committee on Homelessness. The Mayor tasked the Community Development Director with providing staff time to the Committee and selected the members from among local leaders and stakeholders. This started and has remained a vibrant committee that includes business leaders, the librarian, nonprofit executives, healthcare professionals, United Way, homeless constituents, representatives of homelessness serving agencies, the housing authority and others. Once the Committee had begun its strategic planning, the State allocated $300,000 in Food Stamp Bonus funds for use in addressing homelessness in ways the Mayor's Committee deemed most effective. A multi-pronged approach was launched over four years that has resulted in initiatives on multiple fronts. These efforts have been supported by the original seed funds, grants, Community Development Block Grant and HOME funds, private donations and additional resources including Congressional earmarks. The results have been nothing short of remarkable: a Housing First project, a 10-year plan, Second Chance homes, a 10-member VISTA project dedicated to addressing homelessness, a cost-benefit analysis detailing the costs of not addressing homelessness, a vigorous Billings Area Resource Network that functions as the City's Continuum of Care, a transitional housing facility for veterans, social enterprises, an Interfaith Hospitality Network, Project Homeless Connect events and more. (There is a robust website detailing the global initiatives in Billings available at: **http://www.ci.billings.mt.us/index.aspx?NID=637**.)

Please refer to the City's *'robust website detailing the global initiatives in Billings'* at www.ci.billings.mt.us/homeless.

Appendix A - SF-424 & Certifications

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Appendix B - Tables 3C

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Appendix C - Public Notices

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Appendix D - Affirmative Marketing Plan

CITY OF BILLINGS

COMMUNITY DEVELOPMENT DIVISION

Affirmative Marketing Plan

Statement of Policy: In accordance with the Affirmative Marketing Regulation of the United States Department of Housing and Urban Development's HOME Investment Partnership program (24 CFR Part 92.351) and in furtherance of the City's commitment to non-discrimination and equal opportunity in housing, the City has established the following procedures to affirmatively market units assisted under the City's Affordable Housing Development program. These procedures are applicable to projects consisting of five or more HOME-assisted units.

Purpose: Provide information to and otherwise attract eligible persons, especially those least likely to apply, from all racial, ethnic, and gender groups in Billings to ensure equal opportunity to housing developed through the City's Affordable Housing Development program.

Methods for Informing the public, owners, and potential tenants about federal fair housing law and the City's Affirmative Marketing efforts:

- Advertise in local newspaper of availability of funding opportunities for housing development.
- Provide brochures with information on HOME program activities made available in the Community Development Division's publically accessible office and on the City's website.
    - Information provided in brochures will be provided in accessible formats upon request.
- Provide brochures with information on HOME program activities are provided to a variety of organizations primarily serving low income, minority, and female-headed households, including:
    - Mayor's Committee on Homelessness
    - Billings Area Resource Network
    - Housing Authority of Billings
    - Neighborhood Task Forces
- Provide fair housing information through the Community Development Divisions publically accessible office and on the City's website.
- Coordinate fair housing education efforts city-wide, as staff resources allow.

Requirements and practices each property owner must adhere to in carrying out Affirmative Marketing procedures to inform and solicit applications from persons in the housing market area who are least likely to apply for housing opportunities without specialized outreach:

- Notify the Housing Authority of Billings about upcoming vacancies prior to utilization of other advertisement methods including posting ads, etc.
- Require a 30-day notice to vacate from tenants intending to voluntarily move from units to assure the Housing Authority of Billings can be notified of the vacancy prior to other public notification efforts.

Records required to document actions taken by the City and property owners to market units:

- The City and property owners will keep documents of all efforts to affirmatively market activities to low income households, including:
    - Date and method of notification to the Housing Authority of Billings regarding vacancies and other forms of advertisement to affirmatively market units.
- Property owners will be required to keep demographic records on race, ethnicity, gender, household income at a minimum for a period of at least five years.

Assessment of the success of affirmative marketing actions and corrective Actions:

- The City will examine records provided by property owners on a routine basis to ensure compliance with the City's Affirmative Marketing plan.
- Corrective action includes, but is not limited to:
    - Providing additional guidance regarding compliance and methods for documenting compliance.
    - Increased audit and review frequency.
    - If lesser corrective actions have not remedied the issue, the City may disqualify the property from further participation in City-funded assistance programs.

Minority & Women Outreach Program

The City of Billings - Community Development Division will oversee an outreach program to ensure inclusion and equal access opportunity in all contracts entered in to by the City in efforts to provide affordable housing, to the maximum extent possible to minorities and women. This program shall include:

- The language, "Minorities and women encouraged to apply" will be included on all program brochures.
- Annual advertisements and Requests for Proposals for contracts will include the above language.
- MBE / WBE reports shall be submitted twice annually, as required.
- The Disadvantaged Business Enterprise Program website for Montana will be checked for special notifications of contracting opportunities.

COMMUNITY DEVELOPMENT DIVISION

PRELIMINARY Revenue FY 2013-2014

CDBG REVENUE

New Funding Sources - Eligible for use in Admin Cap		
HUD CDBG Grant	**$523,603**	**Allocation - ESTIMATE @ 8.2% Reduction**
Prior Year Program Income - Rehab & FTHB Loans	$65,226	Program income over 50% claimed last year
Housing Rehab Loans Repayment	**$54,300**	**As of 12/31/2012**
South 27th Street Lots - Sale of Block 245	**$128,000**	
Total New Funding:	**$771,129**	
20% Cap on CDBG Administration:	**$154,226**	
Reallocated Funding Sources - Not Eligible for use in Admin Cap		
Prior Year Reprogrammed Funds / Reimbursements	$6,677	Minor Home Repair repayment
FY2009-2010 Property Management	**$4,456**	
FY2010-2011 Special Assessment Grant Program	**$35,000**	
FY2010-2011 Property Management	**$19,800**	
FY2011-2012 Special Assessment Grant Program	**$35,000**	
FY2011-2012 Property Management	**$15,000**	
Total Reallocated Funding:	**$115,933**	
CDBG Revenue Total:	**$887,062**	
Public Service Cap Calculation		
15% of CDBG Allocation	$78,540	
15% of previous year program income ($189,082)	$28,362	New sources of funding only, CAPER reported
15% Public Services Cap:	**$106,903**	
Housing Rehabilitation Revolving Loan Fund - Minimum Allocation Calculation		
Total New Program Income on CAPER:	$189,082	*Program income over 1/12 of last year's new*
Maximum Program Income Allowed *(1/12 of last year's grant)* :	$47,531	*CDBG allocation only allowed for reallocation if*
$ Over Maximum to be Re-Allocated to Housing Rehab:	**$141,551**	*part of revolving loan fund.*
Amount Available for Housing & Neighborhood Activities		
CDBG Revenue Total:	$887,062	
15% Public Services Cap:	$106,903	
Housing & Neighborhood:	**$780,159**	
Amount Allocated for Public Service Activities:	**$0**	
Revised Amount for Housing & Neighborhood:	**$887,062**	

HOME REVENUE

New Funding Sources - Eligible for use in Admin Cap		
HUD HOME Grant	**$289,243**	**Allocation - ESTIMATE @ 8.2% Reduction**
FTHB Loans Program Income	$0	
Total New Funding:	$289,243	
10% Cap on HOME Administration:	**$28,924**	
15% CHDO Allocation Minimum:	**$43,386**	
Reallocated Funding Sources - Not Eligible for use in Admin Cap		
Prior Year Recaptured / Repaid Funding	$138,614	Recaptured $ over 50% claimed last year
FTHB Loans Recaptured & Bad Osprey $26,885	**$120,853**	**As of 12/31/2012**
homeWORD High Sierra Repayment	$1,500	**As of 12/31/2012**
Total Reallocated Funding:	**$260,967**	
HOME Revenue Total:	**$550,210**	
Total Available in CDBG & HOME:	**$1,437,272**	

Staff Funding Recommendations:

CDBG

- Admin Cap: Maximum Allowed
- VISTA Admin Support: $50,000
- Housing Rehabilitation: $350,000
- Foreclosure Acquisition / Rehabilitation Loans: $250,000
- Manufactured Home Repair: Remaining $

HOME

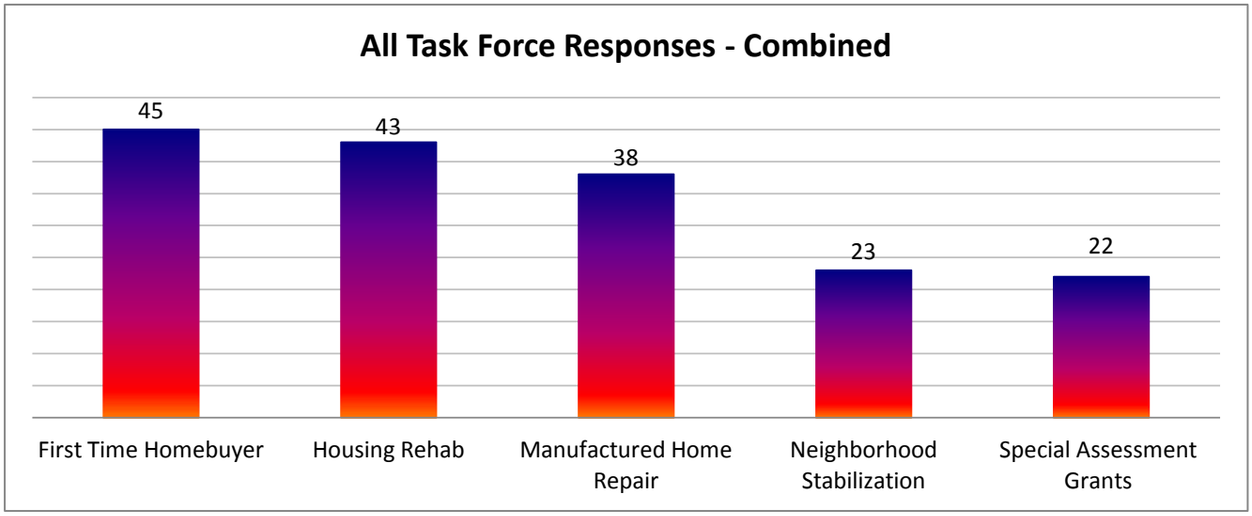
- Admin Cap: Maximum Allowed
- CHDO: Minimum Required, allocate $48,000 - Homeword
- First Time Homebuyer: Remaining $

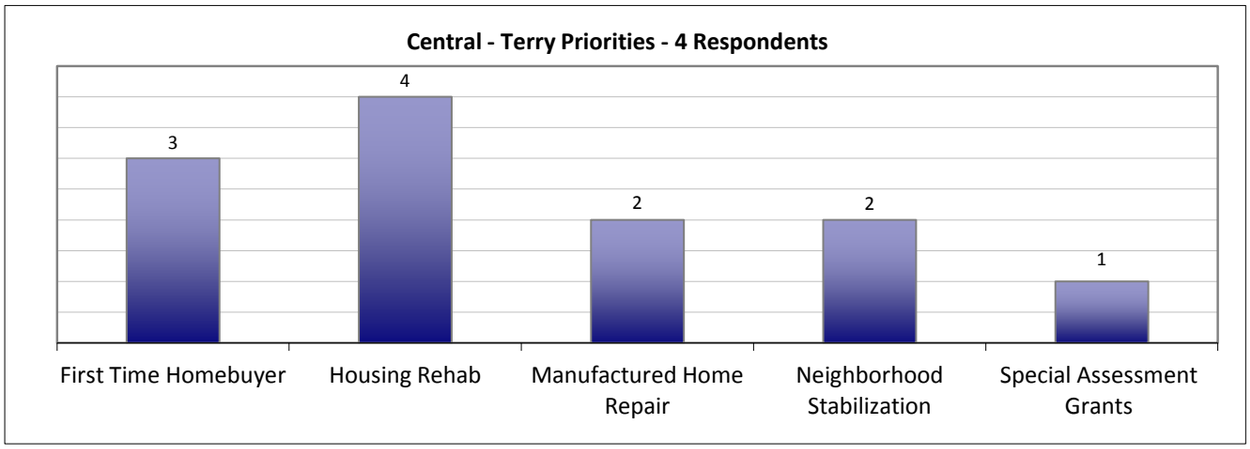
Estimates - Staff to adjust according to established priorities following HUD budget allocation to the City.

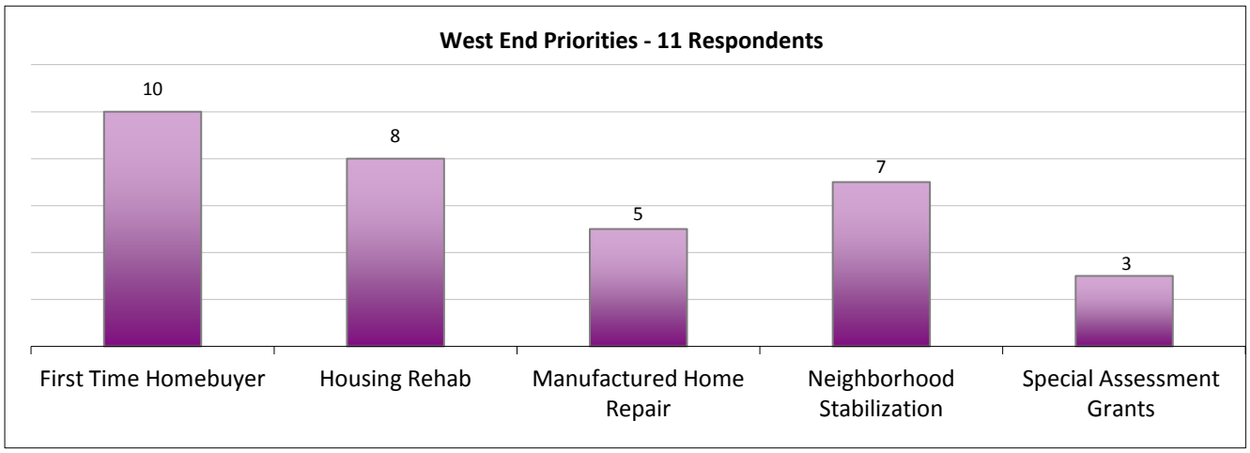
CDBG & HOME ALLOCATIONS

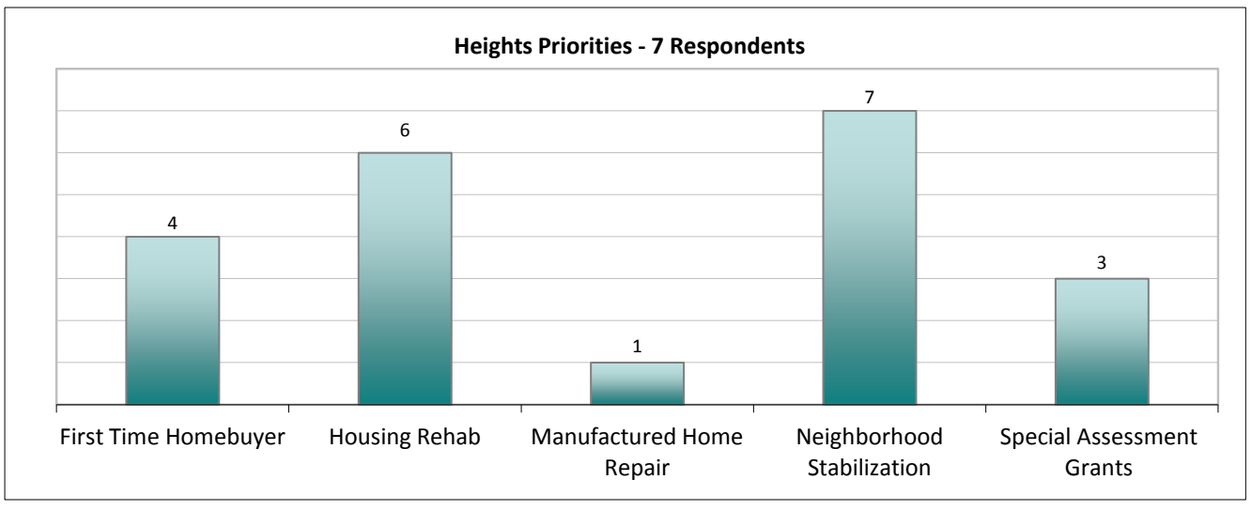
2013-2014

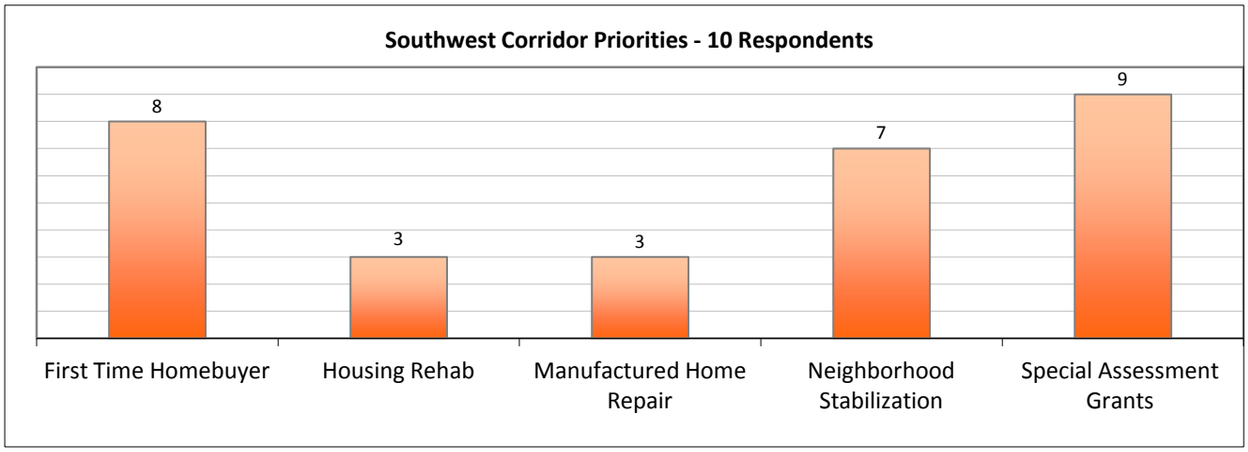
CDBG & HOME PROJECTS			2012-2013	Requests		CD Board Recommendations	
				CDBG	HOME	CDBG	HOME
Admin / Planning	HN-1	CDBG Administration - CAP: 20% of new CDBG $	$168,821	$175,000	-	$154,226	-
	HN-2	HOME Administration - CAP: 15% of new HOME $	$31,461	-	$35,000	-	$28,924
Affordable Housing	HN-3	Set-Aside for CHDOs - Min: 15% of new HOME $	$47,191	-	$44,000	-	$48,000
	HN-4	First Time Home Buyer Program	$559,034	$100,000	$400,000	$0	$473,286
	HN-5	Housing Rehabilitation Loan Program	$350,000	$350,000	-	$350,000	-
	HN-6	Manufactured Home Loan Program	$100,000	$100,000	-	$82,836	-
	HN-7	Foreclosure Acquisition / Rehabilitation Program	$0	$250,000	-	$250,000	-
Neighborhood	HN-8	Special Assessment Grants	$0	$50,000	-	$0	-
Admin / Public Service	PS-1	VISTA Administration	$0	$50,000	-	$50,000	-
		Total Funded *(includes projects not listed)* :	$1,290,796	$1,025,000	$479,000	$887,062	$550,210
		Total CDBG / HOME:		$1,504,000		-	-
		Total Estimated Available:		$887,062	$550,210	$887,062	$550,210
		Difference:		($187,938)	$71,210	$0	$0

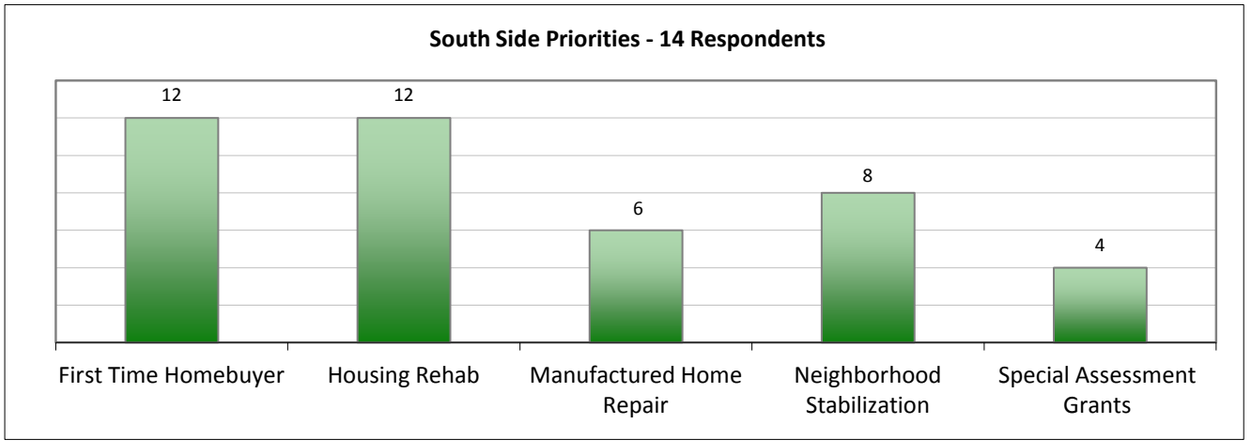

All Task Force Responses - Combined
45
43
38
23
22
First Time Homebuyer
Housing Rehab
Manufactured Home Repair
Neighborhood Stabilization
Special Assessment Grants

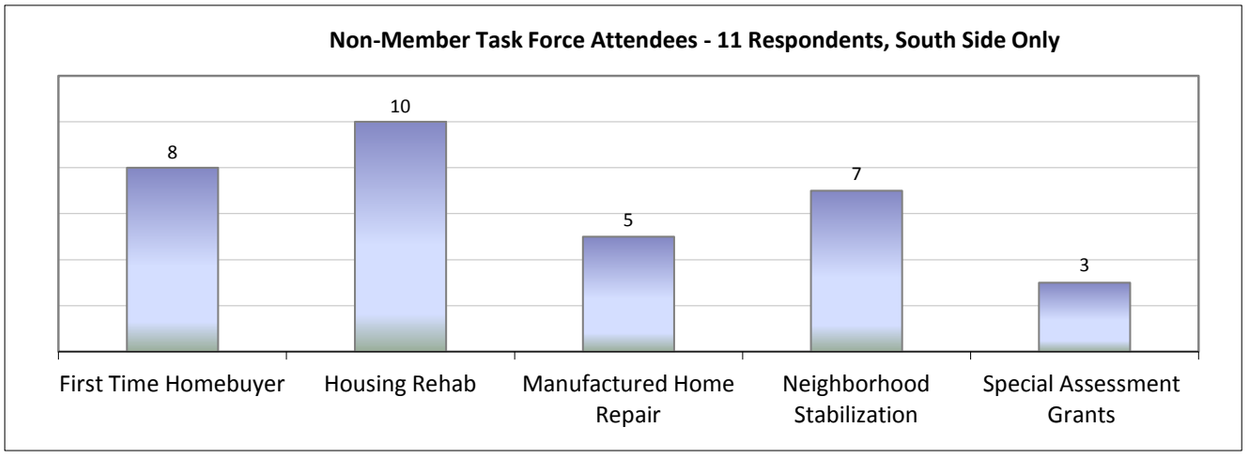

Central - Terry Priorities - 4 Respondents
3
4
2
2
1
First Time Homebuyer
Housing Rehab
Manufactured Home Repair
Neighborhood Stabilization
Special Assessment Grants


West End Priorities - 11 Respondents
10
8
5
7
3
First Time Homebuyer
Housing Rehab
Manufactured Home Repair
Neighborhood Stabilization
Special Assessment Grants


Heights Priorities - 7 Respondents
4
6
1
7
3
First Time Homebuyer
Housing Rehab
Manufactured Home Repair
Neighborhood Stabilization
Special Assessment Grants


Southwest Corridor Priorities - 10 Respondents
8
3
3
7
9
First Time Homebuyer
Housing Rehab
Manufactured Home Repair
Neighborhood Stabilization
Special Assessment Grants


South Side Priorities - 14 Respondents
12
12
6
8
4
First Time Homebuyer
Housing Rehab
Manufactured Home Repair
Neighborhood Stabilization
Special Assessment Grants


Non-Member Task Force Attendees - 11 Respondents, South Side Only
8
10
5
7
3
First Time Homebuyer
Housing Rehab
Manufactured Home Repair
Neighborhood Stabilization
Special Assessment Grants

PROJECT SUMMARIES

Housing, Neighborhood and Public Service Activities

FY2013-2014

#	Organization Name	Project Name	$ Requested
HN-01	***City of Billings***	***CDBG Administration***	***$175,000***

General CDBG administration expenditures and salary and benefits for Community Development Block Grant (CDBG) Program. CDBG resources also provide the resources for administration of other grants related to community development received by the City.

HN-02	***City of Billings***	***HOME Administration***	***$35,000***

General HOME administration expenditures and salary and benefits for the HOME Program Coordinator.

HN-03	***City of Billings***	***Community Housing Development Orgs***	***$44,000***

A minimum of 15% of the HOME annual allocation is required by HUD to be reserved for Community Housing Development Organizations (CHDOs) for new housing development activities.

HN-04	***City of Billings***	***First Time Homebuyer Program - HOME***	***$400,000***

Assists low-income first time homebuyers with down payment and closing costs. Assistance is based on household size and income. Loans are 0% interest, no-payments due until the home is sold / refinanced.

HN-04	***City of Billings***	***First Time Homebuyer Program - CDBG***	***$100,000***

Assists low-income first time homebuyers with down payment and closing costs. Assistance is based on household size and income. Loans are 0% interest, no-payments due until the home is sold / refinanced.

HN-05	***City of Billings***	***Housing Rehabilitation***	***$350,000***

Housing rehabilitation assistance is available to low-income homeowners and staff costs to implement the program. Loans are 0% interest, no-payments due until the house is sold / refinanced.

HN-06	***City of Billings***	***Manufactured Home Repair***	***$100,000***

The City of Billings offers a loan program for low-income manufactured home owners. This program is intended to revitalize established neighborhoods and preserve the existing affordable housing stock through the completion of repairs to manufactured housing.

HN-07	***City of Billings***	***Foreclosure Acquisition / Rehab***	***$250,000***

The Neighborhood Stabilization Program purchases vacant and foreclosed properties for the purpose of rehabilitation and direct homeownership assistance to income qualified homebuyers as their primary residence. The purpose of the program is to stabilize neighborhoods, stem the decline of house values of neighboring homes due to foreclosure, and to preserve decent affordable housing.

HN-08	***City of Billings***	***Special Assessment Grants Program***	***$50,000***

Funds will be used to provide grant funds to lower income households impacted by Special Improvement District assessments for public improvements in lower income areas, such as curb, gutter & sidewalk projects. As Special Improvement Districts are formed and assessed to property taxes, these funds are utilized to pay off SIDs for lower income residents.

PS-01	***City of Billings***	***VISTA Support - Public Service Activity***	***$50,000***

Project would support administration costs to implement the Billings Metro VISTA Project. These AmeriCorps members work on poverty impact issues in the community including hunger, homelessness, education, and veterans / military family support.

Total Requested **$1,554,000**

Housing Rehab Loan Program
Subordination Process

Bank Supplies to the City (must receive at least four weeks prior to City Council meeting):

1. Financial documentation demonstrating income for all household occupants 18 years old or older.
2. Full disclosure of amounts and reasons for the new loan.
3. Total loan amount and itemization of all debts rolled into new first mortgage.
4. Copy of Appraisal.
5. The name of the Bank's Trustee.

Community Development Staff will:

1. Review the request.
2. Determine eligibility for subordination.
3. Makes a determination for pay off amount (if any) based on the Subordination Policy.
4. If an exception is requested, presents the information to the Community Development Board. Please Note: An exception request may take up to 30 days for review by the Community Development Board in addition to 30 days (or more) required for review by the City Council.
5. Submits Subordination Request and staff recommendation to the City Council.
6. City Council reviews Subordination Request and approves or denies.
7. Report decision to the Lender.

Lender's Responsibility:

1. Close the loan.
2. Forward repayment of pay off amount to Community Development Office.

City's Process:

1. CD Staff prepares Subordination Agreement.
2. CD Staff completes Modification Agreement.
3. Documents are forwarded to Lender or Title Company for recording.

Housing Rehabilitation Loan Program
Subordination Policy

<table>
<tr><th colspan="2">General Requirements</th></tr>
<tr><td colspan="2">

Total loan-to-value ratio for the property cannot exceed 85% (based on appraisal).
City Council must approve all requests – may take up to six weeks (or longer depending on when the required documents are submitted).
Homeowner(s) must provide financial documentation demonstrating household income is at or below 80% of current Area Median Income.
The City will only subordinate once. A second request for subordination will be denied.
Subordination may not be requested within three years of the Rehabilitation Loan origination.
Lender must provide written documentation outlining:

The amount of the original mortgage.
The amount of the new first mortgage.
Details of debts being incorporated into new mortgage.
Copy of appraisal.
Name of Bank Trustee.

</td></tr>
<tr><td>Criteria for 0% Repayment
Straight Refinance of First Mortgage</td><td>
Loan is a refinance, and the City is still in 2nd position.
The new mortgage (refinance) lowers the monthly payment from current mortgage.
No other debt of any kind is rolled into the new 1st mortgage loan.
</td></tr>
<tr><td>Criteria for 15% Repayment
Applicant pays 15% of the loan balance and the City Subordinates 85%</td><td>
Medical debt is the only debt rolled into the new 1st mortgage.
City remains in 2nd position.
</td></tr>
<tr><td>Criteria for 33% Repayment
Applicant pays 1/3 of the loan balance and the City Subordinates 2/3</td><td>
New 1st mortgage includes debt such as consumer debt, car loans, etc.
Debt cannot be more than twice the original Rehab Loan amount.
</td></tr>
<tr><td>Deny Subordination or Complete Payoff Required</td><td>
Refinance is to obtain cash only.
The loan was previously subordinated.
The subordination puts the City's loan in 3rd position.
The Housing Rehab Loan was originated within three years of the date of request for subordination.
The amount of the loan for other items such as medical, credit card, car loan, etc. totals more than twice the Rehab Loan.
</td></tr>
<tr><td>Exceptions / Special or Extenuating Circumstances</td><td>
Community Development Board will review all exception requests or special cases.
Exception requests may take up to 30 days for review by the Board in addition to the 30 days required for review by City Council.
After review of exception requests, the Community Development Board will forward their recommendation to the City Council for final review.
</td></tr>
</table>

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Public Hearing and Resolution for Annexation #13-03
PRESENTED BY: Candi Beaudry
Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

Owner Ryan and Jodi Rookhuizen Family Trust has submitted a petition to annex land to the City of Billings under Section 7-2-4600, MCA. The subject property is composed of one parcel totaling about 1.6 acres. The property is described as Parcel 1, C/S 1706. It is located on the southeast corner of the intersection of Bench Boulevard and Yellowstone River Road. The property is mostly vacant but has one residence located on it. The property owner is requesting annexation in order to obtain City services for future development of the property in the City. No development plans were provided with the annexation request. The property is zoned Neighborhood Commercial and if it is brought into the City, it would retain this commercial zoning designation. The property is located within the five-year annexation area of the City's Limits of Annexation Map and appears to meet many of the City's annexation policy criteria.

ALTERNATIVES ANALYZED

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

FINANCIAL IMPACT

The City can provide municipal sewer to the subject property. Water will be provided by the Heights Water District. The owner will be responsible for all costs of extending the utilities . Staff is recommending a standard condition of approval for this annexation that either a development agreement or a Subdivision Improvement Agreement (if the property is subdivided)between the City and the property owner be executed to clarify how City services will be provided.

BACKGROUND

The subject property totals about 2 acres. It is located at the southeast corner of the intersection of Bench Boulevard and Yellowstone River Road. The property owner is requesting annexation in order to obtain City services for future property development. Th property is located within the five year annexation area of the City's Limits of Annexation Map and appears to meet many of the City's criteria in its Annexation Policy. The City Limits are immediately adjacent to the subject property on the north, west and south.

PROCEDURAL HISTORY

- On February 25, 2013, the annexation petition was submitted to the Planning Division.
- On April 8, the City Council acknowledged receipt of the annexation petition and set a public hearing for April 22.
- On April 22, the City Council will conduct the public hearing for the annexation and may take action on the request.

- On May 13, if the resolution to annex is approved by the City Council, a public hearing and first reading of an ordinance to include the property in a City Council Ward boundary will be conducted.
- On May 28, the City Council will conduct the second and final reading for the ordinance expanding the ward boundary.

STAKEHOLDERS

Annexation by petition does not require notification of adjoining landowners; however, it does require that the City Council conduct a public hearing. Notice of the public hearing was posted on the property on April 5 and published in the Billings Times on April 4. The Planning Division has not received any inquiries about this petition at the time this memo was prepared.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

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

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

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

Departmental Response: City and County Departments were given the opportunity to comment on this annexation. City departments responded favorably and detailed responses are provided below. The County Public Works Department also responded and staff stated they had no concerns with the annexation.

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

• Water: Water service for this property is provided by the Heights Water District. The cost to extend service for the property will be at the developer's expense.

• Sewer: Sanitary sewer is being stubbed into this property as part of the reconstruction of Bench Boulevard. The property owner or developer will be required to pay for any connection or service fees to connect to the sanitary sewer system.

• Stormwater: Storm sewer will be available to this property as part of the reconstruction of Bench Boulevard. Storm water impacts will be identified during the site development process and mitigating measures developed at that time, meeting the requirements of the city and the public works department at the time of development.

• Transportation: The subject property has frontage on Bench Boulevard and Yellowstone River Road. Bench Boulevard and Yellowstone River Road are both Principal Arterial Streets. No issues have been identified by City Engineering or Street and Traffic staffs. Any specific traffic impacts will be identified during the site development process and mitigating measures developed at that time.

• Fire Stations: The subject property is currently served by the Billings Fire Department through the Billings Urban Fire Service Area and the Billings Fire Department will continue to serve the property upon annexation. The Billings Fire Chief stated that as this and other annexations are built out, additional fire department resources will be needed. The nearest fire station is Station #6, located at 1601 St. Andrews, about 2 miles northwest of the subject property.

• Parks: The subject property is zoned Neighborhood Commercial and will retain this zoning if annexed. Park land dedication would not occur if this is developed as a commercial use.

• Bicycle and pedestrian facilities: The property lies within the jurisdiction of the Billings Area Bikeway and Trail Master Plan. Bike lanes are proposed on both Bench Boulevard and Yellowstone River Road in front of the subject property when there are future improvements to these roadways in this area. It is expected that the reconstruction of Bench Boulevard will include sidewalks and either bike lanes or a trail on one side of the corridor when it is completed.

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

• Transit: MET transit system operators have no objections to the annexation request. MET staff stated that there are three bus routes within two blocks of the subject property, including a route that follows Yellowstone River Road as it comes west from Hilltop Road across Bench Boulevard, crossing right in front of this property.

• Police: The Police Department states that the subject property is in an established patrol area.

• Public Utilities: The Public Works-- Distribution and Collection Division has no objection with the annexation request as long as the owner agrees to fund the necessary sewer connection costs, and agrees to a waiver of protest for future SIDs through a Development Agreement or Subdivision Improvement Agreement as a condition in the Annexation Resolution.

• Public Works -Street and Traffic Division: The Street and Traffic Division stated that it has no problems serving the property.

• Public Works-Solid Waste: The Solid Waste Division notes that it can serve the property when developed, but noted that Senate Bill 234 passed in the 2011 State Legislature dictates that it is up to the property owner as to whether the City or a private carrier collects solid waste from the property.

• Ambulance Service: The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of emergency ambulance calls must be answered within 8 minutes; this annexation is within the area of acceptable response time.

• Legal and Finance: General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation. The Finance Department responded that it did not see any issues with the petition request.

• Other Departments: City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve new development whether in the City or the County.

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

- Predictable land use decisions that are consistent with neighborhood character and land use patterns. (Land Use Element Goal, page 6)
- More housing and business choices within each neighborhood (Land Use Element Goal, Page 6)
- Business development and rejuvenation in the Heights (Economic Development Element Goal, Page 8

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

- Encourage the annexation of county parcels into the City of Billings (Land Use Objective, Page 20).
- Attract small and medium businesses to the Heights. To promote “life to work”concept where people work close to or within walking distance of their homes (Economic Development Goal, Page 32).

RECOMMENDATION

Staff recommends that the City Council conduct the public hearing and approve the Resolution annexing the subject property, subject to the following conditions of approval:
• Prior to site development, a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and provide guarantees for said improvements, and a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded; and/or
• A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded that will stipulate specific infrastructure improvements and provide guarantees for them.

APPROVED BY CITY ADMINISTRATOR

Attachments

Annexation Petition

Annexation Exhibit

Annexation Resolution

PETITION
FOR ANNEXATION
TO THE CITY OF BILLINGS

NOTICE TO PETITIONER

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

INSTRUCTIONS

1. All items must be completed or provided. Please type or print. You may attach additional pages if more space is needed.

2. Prepare a map drawn to a scale adequate and legible to show the property requesting annexation and all other property within one-quarter (1/4) mile.

   The map must show:

   a. The present and proposed boundaries of the municipality;

   b. The present streets, major trunk water mains and sewer mains;

   c. The zoning of the property requesting annexation and the property immediately adjacent to it.

3. The Petition should be submitted to the Planning Department, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., located on the 4th Floor of Parmly Billings Library at 510 North Broadway, Billings, Montana. Upon presentation, the Petition will be checked for completeness. Once accepted, the Petition will be routed to the following City Departments: Public Works, City-County Planning, Public Utilities, Fire Department, City Attorney, Police Department, and Finance Department. If no problems with the Petition have been noted by the departments, the City Clerk will schedule the Petition for City Council action.

4. By filing the petition for annexation, the Petitioner(s) agree that only those City services which are available to the general area shall be provided to Petitioner, and that additional services as may become available to the general area shall be made available to Petitioner(s) in the same manner as said services are made available to other residents of the City. Petitioner(s) specifically waive the right to the report and plans for extension of services as provided in MCA Title 7, Chapter 2, Part 47.

5. A description of the territory to be annexed to the City is legally described on a document attached hereto.

RESIDENT FREEHOLDER ELECTORS

Date	Print Name	Name Signature	Address
2-22-13	Ryan Rookhuizen		Box 81463 Bigz MT 59108
2-22-13	Jodi Rookhuizen	Jodi Rookhuizen	Box 81463 Bigz MT 59108

(continued on separate page)

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

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

Legal Description	Tax Code	Address of General Location	Use of Property	Legal Property Owners	Address	Phone
C.O.S. 1706, Parcel 1	D05510	727 Bench Blvd.	Vacant	Ryan and Jodi	PO Box81463,	
				Rookhuizen Family Trust	Billings, MT 59108	

ALL ITEMS BELOW SHALL BE COMPLETED BY STAFF

Date Submitted: 2/25/13

Received By: [signature]

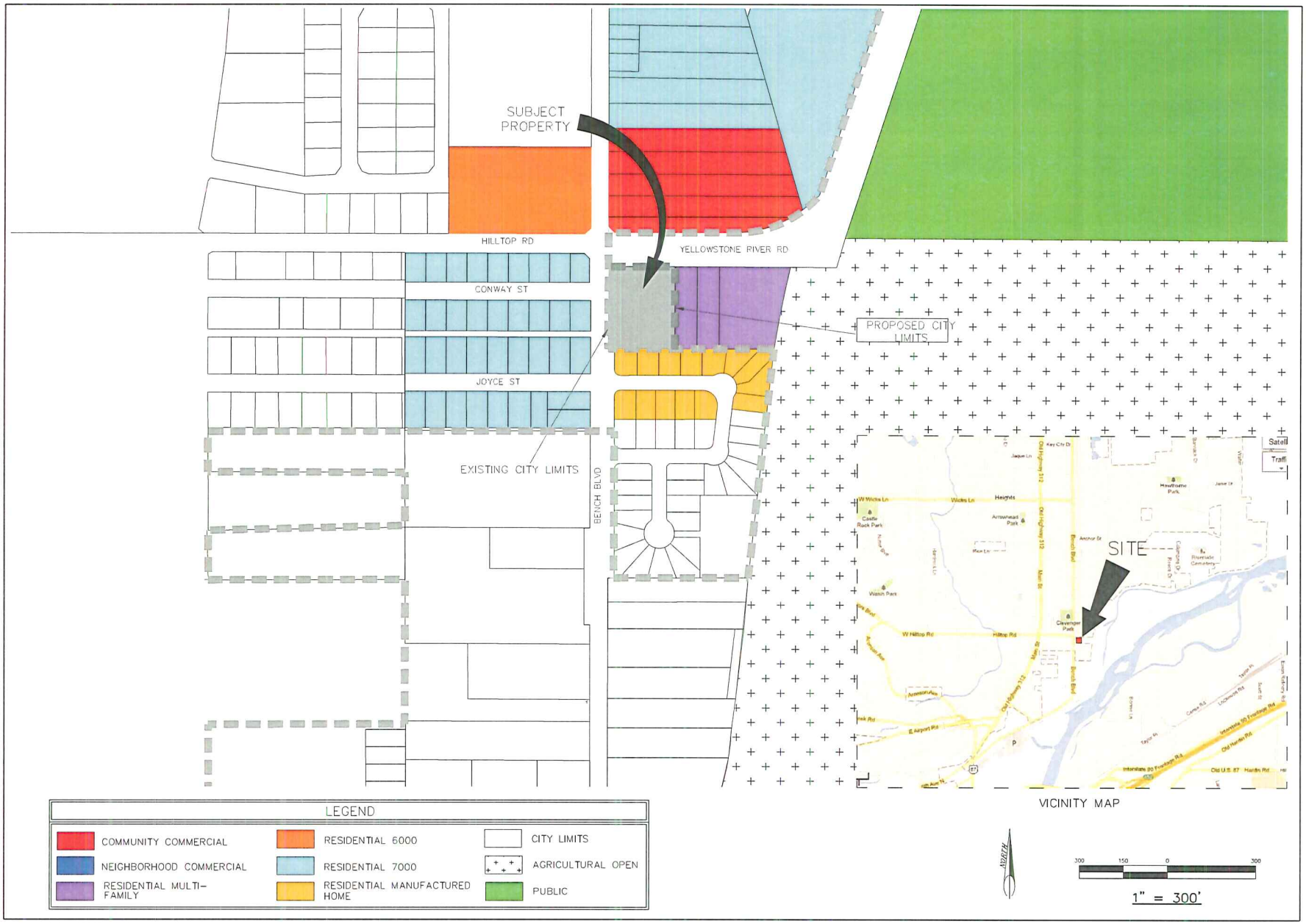
Petition Number: AN-13-03 (PZ13-52)

Fee Paid: $992.00

RMF

Com 2

Revised 6/99



SANDERSON STEWART
www.sandersonstewart.com

ROOKHUIZEN PROPERTY ANNEXATION
C/S 1206, TRACT 1
BILLINGS, MONTANA

ROOKHUIZEN PROPERTY

C.A.D. MAT
DATE: 2/19/13
REVISIONS:
APPROVED BY:
QUALITY ASSURANCE:
SCALE: 1"=300'
FILE: ANNEXATION_EXH
PROJECT NO.: 07116.01
SHEET 1 OF 1

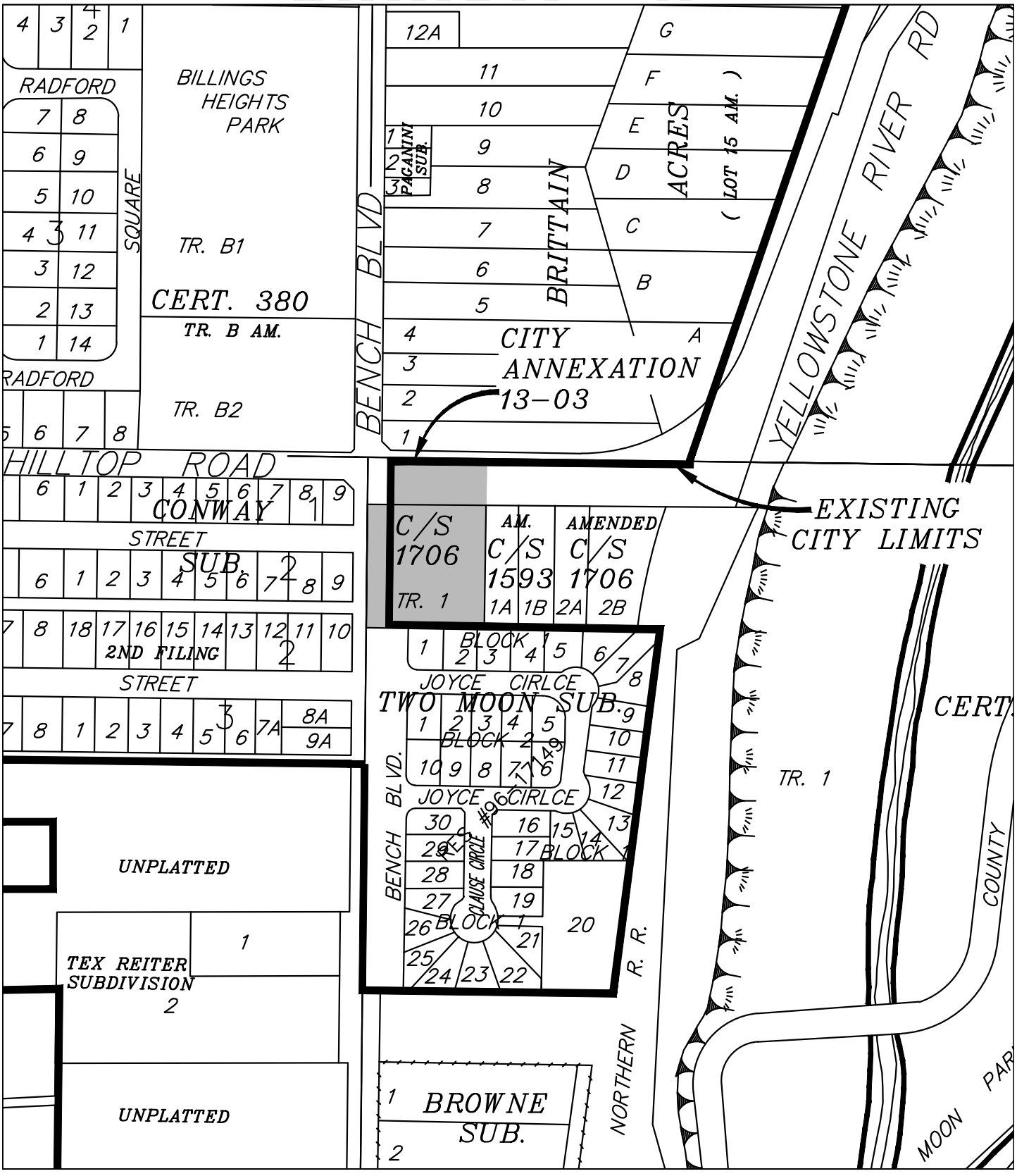
SANDERSON STEWART
www.sandersonstewart.com

ROOKHUIZEN PROPERTY ANNEXATION
C/S 1206, TRACT 1
BILLINGS, MONTANA

ROOKHUIZEN PROPERTY

C.A.D. MAT
DATE: 2/19/13
REVISIONS:
APPROVED BY:
QUALITY ASSURANCE:
SCALE: 1"=300'
FILE: ANNEXATION_EXH
PROJECT NO.: 07116.01
SHEET 1 OF 1

EXHIBIT "A"


BILLINGS HEIGHTS PARK
RADFORD
SQUARE
TR. B1
CERT. 380
TR. B AM.
TR. B2
BENCH BLVD
PAGANINI SUB.
BRITTAIN ACRES
(LOT 15 AM.)
CITY ANNEXATION 13-03
YELLOWSTONE RIVER RD
HILLTOP ROAD
CONWAY STREET SUB.
2ND FILING
C/S 1706
TR. 1
AM. C/S 1593
AMENDED C/S 1706
1A 1B 2A 2B
EXISTING CITY LIMITS
BLOCK 1
JOYCE CIRLCE
TWO MOON SUB.
BLOCK 2
JOYCE CIRLCE
CLAUSE CIRCLE #96
BLOCK 1
BENCH BLVD.
UNPLATTED
TEX REITER SUBDIVISION
UNPLATTED
BROWNE SUB.
NORTHERN R. R.
COUNTY
MOON

RESOLUTION NO. 13-

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

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

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

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

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

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

   A tract of land situated in the NW1/4 of Section 26, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

   Tract 1, Certificate of Survey No. 1706, Recorded October 18, 1977, under Document No. 1067544. Including all adjacent Right-Of-Way of Yellowstone River Road and Bench Boulevard

   Containing 1.962 gross and 1.445 net acres more or less.
   (# 13-03) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following conditions:

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

- A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.

3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

PASSED by the City Council and APPROVED this 22nd day of April, 2013.

THE CITY OF BILLINGS:

BY: _____

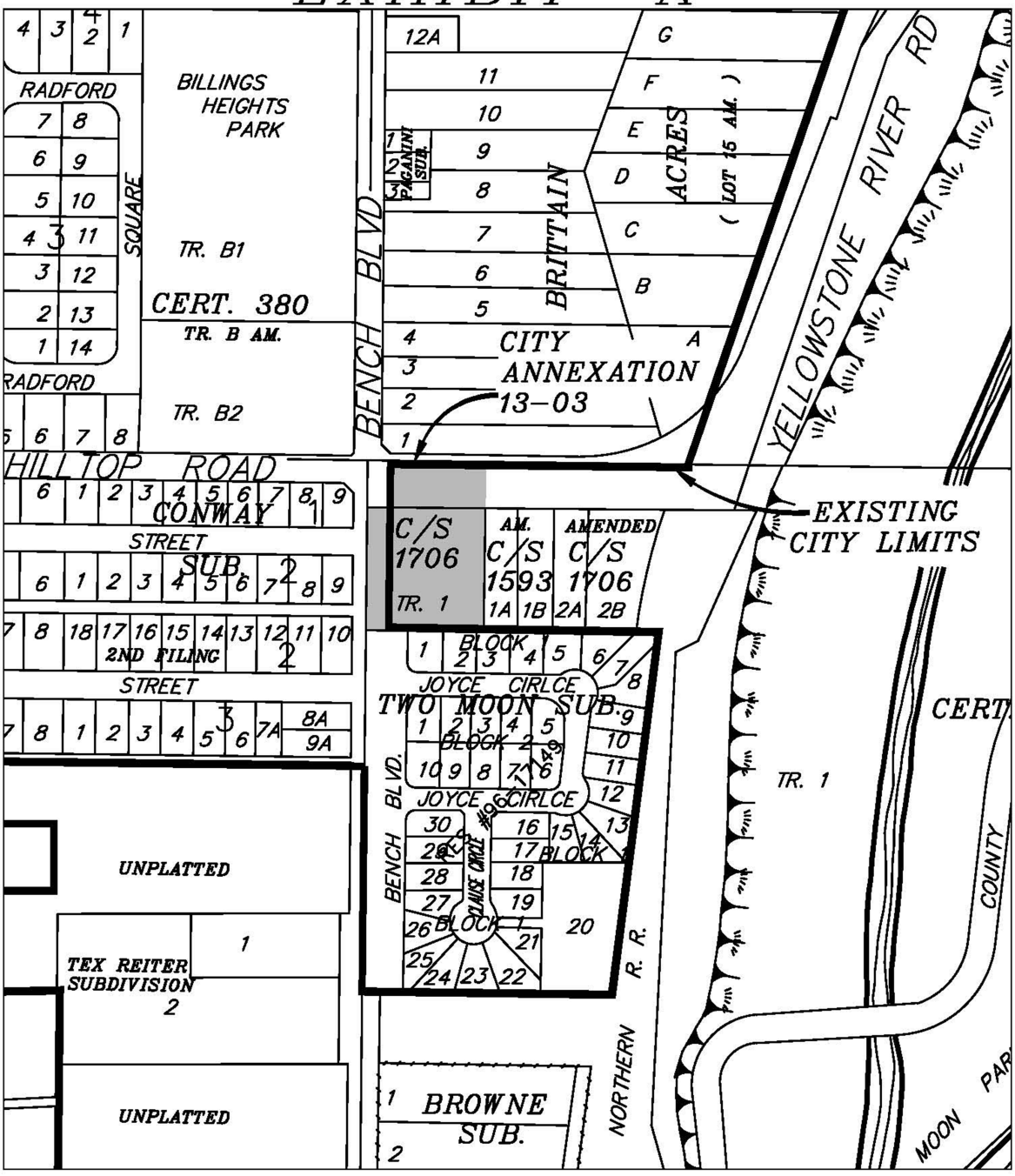
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____

CITY CLERK
(AN# 13-03)

EXHIBIT "A"


BILLINGS HEIGHTS PARK
TR. B1
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(LOT 15 AM.)
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C/S 1706
TR. 1
AM. C/S 1593
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EXISTING CITY LIMITS
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TWO MOON SUB.
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BENCH BLVD.
UNPLATTED
TEX REITER SUBDIVISION 2
BROWNE SUB.
NORTHERN R. R.
TR. 1
COUNTY
MOON

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Public Hearing and Resolution for Annexation #13-04
PRESENTED BY: Candi Beaudry
Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

Owner Mary Beth Gregory has submitted a petition to annex land to the City of Billings under 7-2-4600 MCA. The subject property is composed of one parcel totaling about 2 acres. It is located on the north side of Grand Avenue northwest of the intersection with 48th Street West. The property has been used for agricultural operations in the past and is now planned for a private Montessori school. The property owner is requesting annexation in order to obtain City services for development of the property. Since the property will default to Residential-9600 (R-96) zoning when annexed, a concurrent special review application is being processed to allow a private school in the R-96 zoning district. A similar annexation and special review was completed in August 2012 for property just west of the subject property also for the same Montessori school project. The property is located within the five year annexation area of the City's Limits of Annexation Map and appears to meet many of the City's criteria in its Annexation Policy.

ALTERNATIVES ANALYZED

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

FINANCIAL IMPACT

The City can provide municipal sewer and water service to the subject property. It will be the responsibility of the owner to extend City sewer and water services to the property from services in Grand Avenue. Staff is recommending a standard condition of approval for this annexation be that a development agreement between the City and the property owner be executed to clarify how City services will be provided. If the proposed annexation is approved, the property is expected to be developed as a private school and will contribute additional tax revenue to the City.

BACKGROUND

The subject property is composed of one parcel totaling about 2 acres. It is located on the north side of Grand Avenue just northwest of the intersection of Grand Avenue and 48th Street West. The property has been used for agricultural operations in the past and is now proposed for a private Montessori school. The property owner is requesting annexation in order to obtain City services for development of the property. Since the property will default to Residential-9600 (R-96) zoning if it is brought into the City, a concurrent special review application is being processed to allow a private school in the R-96 zoning district. The Council is scheduled to consider the special review immediately after it acts on this annexation at the April 22 meeting.

During processing of this annexation petition, staff determined that the right-of-way in front of this property on Grand Avenue is identified as a road easement on the north half and south half of the road. Section 7-2-4211 of the Montana Code Annotated (MCA) requires a city to annex the entire width of a road with the properties it annexes. To comply with Section 7-2-4211 MCA, the City is annexing the road easement on the north half with this annexation with the property owner intending to dedicate the road easement as right-of-way through an exempt platting process later. This also means the City must seek a quit claim deed from the property owner to the south for the road easement portion of Grand Avenue. The City is still in the process of contacting the property owner for the southern easement. Due to the timing of acting on annexation of this property in concurrence with a special review application, if the City Council approves the annexation, City staff will return to the Council at a future meeting for it to accept a deed or annex the road easement for the south half of Grand Avenue.

The property is located within the five year annexation area of the City's Limits of Annexation Map and appears to meet many of the City's criteria in its Annexation Policy. It is within the red boundary of the limits of annexation as specified by the Annexation Map last adopted by the City Council on May 14, 2012.

PROCEDURAL HISTORY

• On March 12, 2013, the annexation petition was submitted to the Planning Division.
• On April 8, 2013, the City Council acknowledged receipt of the annexation petition and set a public hearing for April 22
• On April 22, the City Council will conduct the public hearing for the annexation and may take action on the request.
• On May 13, if the resolution to annex is approved by the City Council, a public hearing and first reading of an ordinance to expand the Ward IV City Council boundary will be conducted.
• On May 28, the City Council will conduct the second and final reading for the ordinance expanding the ward boundary.

STAKEHOLDERS

Annexation by petition does not require notification of adjoining landowners; however, it does require that the City Council conduct a public hearing. Notice of the public hearing was posted on the property on April 5 and published in the Billings Times on April 4. The Planning Division has not received any inquiries about this petition at the time this memo was prepared.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

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

1. The area is located within the Limits of Annexation.
2. The City is able to adequately provide municipal water and sewer services. Sewer and water services will require extension of lines by the property owner at the time of development from existing lines in Grand Avenue.
3. Any proposed improvements to the property will meet City standards.
4. As part of a Development Agreement or Subdivision Improvement Agreement, the owners will sign a Waiver of Right to Protest the creation of any Special Improvement Districts.
5. If annexed, the property will be zoned Residential 9600 (R-96). Any proposed land use will

comply with the zoning. Future development also may conform to the goals of the City of Billings and Yellowstone County Growth Policy.

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

Departmental Response: City and County Departments were given the opportunity to comment on this annexation. City departments responded favorably and detailed responses are provided below. The County Public Works Department responded to this annexation request and did not have any concerns.

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

• Water: Water service is available from the service line in Grand Avenue adjacent to the subject property. The cost to extend service for the property will be at the developer's expense.

• Sewer: The property may be served by the developer connecting to the existing City sanitary sewer in Grand Avenue. The cost to extend sewer service for the property will be at the developer's expense.

• Stormwater: There is a no stormwater line in Grand Avenue in this area. Storm water impacts will be identified during the site development process and mitigating measures developed at that time meeting the requirements of the city and the public works department at the time of development.

• Transportation: The subject property has frontage on Grand Avenue, which is a Principal Arterial Street. No issues have been identified by City Engineering or Street and Traffic staffs. Any specific traffic impacts will be identified during the site development process and mitigating measures developed at that time.

• Fire Stations: The subject property is currently served by the Billings Fire Department through the Billings Urban Fire Service Area and the Billings Fire Department will continue to service the property upon annexation. The Billings Fire Chief stated that as this and other annexations are built out, additional fire department resources will be needed. The nearest fire station is Station #7 located at 1501 54th Street West, about 0.7 miles northwest of the subject property.

• Parks: The subject property will be zoned Residential-9600 if annexed. Park land dedication could be provided if this property is subdivided. The applicant currently plans development of a private school on the property which would not trigger parkland dedication. The Parks Department did state that the nearest neighborhood park is Rimrock West Park about 1/2 mile northwest of the subject property. However, there is no direct pedestrian access between the park and the subject property at this time. As development in the area continues, it is expected that other neighborhood parks will be dedicated and developed that might better serve this property. It is also possible that this property might someday participate in an SID or PMD for development or maintenance of a park that would benefit this parcel. The condition requiring the waiver of right to protest future SIDs helps to address this future need.

• Bicycle and pedestrian facilities: The property lies within the jurisdiction of the Billings Area Bikeway and Trail Master Plan. A bike lane is proposed on Grand Avenue in front of the subject property with future improvements to Grand Avenue.

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

• Transit: MET transit system operators have no objections to the annexation request, but the nearest bus route does not go further west on Grand Avenue than Rehberg Lane, about 2.3 miles east of the subject property.

• Police: The Police Department states that the subject property is near an established patrol area and there should be no significant impact to including the property in a patrol area.

• Public Utilities: The Public Works-- Distribution and Collection Division had no objection with the annexation request as long as the owner agrees to fund the necessary water and sewer connection costs, and agrees to a waiver of protest for future SIDs through a Development Agreement or Subdivision Improvement Agreement as condition in the Annexation Resolution.

• Public Works -Street and Traffic Division: The Street and Traffic Division stated that it has no problems serving the property.

• Public Works-Solid Waste: The Solid Waste Division notes that it can serve the property when developed, but noted that Senate Bill 234 passed in the 2011 State Legislature dictates that it is up to the property owner as to whether the City or a private carrier collects solid waste from the property.

• Ambulance Service: The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of ambulance calls must be answered within 8 minutes; this annexation is within the area of acceptable response time.

• Legal and Finance: General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation. The Finance Department responded that it did not see any issues with the petition request.

• Other Departments: City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve new development whether in the City or the County.

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

•More housing and business choices within each neighborhood (Land Use Goal, page 6).
•Promote excellence in education and safe and healthy school facilities (Economic Development Element Goal, Page 8).
•Protection of groundwater, surface water, riparian areas, air quality and productive agricultural land (Natural Resources Goal, page 13).

The West Billings Plan identifies the area of this property for residential development. However, schools are expected to be in residential areas to serve the students in those residences so a residential or school use on this property would be in accordance with the West Billings Plan's future land use map.
~The City Council has expressed concerns regarding how annexing additional properties may affect the City's ability to provide services to new developments without diminishing the services provided to existing City residents. To address these concerns, the City Council adopted an annexation policy that lists criteria for suitable annexations. The proposed annexation complies with the adopted Annexation Policy criteria as follows:

1. The area is located within the Limits of Annexation.
2. The City is able to adequately provide municipal water and sewer services. Sewer and water services will require extension of lines by the property owner at the time of development from existing lines in Grand Avenue.
3. Any proposed improvements to the property will meet City standards.
4. As part of a Development Agreement or Subdivision Improvement Agreement, the owners will sign a Waiver of Right to Protest the creation of any Special Improvement Districts.
5. If annexed, the property will be zoned Residential 9600 (R-96). Any proposed land use will comply with the zoning. Future development also may conform to the goals of the City of Billings and Yellowstone County Growth Policy.

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

Departmental Response: City and County Departments were given the opportunity to comment on this annexation. City departments responded favorably and detailed responses are provided below. The County Public Works Department did not responded to this annexation request.

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

• Water: Water service is available from the service line in Grand Avenue adjacent to the subject property. The cost to extend service for the property will be at the developer's expense.

• Sewer: The property may be served by the developer connecting to the existing City sanitary sewer in Grand Avenue. The cost to extend sewer service for the property will be at the developer's expense.

• Stormwater: There is a no stormwater line in Grand Avenue in this area. Storm water impacts will be identified during the site development process and mitigating measures developed at that time meeting the requirements of the city and the public works department at the time of development.

• Transportation: The subject property has frontage on Grand Avenue, which is a Principal Arterial Street. No issues have been identified by City Engineering or Street and Traffic staffs. Any specific traffic impacts will be identified during the site development process and mitigating measures developed at that time.

• Fire Stations: The subject property is currently served by the Billings Fire Department through the Billings Urban Fire Service Area and the Billings Fire Department will continue to service the property upon annexation. The Billings Fire Chief stated that as this and other annexations are built out, additional fire department resources will be needed. The nearest fire station is Station #7 located at 1501 54th Street West, about 0.7 miles northwest of the subject property.

• Parks: The subject property will be zoned Residential-9600 if annexed. Park land dedication could be provided if this property is subdivided. The applicant currently plans development of a private school on the property which would not trigger parkland dedication.

• Bicycle and pedestrian facilities: The property lies within the jurisdiction of the Billings Area Bikeway and Trail Master Plan. A bike lane is proposed on Grand Avenue in front of the subject property with future improvements to Grand Avenue.

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

• Transit: MET transit system operators have no objections to the annexation request, but the nearest bus route does not go further west on Grand Avenue than Rehberg Lane, about 2.3 miles east of the subject property.

• Police: The Police Department states that the subject property is near an established patrol area and there should be no significant impact to including the property in a patrol area.

• Public Utilities: The Public Works-- Distribution and Collection Division had no objection with the annexation request as long as the owner agrees to fund the necessary water and sewer connection costs, and agrees to a waiver of protest for future SIDs through a Development Agreement or Subdivision Improvement Agreement as condition in the Annexation Resolution.

• Public Works -Street and Traffic Division: The Street and Traffic Division stated that it has no problems serving the property.

• Public Works-Solid Waste: The Solid Waste Division notes that it can serve the property when developed, but noted that Senate Bill 234 passed in the 2011 State Legislature dictates that it is up to the property owner as to whether the City or a private carrier collects solid waste from the property.

• Ambulance Service: The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of ambulance calls must be answered within 8 minutes; this annexation is within the area of acceptable response time.

• Legal and Finance: General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation. The Finance Department responded that it did not see any issues with the petition request.

• Other Departments: City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve new

development whether in the City or the County.

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

- More housing and business choices within each neighborhood (Land Use Goal, page 6).
- Protection of groundwater, surface water, riparian areas, air quality and productive agricultural land (Natural Resources Goal, page 13).

The West Billings Plan identifies the area of this property for residential development. However, schools are expected to be in residential areas to serve the students in those residences so a residential or school use on this property would be in accordance with the West Billings Plan's future land use map.

RECOMMENDATION

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

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

• A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.

APPROVED BY CITY ADMINISTRATOR

Attachments

Annexation Petition

Annexation Resolution

13-064

RECEIVED
MAR 12 2013
PLANNING & COMMUNITY SERVICES DEPARTMENT

PETITION FOR ANNEXATION TO THE CITY OF BILLINGS

NOTICE TO PETITIONER

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

INSTRUCTIONS

1. All items must be completed or provided. Please type or print. You may attach additional pages if more space is needed.

2. Prepare a map drawn to a scale adequate and legible to show the property requesting annexation and all other property within one-quarter (1/4) mile.

   The map must show:

   a. The present and proposed boundaries of the municipality;

   b. The present streets, major trunk water mains and sewer mains;

   c. The zoning of the property requesting annexation and the property immediately adjacent to it.

3. The Petition should be submitted to the Planning Department, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., located on the 4th Floor of Parmly Billings Library at 510 North Broadway, Billings, Montana. Upon presentation, the Petition will be checked for completeness. Once accepted, the Petition will be routed to the following City Departments: Public Works, City-County Planning, Public Utilities, Fire Department, City Attorney, Police Department, and Finance Department. If no problems with the Petition have been noted by the departments, the City Clerk will schedule the Petition for City Council action.

4. By filing the petition for annexation, the Petitioner(s) agree that only those City services which are available to the general area shall be provided to Petitioner, and that additional services as may become available to the general area shall be made available to Petitioner(s) in the same manner as said services are made available to other residents of the City. Petitioner(s) specifically waive the right to the report and plans for extension of services as provided in MCA Title 7, Chapter 2, Part 47.

5. A description of the territory to be annexed to the City is legally described on a document attached hereto.

RESIDENT FREEHOLDER ELECTORS

Date	Print Name	Name Signature	Address
3/2/13	Mary Beth Gregory	Mary Beth Gregg	125 25th St. W.

(continued on separate page)

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

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

Legal Description	Tax Code	Address of General Location	Use of Property	Legal Property Owners	Address	Phone
A PORTION OF TRACT 2 REMAINDER C/S 3295	D04708	4743 GRAND AVE	R91600 (SPECIAL REVIEW SCHOOL)	GRACE MONTESSORI ACADEMY	125 N 25th St. West	652-1739
SEE ATTACHED →						

ALL ITEMS BELOW SHALL BE COMPLETED BY STAFF

Date Submitted: 3/12/13

Received By: Tammy

Petition Number: Ann# 13-04
PROJ. # 13-54

Fee Paid: $952.00

Sign Deposit $45.00

Revised 6/99

ANNEXATION # 13-04

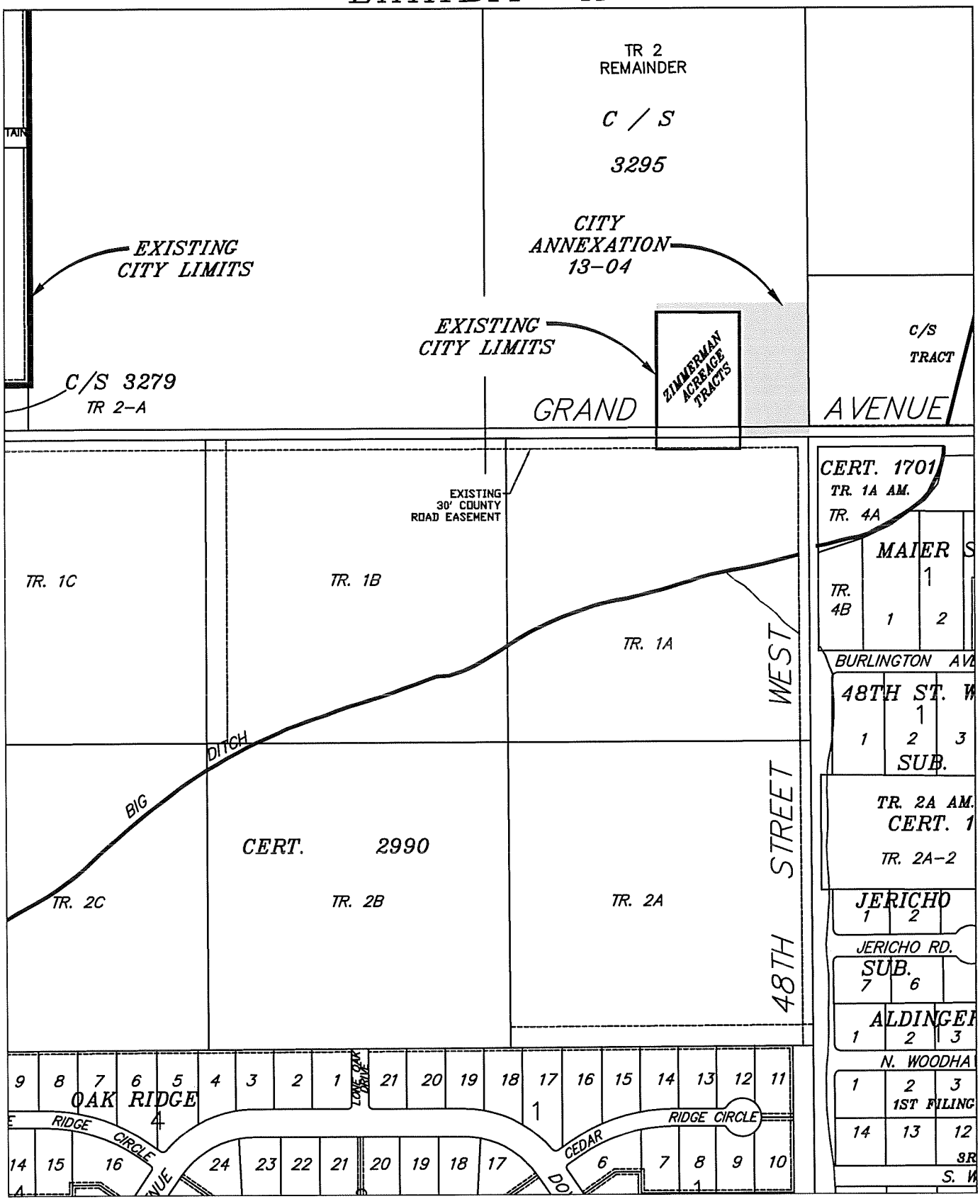
Legal Description of Property to be annexed

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:

Being a portion of the Tract 2 Remainder, Certificate of Survey No. 3295, Recorded November 22, 2006, under Document No. 3401405, Records of Yellowstone County. basis of bearing being the N-S Center Section line of said Section 32, per Document No 3401405.
Beginning at the northwest corner of the Plat Of Zimmerman Acreage Tracts, Recorded May 27, 1958, under Document No. 601982, Records of Yellowstone County; thence N 00°04'17" W for a distance of 57.04 feet; thence N 89°55'43" E for a distance of 429.60 feet to a point on the east line of said Tract 2 Remainder; thence S 00°36'44" E along said east line for a distance of 417.06 feet to the south line of said Tract 2 Remainder also being the centerline of Grand Avenue; thence S 89°50'53" W along the said centerline for a distance of 2.41 feet to the Northwest Section Corner of Section 3, T.1S., R.25E., thence S 89°55'43" W and continuing along said centerline for a distance of 189.12 feet; thence leaving said centerline N 00°04'17" W for a distance of 30.00 feet to a point on the north right-of-way line of Grand Avenue said point also being on the east line of said Zimmerman Acreage Tracts; thence N 00°04'17" W along said east line for a distance of 330.00 feet to the north east corner of said Zimmerman Acreage Tracts; thence S 89°55'43" W along the north line of said Zimmerman Acreage Tracts for a distance of 242.00 feet to the Point of Beginning.
Including all adjacent right-of-way of Grand Avenue.

Containing 2.132 gross acres and 2.000 net acres more or less.
(# 13-04) See Exhibit "A" Attached

EXHIBIT "A"


TR 2
REMAINDER
C / S
3295
CITY
ANNEXATION
13-04
EXISTING
CITY LIMITS
EXISTING
CITY LIMITS
C/S 3279
TR 2-A
GRAND
AVENUE
ZIMMERMAN
ACREAGE
TRACTS
C/S
TRACT
EXISTING
30' COUNTY
ROAD EASEMENT
TR. 1C
TR. 1B
TR. 1A
CERT. 1701
TR. 1A AM.
TR. 4A
MAIER
TR.
4B
BURLINGTON
48TH ST.
SUB.
TR. 2A AM.
CERT. 1
TR. 2A-2
JERICHO
JERICHO RD.
SUB.
ALDINGER
N. WOODHA
1ST FILING
BIG
DITCH
CERT. 2990
TR. 2C
TR. 2B
TR. 2A
48TH STREET WEST
OAK RIDGE
RIDGE CIRCLE
CEDAR
RIDGE CIRCLE
S. W

Yellowstone County, Montana

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

Back to Search Form | Full Orion Detail

Owner Information

Please Note:* Owner information is supplied by the **Montana Department of Revenue. To request updates to addresses or other ownership information, please **contact the DOR office at 896-4000**. Records for the current year will **not** be updated after tax bills have been sent out, so changes requested after you receive your bill will appear only on next year's records.

Tax ID: D04708

Primary Party

Primary Owner Name: ZIMMERMAN FAMILY LTD PARTNERSHIP
C - Contact Name **MULTIPLE DISTRICTS**
C - Contact Name MULTIPLE DISTRICTS

2013 Mailing Address: ZIMMERMAN FAMILY LTD PARTNERSHIP
2033 AVENUE D
BILLINGS, MT 59102-2745
Property Address: 4743 GRAND AVE
Township: 01 N Range: 25 E Section: 32
Certificate of Survey: 3295 Parcel: 2
Full Legal: S32, T01 N, R25 E, C.O.S. 3295, PARCEL 2, (07) 69.5994 AC
GeoCode: 03-1032-32-4-01-22-0000

Show on Map

Property Assessment Information

Levy District: BILLINGS OUTSIDE

Assessed value

Assessed Land Value = $	29,191.00
Assessed Building(s) Value = $	77,409.00
Total Assessed Value = $	106,600.00

Taxable Market Value*

Tax Year: 2012

Class Code	Amount
1101 - Tillable Irrigated Land = $	27,373.00
1601 - Grazing Land = $	141.00
2001 - 1 Acre Farmstead - Ag = $	783.00
3110 - Improvements on Ag Land = $	40,715.00
Total = $	69,012.00

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

Rural SID Payoff Information

NONE

Property Tax Billing History

Year	1st Half	2nd Half	Total
2000	853.08 P	853.07 P	1,706.15
2001	1,699.95 P	1,699.94 P	3,399.89
2002	1,917.87 P	1,811.85 P	3,729.72
2003	1,917.32 P	1,917.29 P	3,834.61
2004	2,465.79 P	2,465.76 P	4,931.55
2005	2,030.18 P	2,030.18 P	4,060.36

RESOLUTION NO. 13-

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

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

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

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

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

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

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:

Being a portion of the Tract 2 Remainder, Certificate of Survey No. 3295, Recorded November 22, 2006, under Document No. 3401405, Records of Yellowstone County, basis of bearing being the N-S Center Section line of said Section 32, per Document No 3401405,
Beginning at the northwest corner of the Plat Of Zimmerman Acreage Tracts, Recorded May 27, 1958, under Document No. 601982, Records of Yellowstone County; thence N 00°04'17" W for a distance of 57.04 feet; thence N 89°55'43" E for a distance of 429.60 feet to a point on the east line of said Tract 2 Remainder; thence S 00°36'44" E along said east line for a distance of 417.06 feet to the south line of said Tract 2 Remainder also being the centerline of Grand Avenue; thence S 89°50'53" W along the said centerline for a distance of 2.41 feet to the Northwest Section Corner of Section 3, T.1S., R.25E., thence S 89°55'43" W and continuing along said centerline for a distance of 189.12 feet; thence leaving said centerline N 00°04'17" W for a distance of 30.00 feet to a point on the north right-of-way line of Grand Avenue said point also being on the

east line of said Zimmerman Acreage Tracts; thence N 00°04'17" W along said east line for a distance of 330.00 feet to the north east corner of said Zimmerman Acreage Tracts; thence S 89°55'43" W along the north line of said Zimmerman Acreage Tracts for a distance of 242.00 feet to the Point of Beginning. Including all adjacent right-of-way of Grand Avenue.

Containing 2.132 gross acres and 2.000 net acres more or less.
(# 13-04) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following conditions:

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

- A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements.

3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

PASSED by the City Council and APPROVED this 22nd day of April, 2013.

THE CITY OF BILLINGS:

BY: _____

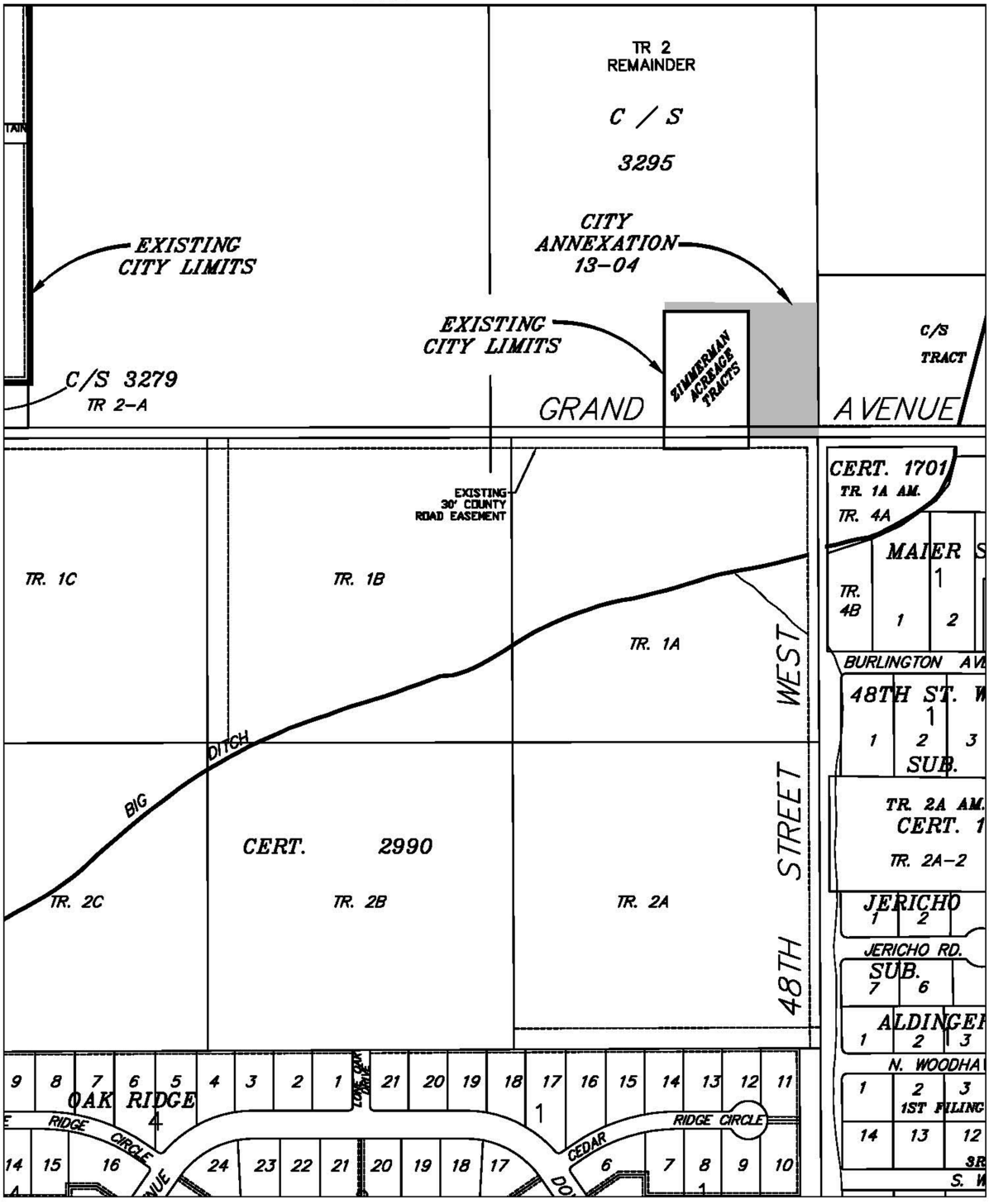
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____

CITY CLERK
(AN# 13-04)

EXHIBIT "A"


TR 2
REMAINDER
C / S
3295
CITY
ANNEXATION
13-04
EXISTING
CITY LIMITS
EXISTING
CITY LIMITS
C/S 3279
TR 2-A
ZIMMERMAN
ACREAGE
TRACTS
GRAND
AVENUE
C/S
TRACT
EXISTING
30' COUNTY
ROAD EASEMENT
TR. 1C
TR. 1B
TR. 1A
WEST
48TH STREET
BIG
DITCH
CERT. 2990
TR. 2C
TR. 2B
TR. 2A
CERT. 1701
TR. 1A AM.
TR. 4A
MAIER
TR.
4B
BURLINGTON AVE
48TH ST. W
SUB.
TR. 2A AM.
CERT. 1
TR. 2A-2
JERICHO
JERICHO RD.
SUB.
ALDINGER
N. WOODHA
1ST FILING
OAK RIDGE
RIDGE CIRCLE
CEDAR
RIDGE CIRCLE

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: Public Hearing and First Reading of Ordinance Amending Ward V Boundary: Annexation 13-01

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 at the northwest corner of Hesper Road and Gabel Road (Annexation #13-01) on March 25, 2013. This requires a change in the boundaries of Ward V. Two readings are required for this action. The first reading of the ordinance is scheduled for April 22, 2013, along with a public hearing, and the second reading is scheduled for May 13, 2013.

ALTERNATIVES ANALYZED

City Council may approve or not approve the ordinance to amend the boundaries of Ward V on first reading.

- Approving the ordinance will modify the boundaries of Ward V to include the property at the northwest corner of Hesper Road and Gabel Road.
- Denying the ordinance will not modify the boundaries of Ward V 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 V.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ward Ordinance

ORDINANCE NO. 13-_____

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 V 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 V the following described real property:

   A tract of land situated in the SW1/4 of Section 14, T.1S., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as Tract 1 of Certificate of Survey No. 2587, Recorded October 18, 1990, under Document No. 1576316, Records of Yellowstone County; Tract 1 of Certificate of Survey No. 3329, Recorded August 14, 2007, under Document No. 3434176, Records of Yellowstone County; Containing 97.326 gross and net acres more or less. (# 13-01) 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 22nd day of April 2013.

PASSED by the City Council on the second reading this 13th day of May, 2013.

THE CITY OF BILLINGS:

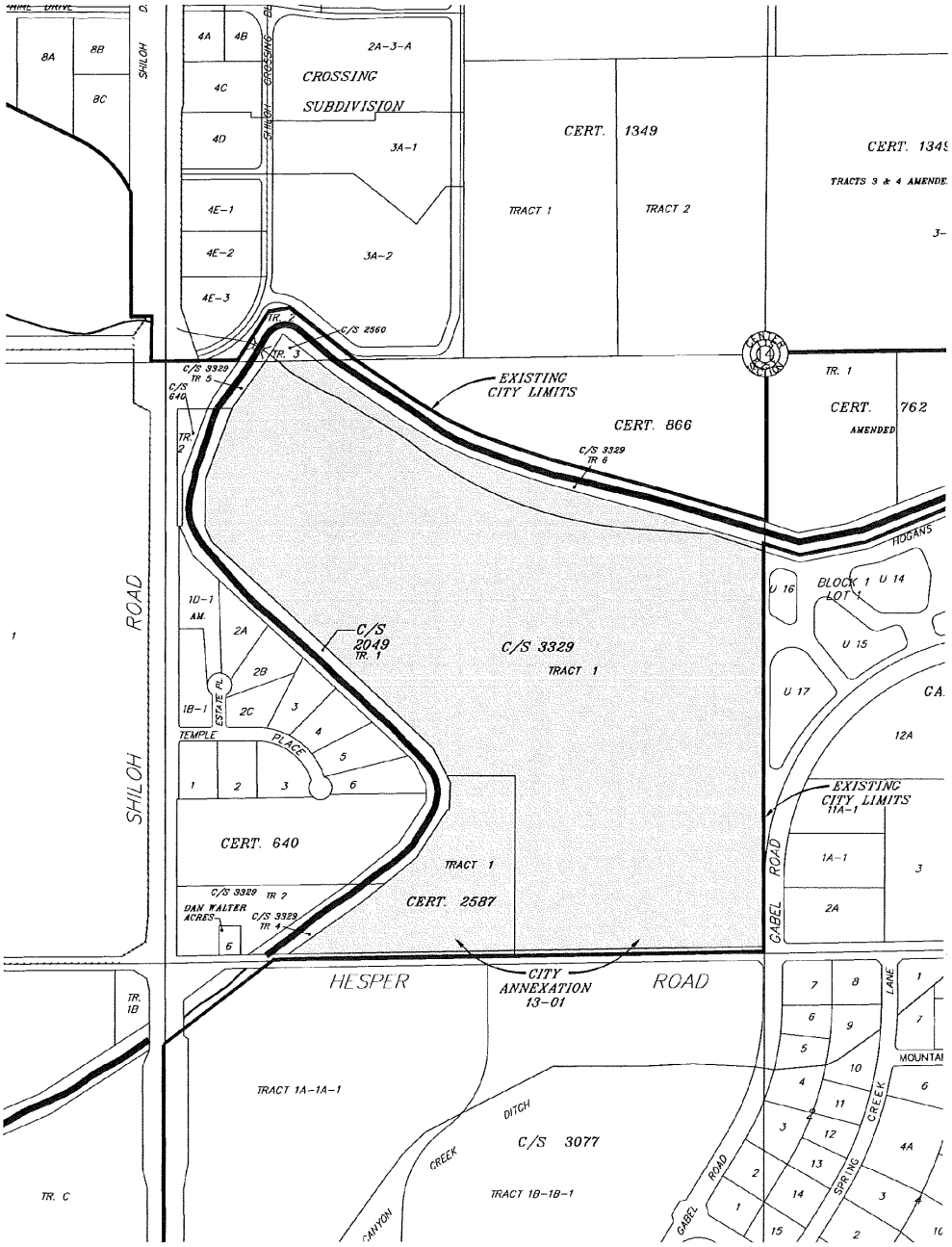
_____
Thomas W. Hanel, MAYOR

ATTEST:

BY:_____
Cari Martin, CITY CLERK

(AN 13-01)

EXHIBIT "A"


CROSSING SUBDIVISION
2A-3-A
3A-1
3A-2
4A
4B
4C
4D
4E-1
4E-2
4E-3
8A
8B
8C
SHILOH
SHILOH CROSSING DR.
CERT. 1349
TRACT 1
TRACT 2
TRACTS 3 & 4 AMENDE
C/S 2560
TR. 2
TR. 3
C/S 3329 TR 5
C/S 640
EXISTING CITY LIMITS
CERT. 866
C/S 3329 TR 6
TR. 1
CERT. 762
AMENDED
HOGANS
BLOCK 1 LOT 1
U 16
U 14
U 15
U 17
12A
C/S 2049 TR. 1
C/S 3329
TRACT 1
1D-1
AM.
2A
2B
2C
1B-1
ESTATE PL.
TEMPLE PLACE
1
2
3
4
5
6
CERT. 640
TRACT 1
CERT. 2587
C/S 3329 TR 2
C/S 3329 TR 4
DAN WALTER ACRES
EXISTING CITY LIMITS
11A-1
1A-1
2A
3
GABEL ROAD
HESPER ROAD
CITY ANNEXATION 13-01
TR. 1B
TRACT 1A-1A-1
DITCH
CREEK
C/S 3077
TRACT 1B-1B-1
CANYON
TR. C
SPRING CREEK
LANE
MOUNTAI
4A

Regular City Council Meeting

Meeting Date: 04/22/2013

TITLE: Public Hearing and First Reading Ordinance Amending Ward III Boundary - Annexation #13-02

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 addressed as 1228 and 1236 Mullowney Lane (Annexation #13-02) on March 25, 2013. This requires a change in the boundaries of Ward III. Two readings are required for this action. The first reading of the ordinance is scheduled for April 22, 2013, along with a public hearing, and the second reading is scheduled for May 13, 2013.

ALTERNATIVES ANALYZED

City Council may:

- Approve first reading of the ordinance to amend the boundaries of Ward III. Approving the ordinance will modify the boundaries of Ward III to include the property at 1228 and 1236 Mullowney Lane.
- Not approve first reading of the ordinance to amend the boundaries of Ward III. Not approving the ordinance will not modify the boundaries of Ward III 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 III.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ward Ordinance

ORDINANCE NO. 13-_____

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 III 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 III the following described real property:

   A tract of land situated in the SE1/4 of Section 18, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

   A tract of unplatted land being the N1/2 SE1/4 of Section 18, T.1S., R.26E., P.M.M.; Excluding Kelly Subdivision, Recorded April 25, 1995, under Document No. 1781333 & inclusive of all Amendments to date;
   Excluding that portion of Interstate 90 East bound Exit Ramp of Exit 446;
   Containing 64.32 gross and net acres more or less.
   (# 13-02) See Exhibit "A" Attached

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

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 22nd day of April 2013.

PASSED by the City Council on the second reading this 13th day of May, 2013.

THE CITY OF BILLINGS:

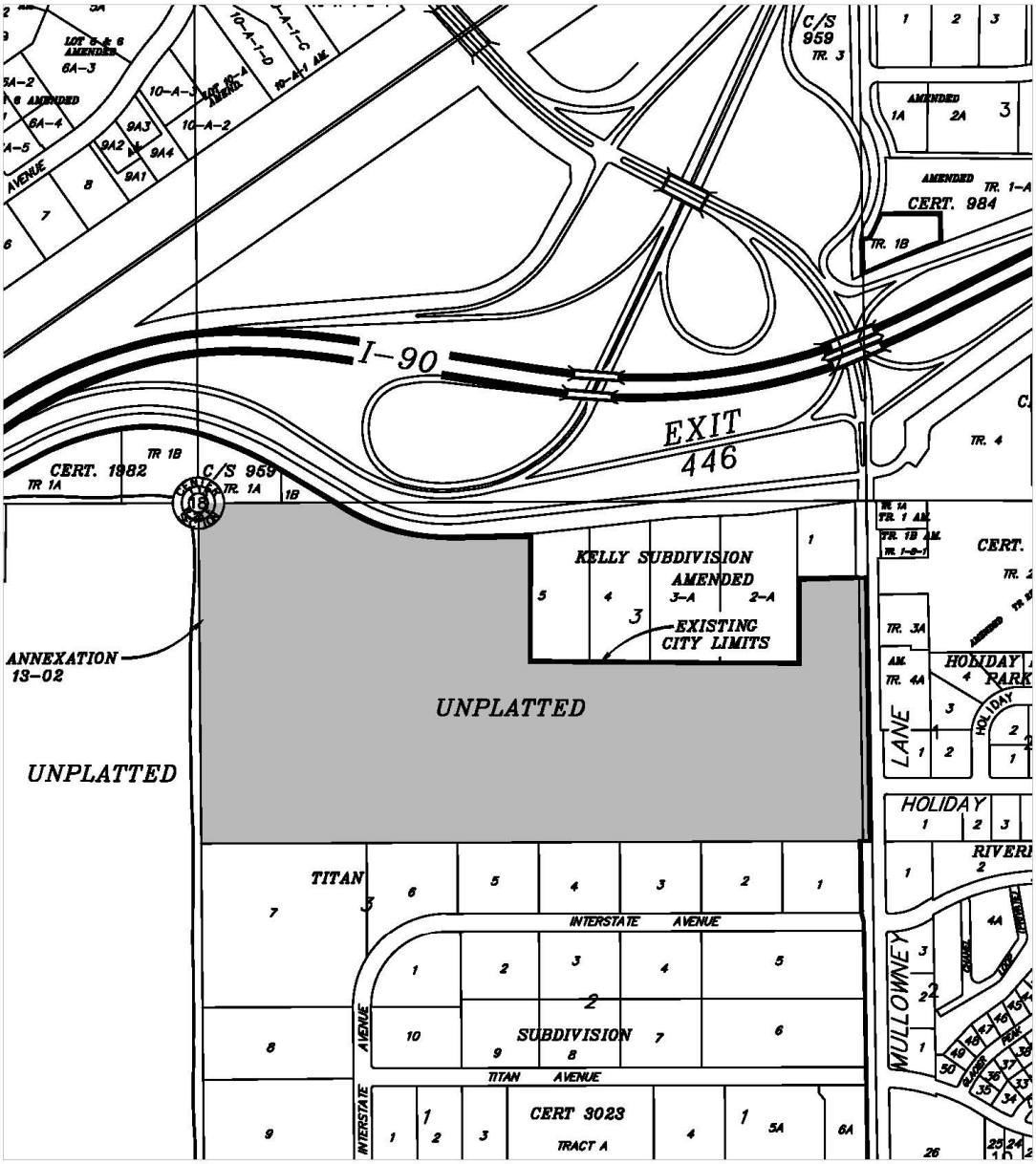
_____
Thomas W. Hanel, MAYOR

ATTEST:

BY:_____
Cari Martin, CITY CLERK

(AN 13-02)

EXHIBIT "A"


I-90
EXIT
446
C/S 959
TR. 3
AMENDED
CERT. 984
TR. 1B
TR. 4
CERT. 1982
TR 1B
TR 1A
C/S 959
TR. 1A
1B
KELLY SUBDIVISION
AMENDED
3-A
2-A
EXISTING
CITY LIMITS
ANNEXATION
13-02
UNPLATTED
UNPLATTED
TR. 3A
TR. 4A
HOLIDAY
PARK
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TITAN
INTERSTATE AVENUE
SUBDIVISION
TITAN AVENUE
INTERSTATE AVENUE
CERT 3023
TRACT A
MULLOWNEY

Regular City Council Meeting
Meeting Date: 04/22/2013
TITLE: Library Cornerstone Donation
PRESENTED BY: Tina Volek
Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The City Council has initiated a request that its April 22, 2013, Business Session include an item to consider whether to accept an offer from the Masonic Lodges of Billings and the Grand Lodge of Montana to lay a cornerstone at the new Billings Public Library. The Masons made the offer in a letter dated March 22, 2013 (attached), and in person at the City Council work session of April 1, 2013.

Billings Administrative Order 103 requires that any donation to the City with a value of more than $500 must be accepted by the City Council at a regular meeting.

At its April 1 work session, the City Council asked the Library Board of Trustees to make a recommendation whether or not to accept the donation. At their April 11 meeting, the Library Trustees voted 5-2, with two absent, to recommend the cornerstone offer made by the Masonic Lodges on the following conditions:

1. The Library Board, project architect and City Council must approve the proposed location, size and text of the cornerstone;
2. The cornerstone is to be installed without cost to the Library and the City; and
3. The installation and/or unveiling of the cornerstone is to be honored in a separate ceremony scheduled by the Masonic Lodges in coordination with the Library and Library Foundations boards so as not to interfere with any other events or ceremonies that either of those groups have scheduled.

ALTERNATIVES ANALYZED

The City Council may:

- Accept the Masons' donation;
- Defer action on the donation; or
- Decline the Masons' donation.

FINANCIAL IMPACT

The laying of the cornerstone would have no financial impact on the City or Library, if the Library Board of Trustees' recommendation is accepted.

RECOMMENDATION

The Library Board of Trustees recommends acceptance of the cornerstone donation under the conditions listed in the Problem/Issue Statement.

APPROVED BY CITY ADMINISTRATOR

Attachments

Cornerstone Offer

March 22, 2013

Tom Hornung
3555 Clint Road
Billings, MT 59105
245-9673

RECEIVED

Mayor

Billings City Council
210 N. 27th St.
P.O. Box 1178
Billings, MT 59103

Dear City Council,
The Masonic Lodges and appended bodies of Billings and the Grand Lodge of Montana would like to participate in the laying of the cornerstone of the new Billings Public Library.
Throughout the history of Montana and the United States the Masonic Fraternity has participated in the celebration of the completion of public buildings, schools, churches, and government buildings by laying cornerstones.
We have laid cornerstones on the White House, Capitol building, Smithsonian Institution, Statue of Liberty, the Washington Cathedral, Teddy Roosevelt Arch in Yellowstone Park, the Montana State Capitol building, and countless churches and schools, and libraries throughout the nation.
The Masonic fraternity of Billings and Montana would deem it an honor to donate the cornerstone for the new library and to arrange a suitable ceremony.
We are requesting the opportunity to meet with the City Council either at a Council meeting or at a work session to explore the possibilities.

Tom Hornung

Tom Hornung

Secretary
Rimrock Lodge #149

Cc: Tom Hanel, Mayor
Tina Volek, City Administrator