

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER AND BUSINESS SUCCEEDS.”

AGENDA

COUNCIL CHAMBERS

April 27, 2015

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Swanson

ROLL CALL: Councilmembers present on roll call were:

MINUTES: April 13, 2015

COURTESIES:

PROCLAMATIONS: Arbor Day - May 8, 2015

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 and 2B 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. **Bid Awards:**

1. **North Side Public Aircraft Parking Ramp Project.** (Opened 4/14/2015)
Recommend CMG Construction; \$916,830.

2. **Front Load, Side Load and Rear Load Garbage Trucks.** (Opened 4/14/2015)
Recommend Montana Peterbilt - Two Rear Load Trucks - \$490,711.16; Montana Peterbilt - Two Side Load Trucks - \$552,505.00; Montana Peterbilt - Two Front Load Trucks - \$526,277.22.
 3. **W.O. 15-01, Schedule 1, Will James Area Water Main Replacement.** (Opened 4/14/2015) Recommend COP Construction; \$1,200,645.
 4. **W.O. 15-01, Schedule 2, Sanitary Sewer Main Replacement.** (Opened 4/14/2015) Recommend COP Construction; \$1,509,574.50.
 5. **W.O. 15-01, Schedule 3, 17th Street West Water Main Replacement.** (Opened 4/14/2015) Recommend COP Construction; \$1,753,263.
 6. **W.O. 15-17, WWTP Aeration Blower Improvements.** (Opened 4/14/2015) Recommend Aerzen; \$157,714.
 7. **Ponderosa School Path.** (Opened 3/31/2015)(Delayed from 4/13/2015); Recommend delay of award until May 11, 2015.
 8. **Waterborne Traffic Paint.** (Opened 4/21/2015) Recommend delay of award until May 11, 2015.
- B. Subordination Agreements** with GSA Billings, L.C. and First Interstate Bank for purposes of debt coverage in the East Tax Increment Financing District.
- C. Amendment #1, Automobile Parking Concession Agreement** with SP Plus Corporation.
- D. Acceptance of Warranty Deed** for a street tract for Barrett Road from School District #2 (Delayed from 4/13/2015).
- E. Acceptance** of donation to Billings Police Department from Phillips 66 for construction of Firearms Training Center; \$50,000.
- F. Acceptance** of Montana State Reading Council Creative Assistance Grant; \$1,000.
- G. Adoption** of Downtown Billings Strategic Plan with final plan implementation recommendations to be made by October, 2015.

- H. **Resolution of Intent** to create SILMD 315, Bench Boulevard, and set a public hearing date of May 26, 2015.
- I. **Resolution** relating to \$9,615,000 Storm Sewer Revenue Bonds, Series 2015; authorizing the sale and prescribing the forms and terms.
- J. **Resolution** authorizing the issuance and calling for a negotiated sale of up to \$310,000 pooled sidewalk bonds (W.O. 15-06, Poly Drive and W.O. 14-02, Miscellaneous Improvements)
- K. **Resolution** adopting a Policy on Utility Easements in City Parks.
- L. **Final Plat** of Josephine Crossing Subdivision, 5th Filing.
- M. **Bills and Payroll:**
 - 1. March 30, 2015
 - 2. April 6, 2015
 - 3. January 1, 2015 - March 31, 2015 (Municipal Court)

REGULAR AGENDA:

2. EAST BILLINGS URBAN RENEWAL AREA

- A. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #15-01:** portions of 6th Avenue North, 4th Avenue North, 3rd Avenue North, 2nd Avenue North, 1st Avenue North, Main Street (Exposition Drive) and some alleys in the area of East Billings; City of Billings, petitioner. Staff recommends approval of the annexation and acceptance of the County Quitclaim Deed for road rights-of-way. (Action: approval or disapproval of staff recommendation.)
- B. **SECOND/FINAL READING ORDINANCE** relating to the modifications of the East Billings Urban Renewal Area and adopting a modified Urban Renewal Plan, including a tax increment provision. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- 3. PUBLIC HEARING** and approval of the FY2015-2019 five-year Consolidated Plan, the FY2015-2016 Annual Action Plan and the allocation of Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) program funding. Staff recommends approval. (Action: approval or disapproval of staff recommendation)

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments here are 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.

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Bid Award for the North Side Public Aircraft Parking Ramp Project

PRESENTED BY: Tom Binford, Director of Aviation & Transit

Department: Airport

PROBLEM/ISSUE STATEMENT

Included in the Airport's Capital Improvement Program is the North Side Public Aircraft Parking Ramp Project. This project will replace a concrete aircraft parking apron on the north side of Runway 10L/28R, and adjacent to the BLM Tanker Base and IP-5 Maintenance Hangar. The existing concrete is nearly 50 years old and is breaking up, causing debris that can get kicked up by the force of aircraft propellers and jet engines, causing damage to aircraft. This project will remove the old concrete and replace it with new asphalt pavement. The project will be built in two phases to allow aircraft to continue to access the IP-5 Maintenance Hangar. This project was advertised in the *Billings Times* on March 26, April 2 and 9, and was posted on the City's Website. On Tuesday, April 14, 2015 the following bids for this project were received:

Contractor	Bid
CMG	\$ 916,830.00
Knife River	\$ 931,816.00
Cayton	\$1,086,497.20
Engineers Estimate	\$ 942,610.00

Staff reviewed the bids and recommends award to the low bidder CMG construction.

ALTERNATIVES ANALYZED

City Council may:

- Approve the award for the North Side Public Aircraft Parking Ramp Project; or
- Decline the bid award, reject all bids, and delay the project.

FINANCIAL IMPACT

The total cost of this project is \$916,830.00. This project is funded 90% with the AIP entitlement grant funds and with 10% local match funds. The FAA's portion will be \$825,147.00 and the City's match will be \$91,683. The project is included in the current budget, and local match funds are budgeted and available in the Airport's Capital account.

RECOMMENDATION

Staff recommends the City Council approve the bid award for the North Side Public Aircraft Parking Ramp to the low bidder, CMG Construction, for the amount of \$916,830.00.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Bid Award - Front Load, Side Load and Rear Load Garbage Trucks

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The Solid Waste Division FY 2015 budget includes funds to replace two front load trucks (cab and chassis), two side load trucks (cab and chassis) and two rear load trucks (cab and chassis). All trucks are fueled by compressed natural gas. The trucks are included in the approved Equipment Replacement Plan for FY 2015. Staff advertised for sealed bids on March 26, April 2 and 9, 2015, with a bid opening on April 14, 2015.

ALTERNATIVES ANALYZED

The Council may:

- Approve the staff recommendation to purchase the units; or
- Not approve the staff recommendation and reject all bids. If the bids are rejected the units will not be replaced in a timely manner and the existing units will be used beyond the recommendations of the Equipment Replacement Committee and the Public Works Department.

FINANCIAL IMPACT

The Solid Waste Division's FY 2015 budget includes adequate funds to replace the vehicles described. The City received bids from Montana Peterbilt and Jack's Truck and Equipment. The bid summary is attached.

RECOMMENDATION

Staff recommends awarding the bids as follows (trade in allowance is included):

- Two Rear Load Trucks to Montana Peterbilt for \$490,711.16
- Two Side Load Trucks to Montana Peterbilt for \$552,505.00
- Two Front Load Trucks to Montana Peterbilt for \$526,277.22

In addition, the existing trucks that will be replaced will be traded in as part of the bids that were received. These trucks are Unit #160 Front Load Truck, Units #146 and #164 Side Load Trucks, and Units #120, #121 and # 123 Rear Load trucks.

APPROVED BY CITY ADMINISTRATOR

Attachments

Solid Waste Truck bids FY15

Truck bids 2015

two (2) Rear Load Trucks

	Peterbilt Cobra	Peterbilt Heil 5000	Peterbilt Leach	Autocar Leach	Autocar Cobra	Autocar Heil 5000
Base	261937	265222	250147	259230	271019	274305
5 yr warranty	3450	3450	3450	2050	2050	2050
tranny wnty	982	982	982	890	890	890
Less trade 120	8875	9500	8875	8875	8875	9500
trade 121	6720	8500	6760	6760	6760	8500
trade 123	8950	10000	8950	8950	8950	10000
Options	3069.08		3069.08	3069.08	3069.08	
Total for 2 trucks	\$514,331.16	\$511,308.00	\$490,711.16	\$505,893.16	\$529,471.16	\$526,490.00

Two (2) Side Load Trucks

	Peterbilt Heil 7000	Peterbilt Wayne Curbtender	Autocar Wayne Curbtender	Autocar Heil 7000
Base	306161	299363	307870	314668
5 yr warranty	3450	3450	2050	2050
tranny wnty	982	982	890	890
trade 145	18500	32885	32885	18500
trade 164	21000	39800	39800	21000
Options		8800	8800	
Total for 2 trucks	\$581,686.00	\$552,505.00	\$566,535.00	\$595,716.00

Two (2) Front Load Trucks

	Peterbilt Heil Dura-Pack	Peterbilt LaBrae	Peterbilt Mammoth	Autocar Heil Dura-Pack	Autocar LaBrae	Autocar Mammoth
Base	287978	285738	277192	296570	294330	285783
5 yr warranty	3450	3450	3450	2050	2050	2050
tranny wnty	982	982	982	890	890	890
trade	30000	51480	51480	30000	51480	51480
Options		7254.61	7254.61		7254.61	7254.61
Total for 2 trucks	\$554,820.00	\$543,369.22	\$526,277.22	\$569,020.00	\$557,569.22	\$540,475.22

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: W.O. 15-01, Schedule 1, Will James Area Water Main Replacement Project

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The City Council will consider awarding a construction contract to COP Construction in the amount of \$1,200,645.00 for W.O. 15-01, Schedule 1, Will James Area Water Main Replacement Project. Schedule 1 consists of approximately 3,900 linear feet of 8-inch and 1,650 linear feet of 16-inch water main replacement in the Will James middle school area. The work area is bounded by Lewis Avenue, Broadwater Avenue, Maywood Drive and Lillis Park. The use of 16-inch PVC water main in lieu of ductile iron was evaluated, determined appropriate for this project, and selection of the PVC bid alternate will save approximately \$57,000 in materials and installation costs.

After being advertised in the Billings Times and on the City website March 26, April 2 and April 9, the project was bid on April 14. Staff recommends that Schedule 1 of W.O. 15-01 be awarded to COP Construction in the amount of \$1,200,645.00.

ALTERNATIVES ANALYZED

City Council may:

- Approve the construction contract with COP Construction in the amount of \$1,200,645.00, or;
- Do not approve the construction contract. If the project is not constructed, the City's water distribution system will continue to experience ongoing maintenance problems such as the more frequently occurring main breaks in this area. Future repair costs and property damage claims can be minimized by completing this project.

FINANCIAL IMPACT

Bids were received on April 14, 2015 for W.O. 15-01, Schedule 1, Will James Area Water Main Replacement Project, and the following table shows the results:

	COP Construction	Kinkaid Civil	Western Municipal	Wilson Brothers
Base Bid	\$1,257,695.00	\$1,274,485.00	\$1,445,474.90	\$1,380,910.00
16-inch C905 DR 14 PVC Alternate	\$1,216,945.00	\$1,256,555.00	\$1,401,856.10	\$1,356,460.00
16-inch C905 DR 18 PVC Alternate	\$1,200,645.00	\$1,240,255.00	\$1,387,055.70	\$1,345,050.00
Low Bid Alternate	\$1,200,645.00	\$1,240,255.00	\$1,387,055.70	\$1,345,050.00

Staff recommends that the project be awarded to COP Construction in the amount of \$1,200,645.00 based on their lowest combined base and C905 DR18 PVC alternate bid price. The funding source is water revenues.

RECOMMENDATION

Staff recommends that Council approve a contract with COP Construction for W.O. 15-01, Schedule 1, Will James Area Water Main Replacement Project in the amount of \$1,200,645.00.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting**Meeting Date:** 04/27/2015**TITLE:** W.O. 15-01, Schedule 2, Sanitary Sewer Main Replacement Project**PRESENTED BY:** David Mumford, Public Works Director**Department:** Public Works**PROBLEM/ISSUE STATEMENT**

The City Council will consider awarding a construction contract to COP Construction LLC in the amount of \$1,509,574.50 for the W.O. 15-01, Schedule 2, Sanitary Sewer Main Replacement Projects. The projects are located in two areas of Billings. Zone A work is located in the Rose Park Elementary School area in the alley north of Avenue D between 17th and 21st Street West. Almost 2,600 linear feet of sewer will be replaced in Zone A. Zone B work is located in the vicinity of North Park between N 12th and N 24th Street from 6th Avenue North towards the BBWA Canal. More than 6,000 linear feet of sanitary sewer will be replaced in Zone B. A trenchless pipe replacement bid alternate was evaluated and selected for portions of the project work, saving more than \$70,000 versus strictly open cut replacement methods.

After being advertised in the Billings Times and on the City website March 26, April 2 and April 9, the project was bid on April 14. Staff recommends that Schedule 2 of W.O. 15-01 be awarded to COP Construction in the amount of \$1,509,574.50.

ALTERNATIVES ANALYZED

City Council may:

- Approve the construction contract with COP Construction in the amount of \$1,509,574.50, or;
- Do not approve the construction contract. If the project is not constructed, the City's sanitary sewer collection system in this area will continue to deteriorate, resulting in increased maintenance costs and property damage liability potential.

FINANCIAL IMPACT

Bids were received on April 14, 2015 for W.O. 15-01, Schedule 2, Sanitary Sewer Main Replacement Project, and the following table shows the results:

	Western Municipal	COP Construction
Zone A Base Bid	\$314,607.00	\$295,112.00
Zone A Open Cut Alternate	\$124,038.00	\$102,172.00
Zone A Trenchless Alternate	\$92,128.00	\$88,945.00
Zone A Subtotal (includes low bid Alternate)	\$406,735.00	\$384,057.00
Zone B Base Bid	\$737,800.00	\$695,201.50
Zone B Open Cut Alternate	\$546,432.00	\$487,498.00
Zone B Trenchless Alternate	\$432,188.00	\$430,316.00
Zone B Subtotal (includes low bid Alternate)	\$1,169,988.00	\$1,125,517.50
Zone A + Zone B TOTAL	\$1,576,723.00	\$1,509,574.50

Staff recommends that the project be awarded to COP Construction in the amount of \$1,509,574.50 based on the lowest combined subtotals of Zones A and B. The funding source is sanitary sewer revenues.

RECOMMENDATION

Staff recommends that Council approve a contract with COP Construction for W.O. 15-01, Schedule 2, Sanitary Sewer Main Replacement Project in the amount of \$1,509,574.50.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: W.O. 15-01, Schedule 3, 17th Street West Water Main Replacement Project

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The City Council will consider awarding a construction contract to COP Construction LLC in the amount of \$1,753,263.00 for the W.O. 15-01, Schedule 3, 17th Street West Water Main Replacement Project. Schedule 3 would install approximately 4600 linear feet of 16 and 20-inch water main in 17th Street West between Avenue D and Poly Drive. The use of PVC water main in lieu of ductile iron was evaluated and determined appropriate for this project. Selection of the PVC bid alternates saves nearly \$130,000 in materials and installation costs.

After being advertised in the Billings Times and on the City website March 26, April 2 and April 9, the project was bid on April 14. Staff recommends that Schedule 3 of W.O. 15-01 be awarded to COP in the amount of \$1,753,263.00.

ALTERNATIVES ANALYZED

City Council may:

- Approve the construction contract with COP Construction in the amount of \$1,753,263.00, or;
- Do not approve the construction contract. If the project is not constructed, the City's distribution system in this area will remain at risk for problems such as main breaks which result in maintenance expenses and property damage liability.

FINANCIAL IMPACT

Bids were received on April 14 for W.O. 15-01, Schedule 3, 17th Street West Water Main Replacement Project, and the following table shows the results:

	COP Construction	Kinkaid Civil	Western Municipal
Base Bid (Ductile Iron)	\$1,882,608.00	\$1,986,895.00	\$2,283,620.00
16-inch PVC C905 DR18 Alternate (deduct)	\$38,520.00	\$24,610.00	\$41,730.00
20-inch PVC C905 DR18 Alternate (deduct)	\$90,825.00	\$51,900.00	\$150,510.00
TOTAL Bid with Alternates	\$1,753,263.00	\$1,910,385.00	\$2,091,380.00

Staff recommends that the project be awarded to COP Construction in the amount of \$1,753,263.00 based on their lowest base bid in combination with PVC alternates. The funding source is water revenues.

RECOMMENDATION

Staff recommends that Council approve a contract with COP Construction for W.O. 15-01, Schedule 3, 17th Street West Water Main Replacement project in the amount of \$1,753,263.00.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: W.O. 15-17, WWTP Aeration Blower Improvements, Procurement Bid Award

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The City of Billings has contracted with NorthWestern Energy (NWE) for an incentive payment to the City upon installing a new, more energy efficient turbo blower to be used in the Wastewater Treatment Plant's (WWTP) aeration process. The Incentive Agreement provides for payment from NWE to the City in an amount up to \$145,000 upon satisfactory completion of the project.

This contract award is related to the pre-purchase (procurement) of a new turbo blower that meets the specifications outlined in the NWE agreement. The mechanical efficiency of a high-speed turbo blower is superior to the existing multi-stage turbine blower. The projected energy savings for installing a turbo blower is approximately 20% (420,000 kWh/yr). This blower is also designed to fit in with the aeration design currently underway as part of the WWTP's major overhaul/upgrade project. In addition to receiving the incentive from NWE, installing the turbo blower now will provide opportunities for plant staff to learn how these types of blowers are operated, maintained, and controlled well in advance of multiple turbo blowers being installed during the plant upgrade project. The bid package and associated contract have been written such that the initial blower purchased will establish what future blowers may be purchased and identify the costs associated with this future purchase--creating beneficial consistency and essentially "locking in" the price, allowing that future budget to be determined and maintained. The initial and future blowers will be installed by general contractors and will be awarded as separate construction contracts later. For the initial blower, the cost of the blower itself will likely be more than its installation costs, so pre-purchasing the equipment will eliminate having to pay substantial contractor mark-ups. These types of blowers have a fairly lengthy delivery time, so another reason for pre-purchasing the blower is to be better able to meet the deadline identified in the NWE incentive agreement.

This contract initially bid March 10, 2015. However, all three bids submitted included "exceptions" to the specifications. Awarding a contract with these exceptions would have likely led to a protest from the non-selected suppliers, so it was recommended (and Council approved) at the March 23 Council meeting to reject all bids and to rebid the project. Revisions were made to the specifications in an effort to eliminate any potential exceptions from the suppliers while maintaining all of the project's requirements. NWE was notified of the City's actions and will evaluate the schedule later, but still felt the full incentive would be honored. The re-bid of the project was advertised March 26, April 2 and April 9, 2015 in The Billings Times and on the City's website. Bids were opened April 14, 2015, and Council is asked to award a contract based on the bids.

ALTERNATIVES ANALYZED

The Council may:

- Award a procurement contract to the low bidder, Aerzen USA Corporation, in the amount of \$157,714.00; or
- Reject all bids, which will delay ordering and the delivery of a blower, which will likely cause the City to miss the deadline in the NWE agreement, potentially resulting in the City missing out on part or all of the incentive payment.

FINANCIAL IMPACT

The following bid was received and evaluated. The bid is considered responsible.

Turbo Blower Supplier (Contractor)	Bid
Aerzen USA Corporation	\$ 157,714.00

The project is being funded by wastewater funds, as approved in the FY 2015 budget. There are sufficient funds available to cover the costs of the procurement contract.

RECOMMENDATION

Staff recommends Council award a procurement contract for W.O. 15-17--WWTP Aeration Blower Improvements to Aerzen USA Corporation in the amount of \$157,714.00.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Ponderosa School Path - Request for Delay of Construction Contract Award

PRESENTED BY: Mike Whitaker

Department: Parks/Rec/Public Lands

PROBLEM/ISSUE STATEMENT

The Ponderosa School Path project is funded through CTEP with the local matching funds coming from the South Billings Urban Renewal Tax Increment Finance District. The project will connect to the existing trail at Kings Green Subdivision and go west to the Ponderosa Elementary School and then west from the school through Ponderosa Park and connecting to the sidewalk along the west side of Orchard Land near the Sam's Club. Bids were opened on Tuesday March 31, 2015, and there were 3 companies that submitted bid proposals. Due to a bidding irregularity and the need for investigation and a determination by Legal Staff, this has caused a delay in the CTEP Administrator's review and the issuance of a letter of concurrence. Per CTEP guidelines a letter of concurrence to accept a bid must be issued by the CTEP Administrator prior to approval of bid award by the local governing body. Legal Staff has made their determination and we are now awaiting CTEP concurrence. Staff recommends delaying the bid award for this project until the May 11th Council meeting.

ALTERNATIVES ANALYZED

The City Council may:

1. Delay awarding a project contract until the May 11, 2015 Council Meeting; or
2. Do not award a contract and reject all bids.

FINANCIAL IMPACT

There will be no financial impact to the City.

RECOMMENDATION

The Billings Parks, Recreation and Public Land Department recommends delaying award of a project contract until the May 11, 2015 Council Meeting to allow for CTEP Administrator bid review and the issuance of a letter of concurrence.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Waterborne Traffic Paint

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The Public Works Department uses Waterborne Traffic Paint on City streets for painting road centerlines, crosswalks and curbs. This product is a water based paint. On average, the Street/Traffic Division will use approximately 6,000 gallons of paint for the season. The Public Works Department advertised for bids in the Billings Times and the City internet for two weeks. Bids were opened for the Waterborne Traffic paint on April 21, 2015. State law requires the governing body to consider bids at the meeting immediately following a bid opening. Staff needs additional time to review these bids and requests that the City Council delay the bid award until the May 11, 2015 Council meeting.

ALTERNATIVES ANALYZED

City Council may:

- Delay the award for the purchase of the Waterborne Traffic Paint until the May 11, 2015 Council meeting; or
- Reject the bids for the purchase of the Waterborne Traffic Paint.

FINANCIAL IMPACT

The cost for the Waterborne Traffic Paint will be funded through the Public Works Department, Street/Traffic Division operation and maintenance budget.

RECOMMENDATION

Staff recommends that Council delay the bid award for the Waterborne Traffic Paint until the May 11, 2015 Council meeting.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: GSA Billings, L.C. and First Interstate Bank Subordination Agreements

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

GSA Billings, L.C. and First Interstate Bank have development agreements with the City for reimbursements for public improvements in the East Billings Urban Renewal Area (EBURD). The agreements are funded by annual tax increment finance (TIF) receipts. The City needs to sell tax increment revenue bonds for a storm sewer, street, sidewalk, curb and gutter project in the district. In order to provide security for bond purchasers and provide adequate debt payment coverage, both parties have executed agreements that subordinate their payments to the debt payments.

ALTERNATIVES ANALYZED

City Council may:

- Approve, or;
- Disapprove the subordination agreements. If the reimbursement payments remain superior to potential debt payments, it may be difficult or impossible for the City to sell TIF bonds to finance the desired public improvements.

FINANCIAL IMPACT

There is no direct financial impact from approving the agreements. The City will continue making the development agreement payments to both parties, after satisfying the bonded debt requirements.

RECOMMENDATION

Staff recommends the City Council approve the subordination agreements from GSA Billings, L.C. and First Interstate Bank.

APPROVED BY CITY ADMINISTRATOR

Attachments

GSA Agreement

FIB Agreement

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT (the “Agreement”) dated as of this [] day of [], 2015, is entered into by and between GSA Billings, L.C., a Utah limited liability company, with an address of 90 South 400 West, Suite 200, Salt Lake City, Utah 84101 (“GSA Billings LC”) and the City of Billings, a municipality of the State of Montana, with an address of 210 North 27th Street, Billings, Montana 59103 (the “City” and, together with GSA Billings LC the “Parties”).

WITNESSETH:

WHEREAS, GSA Billings LC and the City are parties to that certain Development Agreement dated as of September 10, 2013 (the “Development Agreement”) pursuant to which (i) GSA Billings LC agreed to construct an office facility (the “Project”), including certain qualified public improvements (the “Public Improvements”), in the City’s East Billings Urban Renewal District (the “District”) and (ii) the City agreed to reimburse GSA Billings LC out of tax increment generated by the Project (the “Project Tax Increment”) the costs of the Public Improvements (the “Reimbursement Obligation”);

WHEREAS, the City desires to undertake one or more urban renewal projects in the District and to finance the costs of such projects with the proceeds of bonds, notes or other similar obligations (collectively, the “Bonds”) payable from tax increment revenue received in the District (including the Project Tax Increment) (“District Tax Increment”) as a way of stimulating development in the District which benefits property owners in the District, including GSA Billings LC;

WHEREAS, the current outstanding principal amount of the Reimbursement Obligation is \$541,578.60 and, upon execution of this Agreement, the City agrees to prepay the Reimbursement Obligation in the amount of \$144,326 (representing two Annual Reimbursement Payments (as defined in the Development Agreement));

WHEREAS, upon the issuance of Bonds, the City intends to extend the sunset date of the District until approximately 2040 which will help to ensure that the remaining amount of the Reimbursement Obligation is able to be repaid in full; and

WHEREAS, in order to reduce interest costs and enhance the marketability of the Bonds, the City and GSA Billings LC desire that the City be able to issue Bonds secured by a first pledge of and lien on all District Tax Increment and that the Reimbursement Obligation be payable from District Tax Increment on a subordinate basis to the Bonds.

NOW THEREFORE, for good and valuable consideration, the Parties hereto hereby agree, covenant and represent as follows:

1. Subordination; District Sunset Date. The Bonds shall be secured by a first pledge of and lien on all District Tax Increment and all other moneys from time to time in the tax

increment accounts created pursuant to one or more resolutions to be adopted by the City in connection with the issuance of Bonds. The Reimbursement Obligation and, pursuant to a separate agreement between the City and First Interstate Bank, the existing obligation of the City to First Interstate Bank pursuant to a Development Agreement dated as of April 27, 2009 (the "Bank Reimbursement Obligation") shall constitute subordinate obligations payable equally and ratably from District Tax Increment on a subordinate basis to the Bonds. Notwithstanding anything herein to the contrary, without the prior written consent of GSA Billings LC, the City shall not issue (i) Bonds in an aggregate principal amount greater than \$3.3 million or (ii) bonds, notes or other similar obligations payable from District Tax Increment on a parity with the Reimbursement Obligation and the Bank Reimbursement Obligation. Nothing herein shall prevent the City from issuing bonds, notes or other similar obligations payable from District Tax Increment on a subordinate basis to the Reimbursement Obligation and the Bank Reimbursement Obligation. Notwithstanding anything herein to the contrary, so long as all amounts then due and owing under the Bonds have been paid, the City will pay the Annual Reimbursement Payment pursuant to the Development Agreement, equally and ratably with the Bank Reimbursement Payment. Upon the issuance of Bonds, the City shall extend the sunset date of the District until 2040.

2. Prepayment of Annual Reimbursement Payments. On the date of execution of this Agreement by each of the Parties, the City shall pay to GSA Billings LC the amount of \$144,326 (the "Prepayment Amount"), such amount representing two Annual Reimbursement Payments. The Prepayment Amount shall be applied to the outstanding principal amount of the Reimbursement Obligation and upon payment thereof, the Reimbursement Obligation shall be reduced to \$397,252.60. Thereafter, the remaining outstanding principal amount of the Reimbursement Obligation shall continue to be paid in annual installments pursuant to the Development Agreement, beginning with the next scheduled payment in July 2015.

3. City Undertaking. In order to ensure that there is sufficient District Tax Increment to pay the Reimbursement Obligation, calculated as set forth in the Development Agreement, the City covenants and agrees that it shall not issue Bonds for the purpose of paying the cost of one or more urban renewal projects and any expenses in connection with such financing unless:

(a) the District Tax Increment received by the City in the last completed fiscal year prior to the issuance of such Bonds was equal to at least 120% of the maximum principal and interest requirements for any future calendar year for all outstanding Bonds and any additional Bonds proposed to be issued; *and*

(b) the District Tax Increment received by the City in the last completed fiscal year prior to the issuance of such Bonds, adjusted as provided in this clause (b), was, and the District Tax Increment estimated to be received in the next succeeding three fiscal years following the issuance of such Bonds, adjusted as provided in clause (c) below, is estimated to be, equal to at least 120% of the maximum principal and interest requirements for any future calendar year for all outstanding Bonds and any additional Bonds proposed to be issued. For this purpose, the District Tax Increment received by the City in the last completed fiscal year prior to the issuance of such Bonds may be

adjusted by adding any increase in District Tax Increment which would have resulted from applying the aggregate tax rates of the taxing jurisdictions effective for the last completed fiscal year prior to the issuance of such Bonds to the value, as determined by certification of the County Assessor, of any projects which have been completed in the District before the date of issuance of such additional Bonds and the taxable values of which as so completed are not included in the actual taxable value of the District; and

(c) For purposes of the foregoing subsection (b), in estimating the District Tax Increment to be received in any future fiscal year, the Mayor and the City Finance Director shall assume that: (i) 90% of the taxes levied in the District will be collected in any fiscal year; (ii) no taxes delinquent in a prior fiscal year will be collected in any subsequent fiscal year; and (iii) there will be no increase in the District Tax Increment to be received in any future fiscal year resulting from projected inflation in property values or projected increases in taxes.

This Section 3 shall not apply to Bonds issued for the purpose of refunding or refinancing other Bonds, including the payment of any redemption premium thereon and interest which will accrue on such Bonds to any redemption date or the stated maturities thereof, and any expenses in connection with such financing.

4. Governing Law. This Agreement shall be governed by and construed in accordance with the applicable laws of the State of Montana. Venue shall be in Yellowstone County, Montana.

5. Construction. If any provision of this Agreement is found to be invalid to any extent, the remainder of this Agreement shall not be affected thereby, and any such provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

6. Successors and Assigns. The stipulations and agreements of this Agreement shall be binding upon the Parties' successors and assigns.

7. Notices. Any notice, demand or request under this Agreement shall be delivered in person or sent via U.S. Certified Mail, postage prepaid, to the Parties at the following addresses:

City of Billings
210 North 27th Street
Billings, MT 59101
Attn: City Attorney

GSA Billings LC
90 South 400 West, Suite 200
Salt Lake City, UT 84101
Attn: Nate Boyer

8. Amendments. Amendments or modifications to this Agreement or any provisions herein shall be made in writing by the party requesting the change and upon written acceptance and execution by all parties shall become a part of this Agreement.

IN WITNESS WHEREOF, the Parties have set their hands and seals the day and year first written above.

CITY OF BILLINGS, MONTANA

By: _____
Mayor

Attest: _____
City Clerk

GSA BILLINGS, L.C., by its Manager

Boyer Project Company, L.C.

The Boyer Company, L.C.

By: _____
Its: Manager

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT (the “Agreement”) dated as of this [] day of [], 2015, is entered into by and between First Interstate Bank, with an address of 401 North 31st, Billings, MT 59101 (the “Bank”) and the City of Billings, a municipality of the State of Montana, with an address of 210 North 27th Street, Billings, Montana 59103 (the “City” and, together with the Bank, the “Parties”).

WITNESSETH:

WHEREAS, the Bank and the City are parties to that certain Development Agreement dated as of April 27, 2009 (the “Development Agreement”) pursuant to which (i) the Bank agreed to develop an operations center (the “Project”), including certain qualified public improvements (the “Public Improvements”), in the City’s East Billings Urban Renewal District (the “District”) and (ii) the City agreed to reimburse the Bank out of tax increment generated by the Project (the “Project Tax Increment”) the costs of the Public Improvements (the “Reimbursement Obligation”);

WHEREAS, the City desires to undertake one or more urban renewal projects in the District and to finance the costs of such projects with the proceeds of bonds, notes or other similar obligations (collectively, the “Bonds”) payable from tax increment revenue received in the District (including the Project Tax Increment) (“District Tax Increment”) as a way of stimulating development in the District which benefits property owners in the District, including the Bank; and

WHEREAS, upon the issuance of Bonds, the City intends to extend the sunset date of the District until approximately 2040 which will help to ensure that the remaining amount of the Reimbursement Obligation is able to be repaid in full; and

WHEREAS, in order to reduce interest costs and enhance the marketability of the Bonds, the City and the Bank desire that the City be able to issue Bonds secured by a first pledge of and lien on all District Tax Increment and that the Reimbursement Obligation be payable from District Tax Increment on a subordinate basis to the Bonds.

NOW THEREFORE, for good and valuable consideration, the Parties hereto hereby agree, covenant and represent as follows:

1. Subordination; District Sunset Date. The Bonds shall be secured by a first pledge of and lien on all District Tax Increment and all other moneys from time to time in the tax increment accounts created pursuant to one or more resolutions to be adopted by the City in connection with the issuance of Bonds. The Reimbursement Obligation and the existing obligation of the City to GSA Billings L.C. pursuant to a Development Agreement dated as of September 10, 2013 (the “GSA Reimbursement Obligation”) shall constitute subordinate obligations payable equally and ratably from District Tax Increment on a subordinate basis to the Bonds. Notwithstanding anything herein to the contrary, without the prior written consent of the

Bank, the City shall not issue (i) Bonds in an aggregate principal amount greater than \$3.3 million or (ii) bonds, notes or other similar obligations payable from District Tax Increment on a parity with the Reimbursement Obligation and GSA Reimbursement Obligation. Nothing herein shall prevent the City from issuing bonds, notes or other similar obligations payable from District Tax Increment on a subordinate basis to the Reimbursement Obligation and the GSA Reimbursement Obligation. Upon the issuance of Bonds, the City shall extend the sunset date of the District until 2040.

2. City Undertaking. In order to ensure that there is sufficient District Tax Increment to pay the Reimbursement Obligation, calculated as set forth in the Development Agreement, the City covenants and agrees that it shall not issue Bonds for the purpose of paying the cost of one or more urban renewal projects and any expenses in connection with such financing unless:

(a) the District Tax Increment received by the City in the last completed fiscal year prior to the issuance of such Bonds was equal to at least 120% of the maximum principal and interest requirements for any future calendar year for all outstanding Bonds and any additional Bonds proposed to be issued; *and*

(b) the District Tax Increment received by the City in the last completed fiscal year prior to the issuance of such Bonds, adjusted as provided in this clause (b), was, and the District Tax Increment estimated to be received in the next succeeding three fiscal years following the issuance of such Bonds, adjusted as provided in clause (c) below, is estimated to be, equal to at least 120% of the maximum principal and interest requirements for any future calendar year for all outstanding Bonds and any additional Bonds proposed to be issued. For this purpose, the District Tax Increment received by the City in the last completed fiscal year prior to the issuance of such Bonds may be adjusted by adding any increase in District Tax Increment which would have resulted from applying the aggregate tax rates of the taxing jurisdictions effective for the last completed fiscal year prior to the issuance of such Bonds to the value, as determined by certification of the County Assessor, of any projects which have been completed in the District before the date of issuance of such additional Bonds and the taxable values of which as so completed are not included in the actual taxable value of the District; and

(c) For purposes of the foregoing subsection (b), in estimating the District Tax Increment to be received in any future fiscal year, the Mayor and the City Finance Director shall assume that: (i) 90% of the taxes levied in the District will be collected in any fiscal year; (ii) no taxes delinquent in a prior fiscal year will be collected in any subsequent fiscal year; and (iii) there will be no increase in the District Tax Increment to be received in any future fiscal year resulting from projected inflation in property values or projected increases in taxes.

This Section 2 shall not apply to Bonds issued for the purpose of refunding or refinancing other Bonds, including the payment of any redemption premium thereon and interest which will accrue on such Bonds to any redemption date or the stated maturities thereof, and any expenses in connection with such financing.

3. Governing Law. This Agreement shall be governed by and construed in accordance with the applicable laws of the State of Montana. Venue shall be in Yellowstone County, Montana.

4. Construction. If any provision of this Agreement is found to be invalid to any extent, the remainder of this Agreement shall not be affected thereby, and any such provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

5. Successors and Assigns. The stipulations and agreements of this Agreement shall be binding upon the Parties' successors and assigns.

6. Notices. Any notice, demand or request under this Agreement shall be delivered in person or sent via U.S. Certified Mail, postage prepaid, to the Parties at the following addresses:

City of Billings
210 N 27th Street
Billings, MT 59101
Attn: City Attorney

First Interstate Bank of Billings, N.A.
201 N 31st Street
Billings, MT 59101
Attn: Corp Facilities

7. Amendments. Amendments or modifications to this Agreement or any provisions herein shall be made in writing by the party requesting the change and upon written acceptance and execution by all parties shall become a part of this Agreement.

IN WITNESS WHEREOF, the Parties have set their hands and seals the day and year first written above.

CITY OF BILLINGS, MONTANA

By: _____
Mayor

Attest: _____
City Clerk

FIRST INTERSTATE BANK

By: _____
Its:

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Amendment One to Automobile Parking Concession Agreement

PRESENTED BY: Tom Binford, Director of Aviation & Transit

Department: Airport

PROBLEM/ISSUE STATEMENT

On March 9, 2015, City Council approved a construction contract to CMG Construction, Inc. to reconstruct the Airport's old employee parking lot into a new 225 stall "Express Lot" parking area. As Council may recall, the project includes a new entry merge lane, an entry plaza, an express credit card exit area, and a by-pass lane to the existing pay booth for those who want to pay with cash.

In order to incorporate this new Express Lot into the current Automobile Parking Concession Agreement, staff recommends that the Mayor and City Council approve Amendment One to the Automobile Parking Concession Agreement with Concessionaire, SP Plus Corporation, formerly known as Standard Parking. The Amendment will (1) incorporate the new Express Lot into the Agreement, (2) adjust the public parking rate structure to accommodate the Express Lot, (3) provide the revenue control equipment needed to operate this lot, (4) add an additional five years to the existing Concession Agreement's term, and (5) establish the rate for Airport revenues during the extended five-year term.

Staff has been negotiating with SP Plus to supply the new revenue control equipment needed to operate the Express Lot, as well as upgrade the existing Long and Short Term lots' revenue control system so that all ticket dispensing, credit card exit, and manual revenue control equipment is compatible and current once the new lot is opened. In exchange for purchasing, installing, and maintaining this equipment, SP Plus requested a five-year lease extension. Staff feels this is a reasonable request, as this equipment is valued at \$224,000. Additionally, with the addition of the new parking lot, the Concessionaire will receive additional revenue from the new Express Lot; subsequently, staff also negotiated a new revenue percentage during the five-year term extension. Currently, SP Plus provides the Airport 70% of gross revenues collected. During the additional five-year term, the Airport will receive 80.5% of gross revenues. With SP Plus providing the \$224,000 of equipment, and the Airport receiving 80.5% of the anticipated increased total revenues over the five-year extension, staff feels this is a favorable deal for the City.

ALTERNATIVES ANALYZED

City Council may:

- Approve Amendment One to the Airport Parking Lot as set forth; or
- Decline to approve Amendment One and direct staff on how to proceed.

FINANCIAL IMPACT

The Airport estimates that revenues resulting from adding an additional five years will be no less than \$2,100,000 annually, and could reach upwards of \$2,700,000 annually. Additionally, the Airport will not be required to provide a capital outlay of \$224,000 for new equipment.

RECOMMENDATION

Staff recommends the City Council approve Amendment One to the Automobile Parking Concession Agreement with SP Plus Corporation, adding approximately 225 new parking stalls, adjusting the parking rates to accommodate the third lot, requiring SP Plus Corporation to install \$224,000 of new Parking Revenue Control Equipment, adding five years to the Agreement Term, and establishing the revenues the Airport will receive during the additional five years.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Warranty Deed for Right of Way for Barrett Road

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

School District 2 recently completed a Certificate of Survey which splits off a street tract for Barrett Road, adjacent to the new Medicine Crow Middle School. The District is deeding this tract to the City. A portion of the newly-constructed street exists within this street tract. The Certificate of Survey will be assigned a number once it is filed and that information will be written into the warranty deed. At the April 13 City Council meeting, this was delayed to the April 27th Council meeting.

ALTERNATIVES ANALYZED

There is no viable alternative to accepting the warranty deed because the street exists within it.

FINANCIAL IMPACT

There is no significant financial impact with acceptance of the warranty deed.

RECOMMENDATION

Staff recommends Council accept the warranty deed for the street tract for Barrett Road.

APPROVED BY CITY ADMINISTRATOR

Attachments

Warranty Deed

Return to:
City of Billings
P.O. Box 1178
Billings, MT 59103

WARRANTY DEED

THIS INDENTURE, made this _____ day of _____, 20____.

FOR VALUABLE CONSIDERATION, lawful money of the United States to them in hand paid by the **CITY OF BILLINGS**, THE receipt whereof is acknowledged, **WITNESSTH THAT:**

Billings Elementary School District No. 2,
Yellowstone County, Montana
415 North 30th Street
Billings, MT 59101

does hereby **GRANT, BARGAIN, SELL CONVEY, WARRANT AND CONFIRM** unto the **CITY OF BILLINGS** for the benefit and use of **The Public** the following described real property, to wit:

A tract of land situated the SW1/4 of Section 14, T. 1 N., R. 26 E., P.M.M. described as Tract 3, Certificate of Survey No _____, on file and of record in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. _____ more particularly described as follows:

Beginning at a point which is situated N 89°50'51" E a distance of 37.50 feet and S 00°30'33" E a distance of 25.00 feet from the west one quarter corner of Section 14, T. 1 N., R. 26 E., P.M.M.; thence, from said point of beginning, N 89°50'51" E a distance of 1,284.05 feet; thence S 00°32'41" E a distance of 15.00 feet; thence N 89°50'51" E a distance of 13.47 feet; thence S 00°30'01" E a distance of 15.00 feet; thence S 89°50'51" W a distance of 1297.53 feet; thence N 00°30'33" W a distance of 30.00 feet to the Point of Beginning; containing an area of 0.8890 acres, more or less.

PURPOSE OF ACQUISITION is to create a right-of way parcel for construction and use of public road, utility and related appurtenant structures, pursuant to 76-3-201(1)(h) M.C.A. and A.R.M. 24.183.1104 as a division of land that creates rights-of-way or utility sites.

EXCEPTING AND RESERVING, however, all gas and oil, beneath the surface of the above

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Accept Donation In the Amount of \$50,000 from Phillips 66

PRESENTED BY: Rich St. John, Police Chief

Department: Police

PROBLEM/ISSUE STATEMENT

Phillips 66 wants to donate \$50,000 to the Billings Police Department to construct a Firearms Training Center. The training center will be a multi-use facility used by the Department's firearms, patrol rifle, and SWAT team as well as other divisions as needed. The training center will be located at the newly acquired firearms range and will also provide shelter during inclement weather.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the donation in the amount of \$50,000 from Phillips 66; or
- Not Approve the donation in the amount of \$50,000 from Phillips 66. The Department would seek other donated or City funding for the project.

FINANCIAL IMPACT

There is no direct financial impact if the Council accepts the donation.

RECOMMENDATION

Staff recommends that the City Council accept the donation from Phillips 66 in the amount of fifty thousand dollars (\$50,000).

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Acceptance of Montana State Reading Council Creative Assistance Grant 2015

PRESENTED BY: Bill Cochran, Library Director

Department: Library

PROBLEM/ISSUE STATEMENT

Billings Public Library has been awarded \$1,000.00 from the Montana State Reading Council (MSRC) Creative Assistance Grant 2015. This award will provide assistance with the Library's "Book It With a Buddy" program, a book discussion program for children and adults which introduces children to a wide variety of authors and genres. It will also provide assistance with the "Full STEAM Ahead" program in which children are given a chance to take subjects from the Common Core; Science, Technology, Engineering, Art and Math and see them put to use in a fun and hands on way.

ALTERNATIVES ANALYZED

City Council may:

- Approve, or;
- Disapprove the grant.

FINANCIAL IMPACT

Approval of the \$1,000.00 MSRC Creative Assistance Grant will allow the Library to purchase materials and supplies for the "Book It With a Buddy" and "Full STEAM Ahead" programs.

RECOMMENDATION

Staff recommends that City Council accept the \$1,000 grant assistance from MRSC Creative Assistance Grant 2015.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Adopt Downtown Parking Strategic Plan

PRESENTED BY: Bruce McCandless, Assistant City Administrator

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Based on recommendations from the Parking Advisory Board (PAB), the Downtown Billings Alliance and City staff, the City Council approved contracting with Kimley-Horn for a Downtown Billings Parking Strategic Plan in April, 2014. The firm presented the draft plan to the Council and the PAB on March 2, 2015. The PAB met twice since that date to review the plan, discuss priorities and to develop an action plan. The Council heard the PAB's report on those activities at its April 20 work session. The PAB and staff recommend that the City Council approve and adopt the Downtown Parking Strategic Plan at this time and the PAB be allowed to continue refining and prioritizing the plan elements through the spring and summer. The PAB will make final plan implementation recommendations to the City Council no later than October, 2015.

ALTERNATIVES ANALYZED

City Council may:

- Adopt the Plan, or;
- Disapprove adoption.

FINANCIAL IMPACT

There are no direct financial impacts from adopting the Parking Strategic Plan. The final recommendations will probably include rate changes and capital investments, but those impacts will be realized later in FY 16 or in subsequent years' budgets.

RECOMMENDATION

Staff and the Parking Advisory Board recommend that the City Council approve and adopt the Downtown Billings Strategic Plan, with the PAB making final plan implementation recommendations by October, 2015.

APPROVED BY CITY ADMINISTRATOR

Attachments

[Parking plan presentation](#)

[Plan executive summary](#)

Kimley»Horn



Draft Report Presentation

March 2, 2015

Billings DOWNTOWN PARKING STRATEGIC PLAN



PRESENTATION OVERVIEW

- ➔ Project Overview
- ➔ Planning Context
- ➔ Current Conditions Overview
- ➔ Community Outreach
- ➔ Limited Supply/Demand Update
- ➔ Characteristics of Effective Parking Programs
- ➔ Recommendations Summary
- ➔ Appendices
- ➔ Q&A / Discussion



PROJECT OVERVIEW

- Project Team
- Project Objectives
- Report Organization



PROJECT TEAM

Kimley-Horn

- Dennis Burns
- Khurshid Hoda
- Matt Mayer
- Sam Veraldi



Sub-Consultants

- The Solesbee Group – Community Outreach
- Civitas Consultants – Parking Advisory Panel



Parking Advisory Panel

- Anne Guest – Missoula Parking Commission
- Max Clark – Capital City Development Corp.
- Jeff Petry – City of Eugene, OR
- Vanessa Solesbee – Former VP Operations, City of Cedar Rapids

PROJECT OBJECTIVES

The primary goal of this parking strategic plan is to be a guide for decisions makers on topics such as governance, technology improvements, facilities, rates and enforcement.



PROJECT OBJECTIVES

Specific project objectives include providing strategies and tools to:

- Improve public perceptions of downtown parking
- Make downtown parking a contributor to downtown economic expansion
- Improve customer relations
- Establish rate structures
- Promote parking turnover



PROJECT OBJECTIVES

- Identify technology improvements
- Accommodate a growing residential population
- Incorporate parking as part of a balanced transportation system
- Identify governance and management structures



REPORT ORGANIZATION

- Executive Summary
- Planning Context
- Current Conditions Overview
- Limited Parking Supply/Demand Update
- Community Engagement Summary
 - Parking Expert Advisory Panel Report
- Characteristics of Effective Parking Management Programs
- Parking System Organization and Management
- An Overview of On-Street Parking Technologies
- Parking Program Mission & Vision
- Recommended Parking Program Guiding Principles
- Primary and Secondary Action Items
- Appendices and Parking Management Toolkit

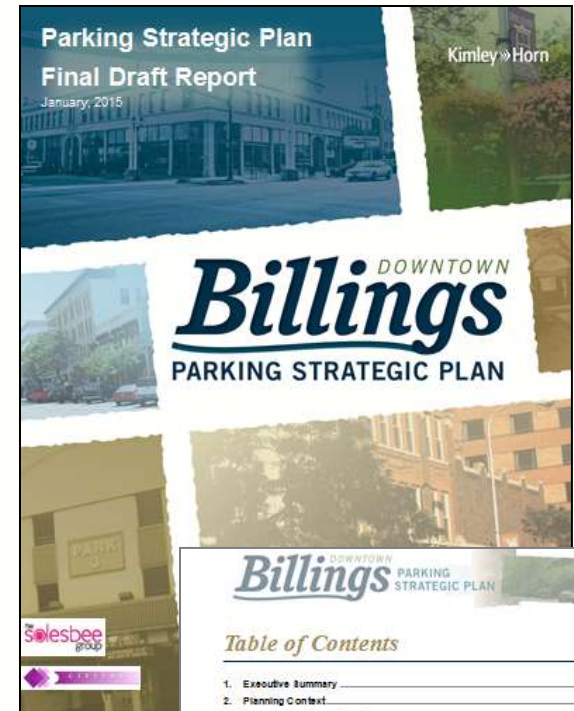
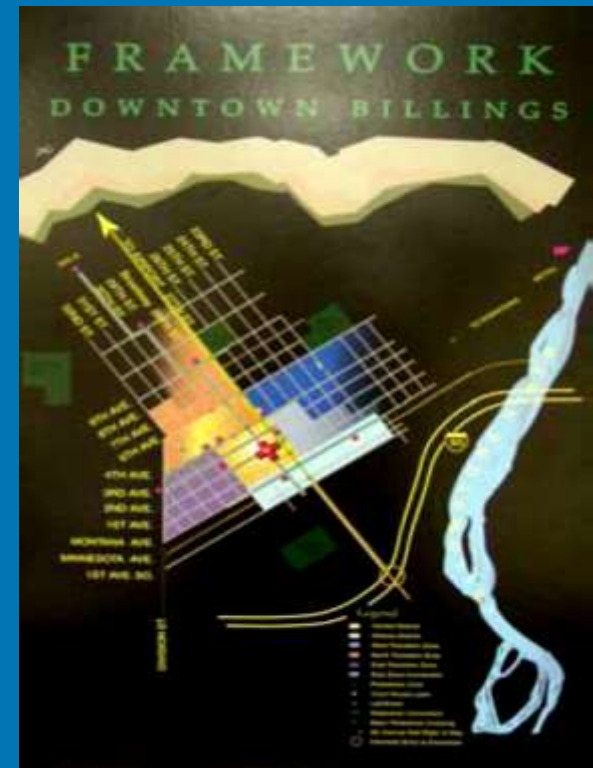


Table of Contents

1. Executive Summary	3
2. Planning Context	7
3. Current Conditions Overview	18
Organization	18
On-Street Parking System Overview	19
Parking Enforcement	20
Parking Fines	21
Off-Street Parking System Overview	25
Strengths and Weaknesses of Existing Operations and Equipment	28
4. Limited Parking Supply/Demand Update	32
Parking Supply/Demand Update	32
Existing Parking Conditions	33
Development Potential	40
5. Community Engagement Summary	43
6. Parking Expert Advisory Panel Report	43
7. Characteristics of Effective Parking Management Programs	44
8. Parking System Organization and Management	89
9. An Overview of On-Street Parking Technologies	89
10. Parking Program Goals and Objectives	90
"Charting the Right Course"	90
Draft Vision Statement	90
Draft Mission Statement	90
11. Recommended Parking Program Guiding Principles	91
12. Recommended Parking Program Action Items	98
Primary Action Items	98
Secondary Action Items	118
Appendices	119

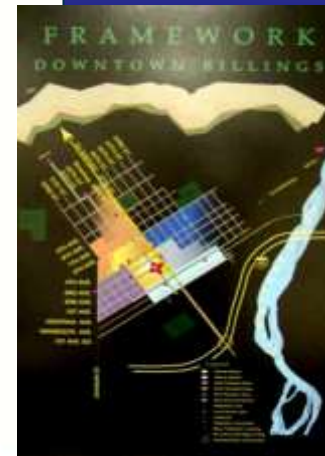
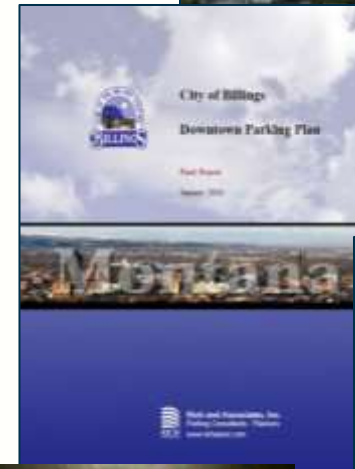
PLANNING CONTEXT



PLANNING CONTEXT

We reviewed previous relevant studies and planning projects in order to better understand the planning context in which this analysis effort would be conducted.

- The Downtown Billings Framework Plan (1997)
- Billings Downtown Parking Plan (2010)
- City of Billings, Parking Technology Audit (2011)
- The Billings Urban Area Long Range Transportation Plan (2014)



CURRENT CONDITIONS OVERVIEW



CURRENT CONDITIONS OVERVIEW

- Current Program Organization
- On-Street Parking System Overview
 - Enforcement
 - Parking Fines
 - ADA Parking
- Off-Street Parking System Overview
- Strengths and Weaknesses of Existing Operations and Equipment



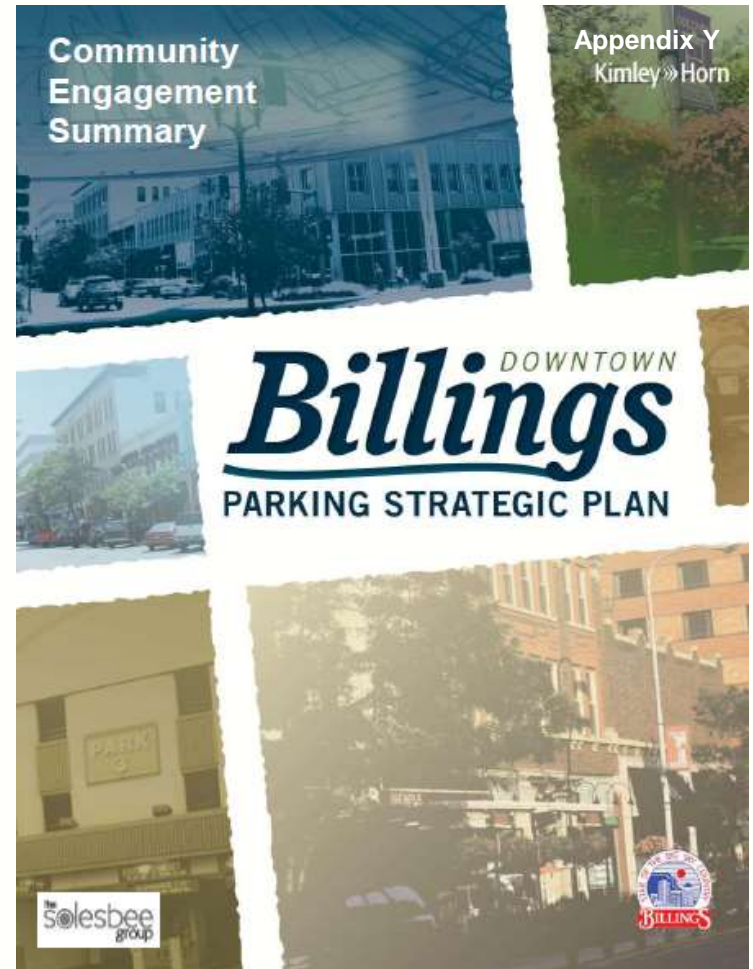
COMMUNITY OUTREACH & STAKEHOLDER ENGAGEMENT



- Stakeholder Outreach
- Parking Survey Results / Key Themes
- Strategic Communications Plan
- Parking Expert Advisory Panel

COMMUNITY ENGAGEMENT

- The general public was given multiple opportunities and formats to provide their feedback, including:
 - Small group meetings
 - Individual interviews
 - “Town Hall” meetings
 - Online surveys
- A full overview of the Stakeholder Engagement Strategy can be found in Appendix Y.



COMMUNITY ENGAGEMENT

- 60+ unique stakeholders participated in outreach meetings, including representatives from the following groups, organizations and businesses:

- City of Billings (Mayor and City Council; Administration, including City Manager and Assistant City Manager; Parking; Planning; and VISTA)
- Parking Advisory Board
- Downtown Billings Alliance
- Big Sky Economic Development
- Yellowstone County Commission
- Billings Depot
- Advisory Group
- Commercial and residential property owners
- Kono Corporation
- The Northern Hotel
- Jimmy John's
- Soup and Such
- Wetzel's Quality Cleaners
- Computers Unlimited
- Billings Industrial Revitalization District (BIRD, Inc.)
- Swift Building Lofts
- Stockman Bank
- Bottega Clothing
- League of Women Voters
- Babcock Theatre
- A&E Architects
- NAI Business Properties
- O2 Architects
- LIFTT
- CTA Architects & Engineers
- Red Rover Bicycle Collective
- BAFIT
- Alberta Bair Theatre
- Anytime Fitness
- High Plains Lofts
- Anvil Corporation
- High Plains Architects
- Broadway Property Management

COMMUNITY ENGAGEMENT

Key Themes: Opportunities & Challenges

- Parking in Downtown Billings is largely seen as “adequate” but basic information about where people can park, how much it will cost and hours of operation are difficult to find.
- Better management of existing parking assets and small operational changes could make an immediately noticeable and positive impact.
- Re-Focus and Re-Energize the Parking Advisory Board.
- Patrons would like to see more technology-based solutions to improve customer service and ease of use.
- Increased investment in supporting alternative modes.

STRATEGIC COMMUNICATIONS PLAN

- Program Brand Development
- Messaging and Key Audiences
- Media Tools and Platforms
- Implementation Framework
- Metrics To Measure Success

PARKING EXPERT ADVISORY PANEL

- The Parking Strategic Plan's main stakeholder engagement site visit took place August 5 – August 8, 2014 in coordination with a Parking Expert Advisory Panel led by Dave Feehan, President of Civitas Consultants LLC and former President of the International Downtown Association.

Billings DOWNTOWN PARKING *Strategic Plan*



Expert Advisory Panel – Public Meetings



WHEN:
Wednesday, August 6, 8:30 - 10:00 AM
(Panel Process Overview & Kick-off)
Thursday, August 7, 6:00 - 8:00 PM
(Panel to Present Draft Recommendations)
WHERE: 207 N Broadway, Lower Level by Deli
(Both Meetings)

The Billings community is invited to learn more about the Parking Expert Advisory Panel process on August 6th and to hear panelists' preliminary recommendations on August 7th. The Expert Advisory Panel provides an innovative method for building community consensus and generating creative yet practical solutions by engaging parking and transportation and downtown management professionals from across the country. Panelists include:

- » Dennis Burns, CAPP, Kimley-Horn
- » Max Clark, CAPP, Director of Parking & Facilities, Capital City Development Corp.
- » Dave Feehan, Civitas Consultants LLC (Panel Process Facilitator)
- » Anne Guest, Director, Missoula Parking Commission
- » Jeff Petry, Parking Director, City of Eugene, OR
- » Vanessa Solesbee, MA, The Solesbee Group

FOR MORE INFORMATION
Visit downtownbillings.com

Kimley » Horn Solesbee group

PARKING EXPERT ADVISORY PANEL



Dennis
Burns
Kimley-
Horn

Max
Clark
CCDC
Boise

Vanessa
Solesbee
The
Solesbee
Group

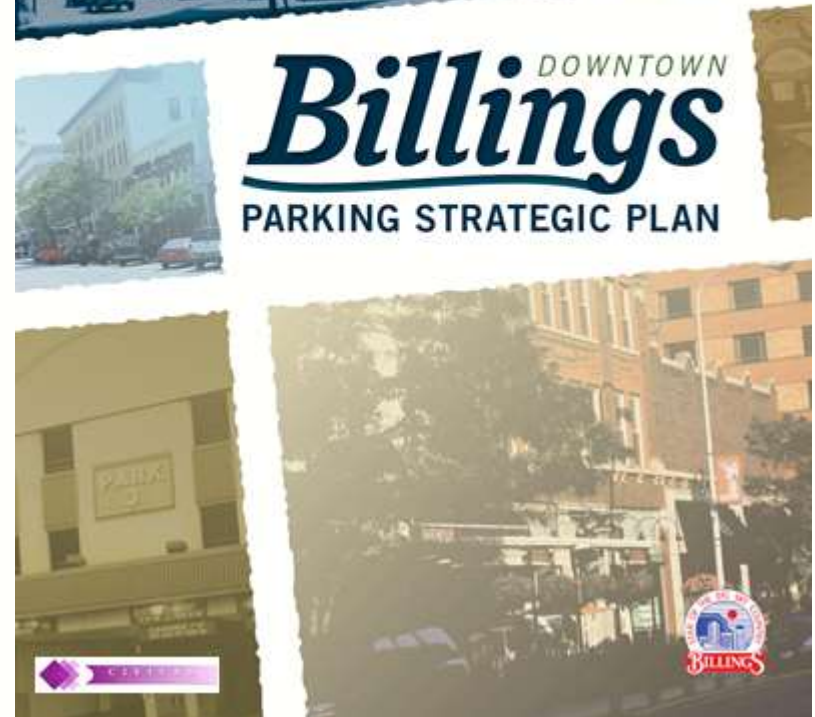
David
Feehan
Civitas
Consultants

Anne
Guest
Missoula
Parking
Commission

Jeff
Petry
City of
Eugene, OR

PARKING EXPERT ADVISORY PANEL

- Introduction
- Preparing Panelists for the Process
- The Charge to the Parking Panel
- Initial Impressions
- Specific Observations and Findings
- General Recommendations
- Specific Recommendations
 - Parking Supply and Demand
 - Parking Rates
 - Infrastructure and Condition
 - Parking Policies, Operations and Management
 - User Concerns



LIMITED SUPPLY/DEMAND UPDATE

- Current Parking Inventory
- Current Parking Utilization
- Current Parking Adequacy
- Future Parking Demand



A multi-story brick building with 'NORTHERN' written on the top. The building has many windows and a fire escape on the right side. There are trees and a street with cars in the foreground.

CHARACTERISTICS OF EFFECTIVE PARKING PROGRAMS

- **20 Characteristics Approach**
- **“Smart Parking” Technology Overview**
- **Program Organizational Options**

CHARACTERISTICS OF EFFECTIVE PARKING PROGRAMS

1. Clear Vision and Mission
2. Parking Philosophy
3. Strong Planning
4. Community Involvement
5. Organization
6. Staff Development
7. Safety, Security and Risk Management
8. Effective Communications
9. Consolidated Parking Programs
10. Strong Financial Planning
11. Creative, Flexible and Accountable Parking Management
12. Operational Efficiency
13. Comprehensive Facilities Maintenance Programs
14. Effective Use of Technology
15. Parking System Marketing and Promotion
16. Positive Customer Service Programs
17. Special Events Parking Programs
18. Effective Enforcement
19. Parking and Transportation Demand Management
20. Awareness of Competitive Environment



Billings DOWNTOWN PARKING STRATEGIC PLAN



ON-STREET PARKING TECHNOLOGY OVERVIEW

- An Introduction to “Smart Parking” Technologies
- On-Street Parking Technology Operational Methodologies
 - Pay-By-Space
 - Pay and Display
 - Pay-By-License Plate
- Additional Payment Technologies
 - Pay-By-Phone
 - In-Car Meters
 - Mobile Apps
- PCI Compliance & Certification
 - Getting ready for EMV



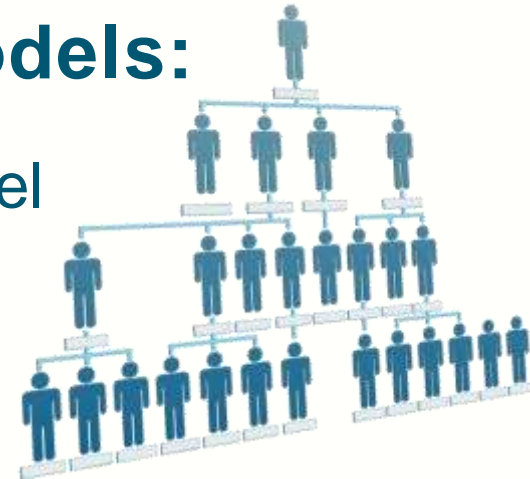
Billings DOWNTOWN
PARKING STRATEGIC PLAN



PARKING PROGRAM ORGANIZATIONAL MODEL

- **Parking system organizational models:**

- Vertically Integrated City Department Model
- Parking Authority Model
- Parking Commission Model
- The “Contract” or Business District Model
- The Parking District Model
- The Professional Services Model
- The Parking Management Collaborative Approach
- The Eco-District Model



PARKING PROGRAM ORGANIZATIONAL MODEL

- Parking System Operating Methodologies
 - Self-Operation
 - Out-Sourced Management
 - Management Agreement Approach
 - Concession Agreement Approach
 - Parking System Privatization or Monetization

RECOMMENDED ORGANIZATIONAL MODEL

- A Hybrid of “The Vertically Integrated City Department Model” and the “Parking Commission Model”.
 - While this option is among the most the conservative and traditional of the organizational options, it is recommended because we have been impressed with the quality and competence of the City staff that we have dealt with in the course of this study.

RECOMMENDATIONS SUMMARY



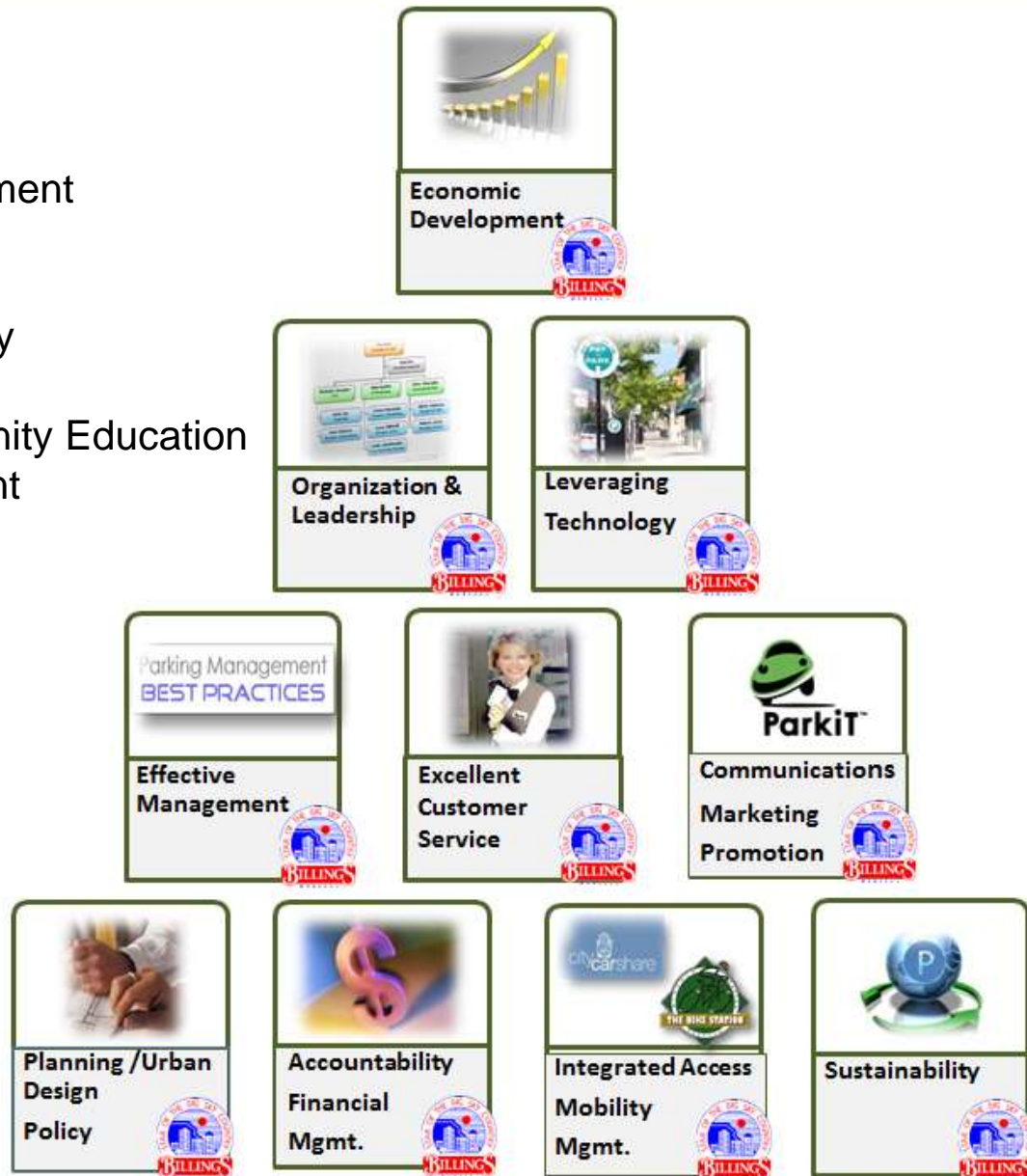
CHARTING THE RIGHT COURSE

- **Six Key Needed Program Elements:**
 - A Renewed Program Purpose and Direction
 - A Strong and Capable Leader
 - An Investment in Staff Training and Development
 - A Strong Customer Service Orientation
 - A Focus on “Mastering the Fundamentals” of Parking Management
 - Investment in New Technology
- Draft Program Mission and Vision Statements
- Draft Guiding Principles

Draft Guiding Principle Categories:

1. Organization/Leadership
2. Community and Economic Development
3. Leveraging Technology
4. Planning /Urban Design
5. Effective Management/Accountability
6. Customer Service Orientation
7. Communications/Branding /Community Education
8. Accountability/Financial Management
9. Integrated Mobility Management
10. Sustainability

RECOMMENDED PROGRAM GUIDING PRINCIPLES




PRIMARY ACTION ITEMS



RECOMMENDED PRIMARY ACTION ITEMS

Recommendations Format

- Primary Action Item Title
- Description
- Specific Definition and Intended Results
- Primary Responsible Party(ies)
- Key Partners
- Recommended Timeframe
- Supportive Documents/Tools Provided



Primary Action Item #1: Adopt New Program Vision and Mission Statements and Recommended Parking Program Guiding Principles – Implement Parking Management Best Practices

- This report identified the lack of well-defined vision and mission statements and related program “guiding principles” relative to parking as a weakness and provides recommended vision and mission statements as well as a comprehensive set of program guiding principles as the basis of program strategic framework.
- It is recommended that the new Parking Manager in collaboration with the City’s Assistant City Manager and the Parking Advisory Board review and refine these draft documents and adopt them as the basis of new parking program strategic plan.
- A public review process including City management, the Downtown Billings Alliance and other key stakeholder groups is recommended to obtain additional input and feedback and to increase public buy-in to the new strategic direction.
- Ultimately formal adoption by the Parking Advisory Board and City Council is recommended.
- To further promote program development, a document containing an additive collection of Parking Management Best Practices has been provided to the City as part of this study. It is recommended that this document be reviewed to identify additional program enhancements going forward.

Primary Responsibility:
City Administrative Services and Parking Management

Key Partners:
Related City Departments, Parking Advisory Board and the Downtown Billings Alliance

Timeframe:
Complete by March 2015

Supportive Documents/Tools Provided:
Appendix B - Parking Management Best Practices
Appendix J - New Parking Manager Integration-Action Plan
Appendix D - Recommended Parking Program Benchmarks
Appendix Y - Community Engagement Summary
Appendix Z - Parking Board Advisory Panel Report

PRIMARY ACTION ITEM # 1:
Adopt New Program Vision and Mission Statements and Recommended Parking Program Guiding Principles
Conduct a public review process including City management, the Downtown Billings Alliance and other key stakeholder groups to obtain additional input and feedback and to increase public buy-in to the new strategic direction.
Review the Parking Management Best Practices document (Appendix B) and other tools provided to identify additional program enhancements going forward.

Kimley»Horn Selectbee group Page 99 of 113

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #1:

- Adopt New Program Vision and Mission Statements and Recommended Parking Program Guiding Principles
 - Implement Parking Management Best Practices



Supportive Documents/Tools Provided:

- Appendix B - Parking Management Best Practices
- Appendix J - New Parking Manager Integration-Action Plan
- Appendix O - Recommended Parking Program Benchmarks
- Appendix Y - Community Engagement Summary
- Appendix Z - Parking Expert Advisory Panel Report

PRIMARY ACTION ITEM # 1:

- Conduct a public review process including City management, the Downtown Billings Alliance and other key stakeholder groups is recommended to obtain additional input and feedback and to increase public buy-in to the new strategic direction.
- Review the Parking Management Best Practices document (Appendix B) and other tools provided to identify additional program enhancements going forward.

RECOMMENDED PRIMARY ACTION ITEMS

Parking Management Best Practices Toolbox

CITY OF BILLINGS
Parking Management Best Practices Toolbox

Table of Contents (Page 1 of 2)

Chapters:

- [Ch. 1 - A Comprehensive Approach to Program Development]
- [Ch. 2 - Program Organization]
- [Ch. 3 - Parking Planning]
- [Ch. 4 - Integrated Access Management Strategies]
- [Ch. 5 - Effective Communications and Community Engagement]
- [Ch. 6 - Parking Branding and Marketing “Comes of Age”]
- [Ch. 7 - Celebrating Accomplishments]
- [Ch. 8 - The Virtual Environment]
- [Ch. 9 - Improving Customer Service]
- [Ch. 10 - Customer & Community Education]
- [Ch. 11 - On-Street Parking Management Strategies]
- [Ch. 12 - Effective Enforcement Strategies]
- [Ch. 13 - Effective Facility Maintenance Practices]
- [Ch. 14 - Facility and Equipment Protection Systems]
- [Ch. 15 - Valet Parking Best Practices]
- [Ch. 16 - Parking Facility Safety and Security]



RECOMMENDED PRIMARY ACTION ITEMS

Parking Management Best Practices Toolbox



Table of Contents (Page 2 of 2)

Chapters:

- [Ch. 17 - Risk Reduction and Liability Limitation]
- [Ch. 18 - Residential Parking Permit Programs]
- [Ch. 19 - Staff Development and Training]
- [Ch. 20 - Parking Access and Revenue Control Systems]
- [Ch. 21 - Parking Accounting and Auditing]
- [Ch. 22 - Leveraging Technology]
- [Ch. 23 - Signage and Wayfinding]
- [Ch. 24 - Enhancing the "Parking Experience"]
- [Ch. 25 - Revenue Enhancement Strategies]
- [Ch. 26 - Expense Reduction Strategies]
- [Ch. 27 - Special Programs and Promotions]
- [Ch. 28 - Sustainable Parking Design & Management Strategies]
- [Ch. 29 - Parking Facility Design and Construction]
- [Ch. 30 - Specialized Parking Facility Types]
- [Ch. 31 - Automated Parking Facilities]
- [Ch. 32 - Parking and Economic Development]



RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #2:

- Invest in New On-Street and Off-Street Parking Technology
 - A primary strategy to make downtown parking more visitor friendly, improve operational efficiencies and enhance parking revenues.
 - The Parking program should develop an RFP process for meter replacement as a first step to get a range of options and associated pricing.

Supportive Documents/Tools Provided:

Appendix X - On-Street Parking Technology Overview

PRIMARY ACTION ITEM # 2:

- Upgrading the parking system's technologies is a key strategy to make downtown parking more visitor friendly, improve operational efficiencies and enhance parking revenues.
- On-street parking meter upgrades have the greatest potential for achieving the stated goals above.
- Pay-by Cell Phone/Mobile APPs are another payment option that provides very tangible customer benefits.
- The introduction of new technology will also come with some increased costs. Increasing on-street parking rates in conjunction with the technology upgrades is recommended.

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #3:

- Leverage Parking as a Community and Economic Development Strategy and
- Develop a Comprehensive Parking Planning Function

Supportive Documents/Tools Provided:

- Appendix C – Parking as an Economic Development Strategy
- Appendix D - Guidelines for Parking as an Economic Development Strategies
- Appendix H - Recommended Reading List for Parking Professionals
- Appendix L - Tax Increment Financing Whitepaper
- Appendix M - Parking In-Lieu Fees Whitepaper
- Appendix S - Parking Management Strategies - MAPC

PRIMARY ACTION ITEM # 3:

- On-going monitoring of parking supply/demand on a facility/lot specific basis is encouraged.
- Documentation of lot/facility utilization on a regular periodic basis will allow the Parking Authority to better manage existing resources as well as plan for future parking needs.
- Update the 1997 Downtown Framework Plan or create a new Downtown Master Plan
- Consider investing in a GIS-Based Parking Demand modeling software.

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #4:

- Develop a Proactive Facility Maintenance Program Including Regular Facility Condition Appraisals, Prioritized Facility Rehabilitation Plans and the Creation of Parking Facility Maintenance Reserves
 - Maintaining clean, safe and attractive facilities is a core function of any parking program and has a significant impact on the perception of the program and the community it serves.
 - Many of negative stakeholder comments received during the community engagement process related to facility maintenance.

Supportive Documents/Tools Provided:

- Appendix AA – Parking Facility Maintenance Manual
- Appendix BB – Parking Facility Maintenance Schedule

PRIMARY ACTION ITEM # 4:

- Enhance the facility maintenance program. Make clean, safe and attractive facilities a signature element of the parking program
- Adopting the “First 30 Feet” strategy for each parking facility is a recommended first step to show some early progress.
- Development of an on-going and proactive facility condition appraisal process and prioritized facility rehabilitation program should be a high priority.
- Create a specific “parking maintenance reserve fund” program.
- Typical parking facility maintenance reserves are in the \$50.00 - \$75.00 per space per year range.

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #5:

- Develop a New Parking Program Brand and Marketing Program
 - Develop a strong and consistent parking program identity and brand, which includes visual identity, program mission, vision, core values, investment in new communication pieces, collateral, etc.
 - Develop a strategic communication plan designed to improve overall parking program communications with its wide range of community stakeholders. Develop consistent standards for parking program branded facility signage to help guide customers to parking options.

Supportive Documents/Tools Provided:

- Appendix M – MPC Parking Annual Report
- Appendix N – Parking Marketing & Branding Strategies
- Appendix Y - Community Engagement Summary
- Appendix Z - Parking Expert Advisory Panel Report

PRIMARY ACTION ITEM # 5:

- Improving the parking programs image
- Providing easier access to parking information
- Providing enhanced overall communications with key stakeholder groups and the public at large and
- To promote parking facility utilization
- Partner with existing organizations, like the Downtown Billings Alliance, on marketing campaigns to help combat the perception that downtown is vacant, unsafe and underutilized.
- Ensure stakeholder outreach is an on-going practice.

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #6:

- Develop a “Business Continuity Plan” to address the fact that the City’s primary parking Equipment Manufacturer (Federal APD) is “Going out of Business”.
- Define long-term system needs.
- Transitioning to the Amano-McGann system which was recently installed in the Empire Garage is one option; however, this would be a sizable expenditure and would need to be carefully planned.
- Also think long-term. The best long-term approach would be to define the ultimate fully integrated, web-based parking access and revenue control.

PRIMARY ACTION ITEM # 6:

- Be proactive in assessing its options before the lack of system parts and service creates operational issues that could impact customers and potentially impact system revenues.
- Develop a short and long transition plan.
- Define the ultimate fully integrated, web-based parking access and revenue control system that will meet the needs of the City for the next decade.
- Develop a system specification and RFP for a fully integrated new system.

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #7:

- Invest in Training and Staff Development with a Goal of Mastering the Fundamentals of Parking System Management and Operations

Supportive Documents/Tools Provided:

- Appendix B - Parking Management Best Practices Toolbox
- Appendix E - Parking Enforcement Program Audit Checklist
- Appendix F - Sample Parking Enforcement Office Handbook
- Appendix H - Recommended Reading List for Parking Professionals
- Appendix J - New Parking Manager Integration-Action Plan
- Appendix K - Developing a Retail Parking Support Strategy
- Appendix L - Tax Increment Financing Whitepaper
- Appendix M - Parking In-Lieu Fees Whitepaper
- Appendix N - Parking Garage Security Whitepaper
- Appendix O - Recommended Parking Program Benchmarks
- Appendix P - Generic Parking Facility Rules and Regulations
- Appendix Q - Sample Parking Garage Operations Manual
- Appendix S - Parking Management Strategies – MAPC
- Appendix V - Valet Parking Program Development
- Appendix W - Parking Rate Assessment Strategies

PRIMARY ACTION ITEM # 7:

- With a new parking manager with little parking experience, there will be a steep learning curve and a need for investment in staff training and personnel development.
- Address the substantive operational recommendations made in the 2010 Desman report.
- Address the lack of staff knowledge and training of the current parking system's capabilities and features
- Join the International Parking Institute and the regional parking and transportation association - PIPTA
- Invest in Peer City Program visits with the participants of the advisory Panel process.

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #8:

- Create a More Vertically Integrated Downtown Parking System and
- Re-Focus and Re-Energize the Parking Advisory Board
 - Create a more robust parking planning function (working with City Planning on parking and related transportation issues).
 - Improve integration and collaboration with downtown management and economic development programs.
 - As the department expands its scope and matures, new potential areas of focus might include "accounting and auditing", "planning and community education" and "special projects". If recommendations to upgrade parking technologies (both on and off-street) are implemented, the special projects area might become especially important.

Supportive Documents/Tools Provided:

See Chapter 8 of this report "Parking System Organization and Management" for more options and strategies.

PRIMARY ACTION ITEM # 8:

- The recommended organizational option for the City is a hybrid of "The Vertically Integrated City Department Model" and the "Parking Commission Model"
- Develop a framework whereby certain "policy -level decisions" are defined as the responsibility of the City Council and more operational level decisions are ceded to "Parking Counsel or Board"
- The Parking Board should also be encouraged to draft policy level proposals for the City Council to review and consider.

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #9:

- Expand the Scope of the Parking Program over Time to be More Supportive and Inclusive of Supporting Alternative Modes Transportation and Embrace More of an “Access Management Philosophy”
 - Several stakeholder groups suggested that downtown would benefit from increased investment in alternative modes of transportation.
 - The trend in the industry is to embrace a more holistic and integrated approach to parking and transportation – an “Integrated Access Management Strategy”.
 - Balance both the supply and demand sides of the parking and access equation.

Supportive Documents/Tools Provided:

- Appendix S - Parking Management Strategies – MAPC
- Appendix T - TDM Strategies
- Appendix U - TDM Handbooks, Manuals and Other Resources

PRIMARY ACTION ITEM # 9:

- Embrace a more holistic and integrated approach to parking and transportation – an “Integrated Access Management Strategy”.
- Leverage alternative transportation and transportation demand management (TDM) strategies to reduce the need for additional parking over time.
- TDM program elements support the Guiding Principle for Sustainability and a more balanced parking and transportation program.

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #10:

- Reassess the Courtesy Ticket Program and Meter Bagging Policies
 - The City of Billings has enacted a policy of issuing courtesy tickets to first time offenders of certain parking violations. The misapplication of this policy has greatly reduced parking citation revenue (the volume of courtesy tickets issued annually accounted for well over half of all the tickets written in both 2008 and 2009).
 - We heard from several stakeholders and staff that the meter bagging policy may be being abused. We recommend that the City reassess the meter bagging policy. To aid in this reassessment, examples of meter bagging policies from several municipalities have been provided in Appendix G.

Supportive Documents/Tools Provided:

- Appendix G - Sample Meter Bagging Policies
- Sample policy from Fort Collins, CO

PRIMARY ACTION ITEM # 10:

- We are strongly supportive of the City's courtesy ticket policy in concept; however, we believe it has been misapplied in some respects and recommend a reevaluation of the policy.
- We recommend that the City reassess the meter bagging policy.

RECOMMENDED PRIMARY ACTION ITEMS

Primary Action Item #11:

- Critically Assess the Current Parking Enforcement Program Using the Tools Provided
 - To assist in a more thorough review and evaluation of the parking enforcement program, Kimley-Horn has provide the City with two significant tools to aid in this process.

Supportive Documents/Tools Provided:

- Appendix E - Parking Enforcement Program Audit Checklist
- Appendix F - Sample Parking Enforcement Officer Handbook

PRIMARY ACTION ITEM # 11:

- Review the recommendations related to the parking enforcement program from the 2010 Desman Parking Technology Report.
- Use the provided parking enforcement officer handbook and parking enforcement program audit checklist to better define and enhance the current parking enforcement program.

SECONDARY ACTION ITEMS

- Stakeholder “Report Cards”
- Develop Specific Overflow and Event Management Parking Strategies
- Parking/Access System Benchmarking
- Parking Facility Warranty Management
- Energy Saving Options in Parking Facilities
- Develop Internal Parking Program Operations Manuals
- Develop a Parking System Information Database
 - Become the Central Clearinghouse for Parking/Access Information
- Marketing Tie-ins for Parking to Special Events



Appendices

Parking Management Tool Box

Appendix A – Billings Parking S-D Update Occupancy Counts 2014
Appendix B – Parking Management Best Practices Toolkit
Appendix C – Parking as an Economic Development Strategy White Paper
Appendix D – Guidelines for Using Parking as an Economic Development Strategy
Appendix E – Parking Enforcement Program Audit Checklist
Appendix F – Sample Parking Enforcement Office Handbook
Appendix G – Sample Meter Bagging Policies
Appendix H – Recommended Reading List for Parking Professionals – 2014
Appendix I – Sample Parking Administrator Position Descriptions
Appendix J – New Parking Manager Integration-Action Plan
Appendix K – Developing a Retail Parking Support Strategy
Appendix L – Tax Increment Financing Whitepaper
Appendix M – Parking In-Lieu Fees Whitepaper
Appendix N – Parking Garage Security Whitepaper
Appendix O – Recommended Parking Program Benchmarks
Appendix P – Generic Parking Facility Rules and Regulations
Appendix Q – Sample Parking Garage Operations Manual
Appendix R – Annual Parking Report Template
Appendix S – Parking Management Strategies - MAPC
Appendix T – TDM Strategies
Appendix U – TDM Handbooks, Manuals and Other Resources
Appendix V – Valet Parking Program Development
Appendix W – Parking Rate Assessment Strategies
Appendix X - On-Street Technology Overview
Appendix Y - Community Engagement Summary
Appendix Z - Parking Expert Advisory Panel Report
Appendix AA - Parking Facility Maintenance Manual
Appendix BB - Parking Facility Maintenance Schedule
Appendix CC - Missoula Parking Commission Annual Report 2012
Appendix DD - Parking Branding and Marketing Best Practices
Appendix EE – Consolidated Parking System Financial Statement

APPENDICES / PARKING MANAGEMENT TOOLKIT

A photograph of a tree trunk in a metal cage on a brick sidewalk. The tree trunk is in the center, surrounded by a black metal cage. The ground is covered with a decorative grate made of interlocking circular patterns. The sidewalk is made of red bricks, and there is a yellow curb in the background. The text "Thank You" is overlaid on the image in a white font with a semi-transparent background.

Thank You

Questions/Discussion



1. Executive Summary

Introduction

The City of Billings engaged Kimley-Horn and Associates (Kimley-Horn) to develop a Parking Strategic Plan for Downtown Billings, MT. The Plan will identify short and long term goals for the parking system and identify industry best practices that can be implemented in Billings to improve the operations, management, facilities and public perceptions of downtown parking.

Project Objectives

The primary goal of this parking strategic plan is to be a guide for decisions makers on topics such as governance, technology improvements, facilities, rates and enforcement. Specific project objectives including providing strategies and tools to:

- improve public perceptions of downtown parking
- make downtown parking a contributor to continued downtown redevelopment and economic expansion
- improve customer relations
- establish rate structures that recognize and strengthen parking as an integrated system
- promote parking turnover without unduly penalizing infrequent violators
- identify technology improvements that emphasize customer convenience, but will control operating costs and generate sufficient revenue to support system operations
- accommodate a growing residential population without negatively impacting retail and other sectors that need employee and customer parking
- incorporate parking as part of a balanced transportation system
- identify governance and management structures that will contribute to successful implementation of the other recommendations.

Report Organization

The basic organization of this Parking Strategic Plan includes the following key areas:

- Executive Summary
- Planning Context
- Current Conditions Overview
 - Program Organization
 - On-Street Parking System Overview
 - Off-Street Parking System Overview
- Limited Parking Supply/Demand Update
- Community Engagement Summary
- Parking Expert Advisory Panel Report
- Characteristics of Effective Parking Management Programs
- Parking System Organization and Management



- An Overview of On-Street Parking Technologies
- Parking Program Goals and Objectives
- Recommended Parking Program Guiding Principles
- Recommended Parking Program Action Items
 - Primary Action Items
 - Secondary Action Items
- Appendices/Parking Management Tool Kit

Key Findings

This report highlights the importance and complexity of parking as a critical element in the continued development and revitalization of Downtown Billings. With the recent investments in fine dining establishments, the refurbishment of historic downtown properties such as the Northern Hotel, continually increasing popularity of downtown events like Alive After 5, the Strawberry Festival, Harvest Festival, etc. and a growing downtown residential population, activity in Downtown Billings is increasing. To keep pace with increased downtown development, investments in new parking infrastructure have also been made. The new Empire Garage has raised the bar in Billings in terms of parking facility design.

While the amount of parking available is currently sufficient to meet current needs and even to accommodate the several small development projects that are on the immediate horizon, any significant new projects will likely require additional structured parking. Leveraging parking investment as a tool to incentivize development projects that align with the goals of Downtown Framework Plan is seen as an important community and economic development strategy (See Appendix C – Parking as an Economic Development Strategy).

Based on preliminary research and early discussions with community members, it was the consultant team's initial impression that the Billings parking system was in serious trouble and was potentially in need of a major restructuring and systems overhaul. Having completed the program assessment our view is much different. Based on an extensive community engagement process (See Appendix Y for a summary of the community engagement process and Appendix Z for a summary of the Parking Expert Advisory Panel findings), the consultant team now sees a parking program that has a solid foundation in terms of physical and system assets upon which to build. We were also impressed with the quality of the City and Downtown management staff overall.

What the program currently needs most are six key elements:

1. **A Sense of Purpose and Direction** – this strategic plan should provide that missing element
2. **A Strong and Capable Program Leader** – the recent hiring of a new parking manager (an upgrade from the previous program leader whose title was Parking Supervisor) is seen as a very positive step
3. **An Investment in Staff Training and Development** – We are impressed with the new parking manager and feel she has many of the right qualities and management skills to be successful; however, she lacks specific parking management experience. This is not uncommon in the industry (after all, there are no college degree programs for Parking Management – at least not yet). There will be a steep learning curve. However, with the right investment in professional development, education and the building of an effective network of peers, we are confident that



Tracy and her staff can rise to the occasion. Given this situation, this report provides an extensive assortment of tools, sample manuals, white papers on various specialized parking elements and a rich collection of parking management best practices to aid in the staff education and development process.

4. **A Strong Customer Service Orientation** – one of the key leadership elements that needs to be infused into the program going forward is a strong customer service focus. This applies to not only to staff training but also to facilities maintenance and investments in new technologies. Parking can play a key role in improving the perception and the experience of downtown. Collaboration and partnerships with the Downtown Billings Association will be an important component of this element.
5. **A Focus on “Mastering the Fundamentals” of Parking Management** – While related to the training and staff development element, this focus area is really about gaining an in-depth understanding of the many complex and challenging aspects that are somewhat unique to parking. Chapter 7 of this report (Characteristics of Effective Parking Management Programs) provides a strong framework built around 20 specific program categories that can form the basis for a comprehensive program development approach. Between this chapter and the wealth of tools provided in the Appendices, there are numerous program elements, both short and long term that can transform the Billings parking program into one of the best municipal programs in the country over time.
6. **Investment in New Technology** – Leveraging new technology will be a critical element in achieving many of the stated goals of this project including:
 - a. Enhanced customer friendly programs and services
 - b. Improved operational efficiency
 - c. Enhanced system financial performance
 - d. Improve system management

Primary Action Items

Beginning on page 98 are the recommended “primary action items. Below is summary listing of these key recommendations:

Primary Action Item #1: Adopt New Program Vision and Mission Statements and Recommended Parking Program Guiding Principles – Implement Parking Management Best Practices

Primary Action Item # 2: Invest in New On-Street and Off-Street Parking Technology

Primary Action Item # 3: Leverage Parking as a Community and Economic Development Strategy and Develop a Comprehensive Parking Planning Function

Primary Action Item # 4: Develop a Proactive Facility Maintenance Program Including Regular Facility Condition Appraisals, Prioritized Facility Rehabilitation Plans and the Creation of Parking Facility Maintenance Reserves

Primary Action Item #5: Develop a New Parking Program Brand and Marketing Program

Billings DOWNTOWN PARKING STRATEGIC PLAN



Primary Action Item # 6: Develop a “Business Continuity Plan” to address the fact that the City’s primary parking Equipment Manufacturer (Federal APD) is “Going out of Business”. Define long-term system needs.

Primary Action Item # 7: Invest in Training and Staff Development with a Goal of Mastering the Fundamentals of Parking System Management and Operations

Primary Action Item # 8: Create a More Vertically Integrated Downtown Parking System and Re-Focus and Re-Energize the Parking Advisory Board

Primary Action Item # 9: Expand the Scope of the Parking Program over Time to be More Supportive and Inclusive of Supporting Alternative Modes Transportation and Embrace More of an “Access Management Philosophy”

Primary Action Item # 10: Reassess the Courtesy Ticket Program and Meter Bagging Policies

Primary Action Item # 11: Critically Assess the Current Parking Enforcement Program Using the Tools Provided

In Conclusion

The development of a strategic vision and a strong, well defined action plan was a critical first step in putting the Billings parking program on a trajectory for success and we applaud the community’s recognition of this fact and for making this important investment.

It is exciting to see the progress being made in downtown Billings. Parking can be a significant partner and contributor to advancing the community’s economic development goals as well helping to improve the overall downtown experience. We are confident with the strong team of City leaders, an engaged and supportive Mayor and City Council, a strong downtown organization and new investments in parking program development that the future of downtown is bright indeed. Now the real work on parking program improvement begins!

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Resolution of Intent to Create SILMD 315 and setting Public Hearing Date for May 26, 2015

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The Montana Department of Transportation has a project to reconstruct Bench Boulevard from just north of the roundabout at Hilltop Road to Mary Street. The project will include installation of street lighting along Bench Boulevard. Passage of a Resolution of Intent is the first step in the legal process of creating a lighting maintenance district to pay the costs of operating and maintaining the new lighting. Passage of the Resolution of Intent will trigger the mailing of legal notices to the affected property owners and set a Council public hearing at the May 26, 2015, City Council meeting.

The new lighting will use steel mastarm style poles with LED lamps and underground wiring. The cost of installing the new lighting will be paid for by the MDT project. The adjacent property owners will only pay for electrical energy and maintenance, through an assessment on their property taxes. The estimated annual cost for a typical 9600 square foot residential lot is \$21. Due to the difference in time between when the new lighting will be turned on and the first tax assessments are collected, the first year tax assessment may be higher or lower than the estimated annual assessment.

Assuming federal aid highway funding is extended by Congress, MDT currently plans to open bids on the project in June and begin construction by late July or early August. Lighting probably will not be ready to turn on until 2016. The SILMD is being created now to ensure that there will be a funding source for the maintenance and operation of the lights before they are constructed.

The proposed district will also incorporate the existing lighting on Wicks between Main Street and Bench Boulevard. The properties along Wicks fronting the lighting will become part of the new district.

ALTERNATIVES ANALYZED

The Council may:

- Pass the Resolution of Intent to create SILMD 315 to provide a source of funding for operation and maintenance of the streetlights and set a public hearing for May 26, 2015; or
- Do not pass the Resolution of Intent or set a public hearing date. If the Council does not adopt the Resolution, the property owner cannot be assessed for operation and maintenance of the streetlights and the new lighting will not be installed.

FINANCIAL IMPACT

All costs of providing energy for the lighting and maintaining the lights are paid for from assessments against properties within the light district. There is one City owned parcel in the proposed district, Billings Heights Park. The park will be assessed on the same basis as privately owned property within the district. The estimated annual assessment for the park property is \$700. Pursuant to State law (7-12-4326 MCA) the City must also pay assessments levied against federally owned property in the district. The estimated annual assessment for the Heights Post Office property is approximately \$240.

RECOMMENDATION

Staff recommends the City Council approve a resolution of intent to create SILMD 315 and set a public hearing for May 26, 2015.

APPROVED BY CITY ADMINISTRATOR

Attachments

SILMD Res of Intent

SILMD 315 Exhibit A

SILMD Exhibit B

SIMD 315 Exhibit C

14350.00SILMD 315

RESOLUTION NO. 15 - _____

A RESOLUTION OF INTENTION TO CREATE SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 315 OF THE CITY OF BILLINGS, MONTANA, FOR THE PURPOSE OF PROVIDING ENERGY AND MAINTENANCE FOR STREET LIGHTS, DESIGNATING THE NUMBER OF SAID DISTRICT, DESCRIBING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE, ESTABLISHING THE ESTIMATE OF THE COST OF MAINTAINING SUCH LIGHTS AND SUPPLYING ELECTRICAL CURRENT THEREFOR FOR THE FIRST YEAR, THE PROPORTION OF THE COST TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE METHOD OF ASSESSMENT OF SAID COST.

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

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

SECTION 1:

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

SECTION 2:

That said district shall be known and designated as "Special Improvement Lighting Maintenance District No. 315" hereinafter called the District, and the boundaries of the District are hereby declared to include lots, parcels and pieces of land along Bench Boulevard and Wicks Lane as shown on the map designated as Exhibit "A" attached hereto, and as described in Exhibit "C" which is attached hereto.

SECTION 3:

That the City of Billings, Montana, hereby finds, determines and declares that each of the lots, blocks, pieces and parcels of land situated within the boundaries of the District will be especially benefited and affected by said improvements, and that all of the property included within the District is hereby declared to be the property to be

poles and served by underground wiring. The City of Billings shall own and maintain the streetlights and all associated appurtenant structures and materials.

SECTION 5:

The City of Billings intends to establish the contract rate with Northwestern Energy for supplying electrical energy in accordance with the rate schedule approved by the Montana Public Service Commission. Said rate is currently estimated at \$6.30 per LED luminaire, per month and \$11.12 per HPS luminaire, per month. 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:

The estimate of the cost of the District per year, including City administrative costs, is the sum of \$14,350.00; that the entire cost of said District shall be paid by the owners of the property listed in Exhibit "B" attached hereto, with each lot, parcel or piece of land within the District to be assessed for that portion of the whole cost which it's assessable area bears to the total assessable area of the entire District, exclusive of public streets, avenues, alleys and public places. The estimated cost of the District per year for property owners is on the basis of approximately \$0.00215897 per square foot of assessed area.

Due to the difference in the time between when lighting service will start and the time District assessments are collected with property taxes, the first assessment will cover a period of operation greater or less than one year and shall be prorated accordingly.

SECTION 7:

That the entire cost of the District shall be paid by an annual assessment against the property in the District; that annually, pursuant to MCA 7-12-4332, the City Council shall adopt a resolution estimating the cost of maintaining said lights including a reserve, and furnishing electrical current and assessing all of said property within said District for the annual costs; that all monies derived from the collection of such assessments shall be paid into a fund to be known as "Special Lighting Maintenance District No. 315 Maintenance Fund," and warrants shall be drawn on said fund for the payment of such costs of maintaining such lights and supplying electrical current therefore.

SECTION 8:

SILMD 315 EXHIBIT A



Exhibit B
SILMD 315
Bench Boulevard

TAX_ID	PhysAddress	ShortLegal	Assessed Area
A19427	934 BENCH BLVD	WANIGAN SUBD, S22, T01 N, R26 E, BLOCK 4, Lot 14, (LESS 1286 SF BENCH ROW) (15)	9,893
A19428	946 BENCH BLVD	WANIGAN SUBD, S22, T01 N, R26 E, BLOCK 5, Lot 1, (LESS 1291 SF BENCH ROW) (15)	10,219
A20566	1914 BENCH BLVD	BENDER SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 1, (LESS 771 SF BENCH ROW) (15)	11,141
A20567	1906 BENCH BLVD	BENDER SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 2, (LESS 771 SF BENCH ROW) (15)	11,141
A20568	1848 BENCH BLVD	BENDER SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 3	11,912
A20569	1840 BENCH BLVD	BENDER SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 4, (LESS 771 SF BENCH ROW) (15)	11,141
A20570	1832 BENCH BLVD	BENDER SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 5, (LESS 771 SF BENCH ROW) (15)	11,141
A23892	808 AHOY AVE	MOODY SUBD 2ND FILING, S23, T01 N, R26 E, BLOCK 2, Lot 1	18,431
A23901	1325 BENCH BLVD	MOODY SUBD 2ND FILING, S23, T01 N, R26 E, BLOCK 4, Lot 1	17,360
A25484	1320 BENCH BLVD	SHAW SUBD, S22, T01 N, R26 E, BLOCK 1, Lot 1	14,262
A25485	1312 BENCH BLVD	SHAW SUBD, S22, T01 N, R26 E, BLOCK 1, Lot 2	11,184
A25486	1304 BENCH BLVD	SHAW SUBD, S22, T01 N, R26 E, BLOCK 001, Lot 003, LT 3 BLK 1 SHAW SUBD	11,779
A26730	2291 BENCH BLVD	WYMAN SUBD, S14, T01 N, R26 E, BLOCK 1, Lot 1	16,210
A27593	1820 BENCH BLVD	HARDY SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 5A, SUBD AMD (06) 16333 SQ FT	16,333
A29397	710 WICKS LN	PEPELKA HEIGHTS VIEW SUBD, S22, T01 N, R26 E, BLOCK 1, Lot 1	109,560
A29399	1530 PEPELKA DR	PEPELKA HEIGHTS VIEW SUBD, S22, T01 N, R26 E, BLOCK 1, Lot 3	57,391
A29400	760 WICKS LN	PEPELKA HEIGHTS VIEW SUBD, S22, T01 N, R26 E, BLOCK 2, Lot 1	77,857
A29693	807 S HEIGHTS LN	SOUTH HEIGHTS SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 1, 2001 CHAMPION TITLE: E858839 ATTACHED TO REAL	9,608
A29706	806 SOUTH HEIGHTS LN	SOUTH HEIGHTS SUBD, S23, T01 N, R26 E, BLOCK 2, Lot 1, (01) 2001 CHAMPION SN: 17013281108 TAXED W/REAL	9,600
A29841	1633 MAIN ST	WAL-MART SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 1, (01)	44,722
A29844	1649 MAIN ST	WAL-MART SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 4, (01)	852,909
A31500	1738 BENCH BLVD	MATTSON ACRES, S15, T01 N, R26 E, Lot 16C, 16 7,150 SF AMD LT (05)	7,150
A31501	749 MATTSON LN	MATTSON ACRES, S15, T01 N, R26 E, Lot 16D, 16 7,733 SF AMD LT (05)	7,733
A32299		KINGS PLACE SUB, S23, T01 N, R26 E, BLOCK 1, Lot 2, ACRES 1.466	62,988
A32300A	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 2, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300B	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 4, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300C	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 6, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300D	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 8, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300E	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 10, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300F	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 12, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300G	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 11, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300H	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 9, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300I	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 7, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300J	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 5, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300K	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 3, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300L	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 1, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300M		KING CREEK TOWNHOMES, S23, T01 N, R26 E, MASTER CARD (07) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	0
A32300N	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 45, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713
A32300O	1525 BENCH BLVD	KING CREEK TOWNHOMES, S23, T01 N, R26 E, UNIT 43, 2.127% COMMON AREA INTEREST, (1/47%) LOC @ LTS 3-4 BLK 1 KING PLACE SUB	4,713

Exhibit B
SILMD 315
Bench Boulevard

TAX_ID	PhysAddress	ShortLegal	Assessed Area
A33672M		NOTTINGHAM TOWNHOMES, S23, T01 N, R26 E, MASTER CARD (07) LOC @ LT 1 BLK 1 KINGSTON PLACE SUB 29931 SQ FT (07)	0
A33718A	1440 KING JAMES ST	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 1440, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718B	1438 KING JAMES ST	KINGSTON PLACE, S23, T01 N, R26 E, BLOCK 006, Lot 001, UNIT 1438 KING JAMES TOWNHOMES (08) 1/14% INT IN COMMON ELEMENTS	5,019
A33718C	1434 KING JAMES ST	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 1434, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718D	1432 KING JAMES ST	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 1432, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718E	1428 KING JAMES ST	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 1428, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718F	1426 KING JAMES ST	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 1426, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718G	1422 KING JAMES ST	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 1422, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718H	1420 KING JAMES ST	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 1420, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718I	802 ROYAL AVE	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 802, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718J	804 ROYAL AVE	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 804, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718K	808 ROYAL AVE	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 808, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718L	810 ROYAL AVE	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 810, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718M		KING JAMES TOWNHOMES, S23, T01 N, R26 E, MASTER CARD (08) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB (07) 70259 SQ FT	0
A33718N	814 ROYAL AVE	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 814, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A33718O	816 ROYAL AVE	KING JAMES TOWNHOMES, S23, T01 N, R26 E, UNIT 816, 7.142% COMMON AREA INTEREST, (1/14%) LOC @ LT 1 BLK 6 KINGSTON PLACE SUB	5,019
A34019A	735 LAMBRECHT LN	SAGE BUTTE TOWNHOMES, S15, T01 N, R26 E, UNIT 735, 25% COMMON AREA INTEREST, (08) LOC @ LTS 5B & 5C BLK 1 HARDY SUB AMD	4,580
A34019B	737 LAMBRECHT LN	SAGE BUTTE TOWNHOMES, S15, T01 N, R26 E, UNIT 737, 25% COMMON AREA INTEREST, (08) LOC @ LTS 5B & 5C BLK 1 HARDY SUB AMD	4,580
A34019C	739 LAMBRECHT LN	SAGE BUTTE TOWNHOMES, S15, T01 N, R26 E, UNIT 739, 25% COMMON AREA INTEREST, (08) LOC @ LTS 5B & 5C BLK 1 HARDY SUB AMD	4,580
A34019D	741 LAMBRECHT LN	SAGE BUTTE TOWNHOMES, S15, T01 N, R26 E, UNIT 741, 25% COMMON AREA INTEREST, (08) LOC @ LTS 5B & 5C BLK 1 HARDY SUB AMD	4,580
A34019M		SAGE BUTTE TOWNHOMES MASTER CARD (08) LTS 5B & 5C BLK 1 HARDY SUB AMD	0
A34248	1442 BENCH BLVD	CHALICE ACRES SUB (09), S22, T1 N, R26 E, BLOCK 1, Lot 2	12,589
C00163	807 BENCH BLVD	BRITTAI ACRES, S23, T01 N, R26 E, Lot 1 - 3, LESS 16,201 SQFT RDS (14)	112,907
C00165	821 BENCH BLVD	BRITTAI ACRES, S23, T01 N, R26 E, Lot 4, (LESS 659 SQFT FOR RD) (14)	42,906
C00166	823 BENCH BLVD	BRITTAI ACRES, S23, T01 N, R26 E, Lot 5, (LESS 686 SQFT FOR RD) (14)	42,863
C00167	833 BENCH BLVD	BRITTAI ACRES, S23, T01 N, R26 E, Lot 6, (LESS 716 SQFT FOR RD) (14)	42,744
C00168	839 BENCH BLVD	BRITTAI ACRES, S23, T01 N, R26 E, Lot 7, (LESS 750 SF BENCH ROW) (15)	42,468
C00170	843 BENCH BLVD	BRITTAI ACRES, S23, T01 N, R26 E, Lot 8 - 9, (EXC N67.2' W130' TR 8 & W130' TR 9 & LESS 185 SQFT FOR BENCH ROW) (15)	68,640
C00171	903 BENCH BLVD	BRITTAI ACRES, S23, T01 N, R26 E, Lot 10, (LESS 724 SF BENCH ROW) (15)	42,915
C00172	917 BENCH BLVD	BRITTAI ACRES, S23, T01 N, R26 E, Lot 11, (LESS 686 SF BENCH ROW) (15)	42,810
C00173	923 BENCH BLVD	BRITTAI ACRES, S23, T01 N, R26 E, Lot 12A, AMD (LESS 2988 SF BENCH ROW) (15)	11,335
C00174	927 BENCH BLVD	S23, T01 N, R26 E, C.O.S. 3303, PARCEL 2A, TR 2A COS 3303 AMD (10)	202,097
C00188		CELESTIAL SUBD, S23, T01 N, R26 E, Lot 1, (LESS 1318 SF BENCH ROW) (15)	42,180
C00189	1145 BENCH BLVD	CELESTIAL SUBD, S23, T01 N, R26 E, Lot 2, (LESS 1318 SF BENCH ROW) (15)	42,166
C00232	BENCH BLVD	CRIST ACRES AMEND, S14, T01 N, R26 E, BLOCK 1, Lot 1, (LESS 2714 SF FOR RD) (15)	12,286
C00258	805, 805 1/2 CRIST DR	CRIST ACRES AMEND, S14, T01 N, R26 E, BLOCK 1, Lot 36, (LESS 1362 SF FOR RD) (15)	14,959
C00271	810 CRIST DR	CRIST ACRES AMEND, S14, T01 N, R26 E, BLOCK 3, Lot 1 - 2, (LESS 1350 SF BENCH ROW) (15)	24,975
C00289	805 CAROLINE ST	CRIST ACRES AMEND, S14, T01 N, R26 E, BLOCK 3, Lot 34, (LESS 1350 SF BENCH ROW) (15)	14,850
C00302	1328 BENCH BLVD	CUCCIARDI ACRES (C/S NO 107), S22, T01 N, R26 E, Lot 3A, AMD (LESS 4555 SF BENCH ROW) (15)	15,445

Exhibit B
SILMD 315
Bench Boulevard

TAX_ID	PhysAddress	ShortLegal	Assessed Area
C00304	5051 BENCH BLVD	DOROTHY SUBD, S23, T01 N, R26 E, Lot 1, S115.5' W154' (LESS 986 SF FOR RD) (15)	16,801
C00305	1111 BENCH BLVD	DOROTHY SUBD, S23, T01 N, R26 E, Lot 1, E251' & N 10' W 154' LT 1 (LESS 85 SF BENCH ROW) (15)	32,956
C00306	1117 BENCH BLVD	DOROTHY SUBD, S23, T01 N, R26 E, Lot 2, W127' LT 2 (LESS 725 SF BENCH ROW) (15)	10,070
C00308	818 DOROTHY LN	S23, T01 N, R26 E, C.O.S. 397, PARCEL A-C, (LESS 853 SF BENCH ROW) (15)	23,147
C00318	1130 BENCH BLVD	FOOS, THEODORE SUBD, S22, T01 N, R26 E, Lot 1	8,250
C00349	2234 BENCH BLVD	HAMMOND SUBD, S15, T01 N, R26 E, Lot 1, (LESS 477 SF BENCH ROW) (15)	20,592
C00350	2234 BENCH BLVD	HAMMOND SUBD, S15, T01 N, R26 E, Lot 2, (LESS 803 SF BENCH ROW) (15) '01 FOUR SEASONS TL:E897646 TAXED W/RE 02	34,666
C00351	2242 BENCH BLVD	HAMMOND SUBD, S15, T01 N, R26 E, Lot 3, (LESS 808 SF BENCH ROW) (15)	34,861
C00640	1105 BENCH BLVD	HEIGHTS ACREAGE TRACTS SUBD, S23, T01 N, R26 E, Lot 1A, AMND TR 1	21,257
C00646	HEIGHTS LN	HEIGHTS ACREAGE TRACTS SUBD, S23, T01 N, R26 E, Lot 7, (LESS 1150 SF FOR RD) (15)	42,454
C00653	743 ANCHOR AVE	HERBERT SUBD, S22, T01 N, R26 E, BLOCK 1, Lot 10, (LESS 315 SF BENCH ROW) (15)	12,279
C00659	1332 BENCH BLVD	HERBERT SUBD, S22, T01 N, R26 E, BLOCK 2, Lot 10, (LESS N68') & S10 FT ADJ ABND ALLEY (LESS 504 SF BENCH ROW) (15)	6,213
C00659A	1336 BENCH BLVD	HERBERT SUBD, S22, T01 N, R26 E, BLOCK 2, Lot 10, N 68' (LESS 511 SF BENCH ROW) (15)	6,321
C00667	2008 BENCH BLVD	HOLLING RANCH SUBD, S15, T01 N, R26 E, BLOCK 4, Lot 1, AMD LTS 12-13 (LESS 673 SF BENCH ROW) (15)	17,408
C00683	801 KALE DR	KALE SUBD, S14, T01 N, R26 E, BLOCK 1, Lot 15, & W40 FT LT 14	15,050
C00683A	802 MOSSMAN DR	KALE SUBD, S14, T01 N, R26 E, BLOCK 1, Lot 16, (LESS 439 SF BENCH ROW) (15)	9,727
C00713	737 KEY CITY DR	KEY CITY SUBD, S15, T01 N, R26 E, BLOCK 2, Lot 1, E2 (LESS 800 SF BENCH ROW) (15)	9,746
C00715	1934 BENCH BLVD	KEY CITY SUBD, S15, T01 N, R26 E, BLOCK 2, Lot 2, (LESS 800 SF BENCH ROW) (15)	20,289
C01084	1248 BENCH BLVD	LOGAN SUBD, S22, T01 N, R26 E, Lot 1, E OF DITCH (LESS 865 SF BENCH ROW) (15)	19,295
C01086	1242 BENCH BLVD	LOGAN SUBD, S22, T01 N, R26 E, Lot 2, (LESS 767 SF BENCH ROW) (15)	21,153
C01087	1234 BENCH BLVD	LOGAN SUBD, S22, T01 N, R26 E, Lot 3A, AMD (LESS 1235 SF BENCH ROW) (15)	12,765
C01099A	1222 BENCH BLVD	LOGAN SUBD 2ND FILING, S22, T01 N, R26 E, Lot 11, E160' LT 11 (LESS N5') & E160' N5' LT 12 (LESS 667 SF BENCH ROW) (15)	10,533
C01100	1212 BENCH BLVD	LOGAN SUBD 2ND FILING, S22, T01 N, R26 E, Lot 12, S141.4' (LESS 1347 SF BENCH ROW) (15)	55,223
C01101	1202 BENCH BLVD	LOGAN SUBD 2ND FILING, S22, T01 N, R26 E, Lot 13, (LESS 953 SF BENCH ROW) (15)	43,478
C01129	1605 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 1, Lot 16 - 17, (LESS 639 SF ROW) (15)	46,611
C01130	1629 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 1, Lot 18 - 19, S115' (LESS 290 SF BENCH ROW) (15)	16,960
C01131	1639 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 1, Lot 18 - 19, S100' OF N200' (LESS 252 SF BENCH ROW) (15)	14,748
C01132	1649 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 1, Lot 18 - 19, N100' (LESS 252 SF BENCH ROW) (15)	14,748
C01150	1721 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 2, Lot 7 - 8, N68' (LESS 172 SF BENCH ROW) (15)	10,028
C01150A	1715 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 2, Lot 7 - 8, N2 (EXC N 68') (LESS 169 SF BENCH ROW) (15)	9,881
C01150B	1709 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 2, Lot 7 - 8, S2 (LESS 568') (LESS 169 SF BENCH ROW) (15)	9,881
C01150C	1703 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 2, Lot 7, S 68 FT OF LOT 7 & 8	10,200
C01151	1745 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 2, Lot 9 - 10, N66' & W3' N66' LT 11 (LESS 293 SF BENCH ROW) (15)	9,805
C01151A	1739 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 2, Lot 9 - 10, N2 & W3' N2 LT 11 (LESS N66 FT) (LESS 235 SF BENCH ROW) (15)	9,780
C01151B	1735, 1737 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 2, Lot 9 - 10, S2 & W3' S2 LT 11 (LESS S66 FT) (LESS 181 SF BENCH ROW) (15)	9,836
C01151C	1729 BENCH BLVD	LYNCH ACRES, S14, T01 N, R26 E, BLOCK 2, Lot 9 - 10, S66' & S66' W3' LT 11 (LESS 166 SF BENCH ROW) (15)	9,932
C01236	744 LAMBRECHT LN	MATTSON ACRES, S15, T01 N, R26 E, Lot 16B, AMD LT 16 (05)	6,922
C01369	2145 BENCH BLVD	MOSSMAN SUBD, S14, T01 N, R26 E, Lot 14, (LESS E5') (LESS 439 SF BENCH ROW) (15)	19,636
C01371	2316 BENCH BLVD	PEMBERTON SUBD, S15, T01 N, R26 E, Lot 3 - 4, E331.8' (LESS 831 SF BENCH ROW) (15)	35,833

Exhibit B
SILMD 315
Bench Boulevard

TAX_ID	PhysAddress	ShortLegal	Assessed Area
C01375	2320 BENCH BLVD	PEMBERTON SUBD, S15, T01 N, R26 E, Lot 5, (LESS 831 SF BENCH ROW) (15)	15,768
C01441	1231 BENCH BLVD	STEFFANICH SUBD 2ND FILING, S23, T01 N, R26 E, Lot 16, (LESS 575 SF BENCH ROW) (15)	9,400
C01441A	1237 BENCH BLVD	STEFFANICH SUBD 2ND FILING, S23, T01 N, R26 E, Lot 17, (LESS 575 SF BENCH ROW) (15)	9,400
C01442	1243 BENCH BLVD	STEFFANICH SUBD 2ND FILING, S23, T01 N, R26 E, Lot 18	9,975
C01442A	1249 BENCH BLVD	STEFFANICH SUBD 2ND FILING, S23, T01 N, R26 E, Lot 19, (LESS 681 SF BENCH ROW) (15)	11,159
C01518	1221 BENCH BLVD	SWOBODA SUBD, S23, T01 N, R26 E, Lot 1, (LESS 860 SF BENCH ROW) (15)	15,300
C01519	1213 BENCH BLVD	SWOBODA SUBD, S23, T01 N, R26 E, Lot 2	10,560
C01526	1012 BENCH BLVD	TAYLOR SUBD, S22, T01 N, R26 E, Lot 1, (LESS 741 SF BENCH ROW) (15)	12,519
C01581	1406 BENCH BLVD	WINEMILLER SUBD, S22, T01 N, R26 E, Lot 1, (LESS 619 SF BENCH ROW) (15)	3,419
C01582	734 WINEMILLER LN	WINEMILLER SUBD, S22, T01 N, R26 E, Lot 2, E200' (LESS 545 SF BENCH ROW) (15)	13,974
C01584	733 WINEMILLER LN	WINEMILLER SUBD, S22, T01 N, R26 E, Lot 3, E280' (LESS 545 SF BENCH ROW) (15)	19,782
C01587	1422 BENCH BLVD	WINEMILLER SUBD, S22, T01 N, R26 E, Lot 4, E280' (LESS 619 SF BENCH ROW) (15)	22,508
C05566	1337 BENCH BLVD	MOODY SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 1	18,900
C05567	806 ANCHOR AVE	MOODY SUBD, S23, T01 N, R26 E, BLOCK 2, Lot 1, (LESS 1145 SF BENCH ROW) (15)	17,734
C05601	1948 BENCH BLVD	RAYMOND SUBD, S15, T01 N, R26 E, Lot 1, N68' LT 1 (LESS 510 SF BENCH ROW) (15)	12,410
C05601A	1944 BENCH BLVD	RAYMOND SUBD, S15, T01 N, R26 E, Lot 1, S 86.5' LT 1 (LESS 649 SF BENCH ROW) (15)	15,786
C05807	2044 1/2 BENCH BLVD	PULVER SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 3, (LESS 701 SF BENCH ROW) (15)	24,182
C05808	2042, 2044 BENCH BLVD	PULVER SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 4, (LESS 1063 SF BENCH ROW) (15)	36,723
C05984	801 BETSY DR	KALE SUBD 2ND FILING, S14, T01 N, R26 E, BLOCK 1, Lot 15, (LESS 421 SF BENCH ROW) (15)	9,627
C05985	802 KALE DR	KALE SUBD 2ND FILING, S14, T01 N, R26 E, BLOCK 1, Lot 16, (LESS 423 SF BENCH ROW) (15)	9,602
C06314	905 BENCH BLVD	PAGANINI SUBD, S23, T01 N, R26 E, Lot 1, (LESS 412 SF BENCH ROW) (15)	4,418
C06315	901 BENCH BLVD	PAGANINI SUBD, S23, T01 N, R26 E, Lot 2, (LESS 538 SF FOR RD) (15)	5,782
C06316	847 BENCH BLVD	PAGANINI SUBD, S23, T01 N, R26 E, Lot 3, (LESS 391 SF BENCH ROW) (15)	4,199
C09344	806 BETSY DR	KALE SUBD 3RD FILING, S14, T01 N, R26 E, BLOCK 1, Lot 23	20,042
C09345	2015 BENCH BLVD	KALE SUBD 3RD FILING, S14, T01 N, R26 E, BLOCK 1, Lot 24	20,101
C09346	2007 BENCH BLVD	KALE SUBD 3RD FILING, S14, T01 N, R26 E, BLOCK 1, Lot 25	20,158
D05140	2227 BENCH BLVD	S14, T01 N, R26 E, S2N2S2NWNW MULTIPLE DISTRICT-CHECK OTHER LOC	37,462
D05141	2217 BENCH BLVD	S14, T01 N, R26 E, N2S2S2NWNW**MULTI DIST**.732 AC IN 2; 4.14 AC IN O2 (LESS 5539 SF BENCH ROW) (15)	31,885
D05142	2207 BENCH BLVD	S14, T01 N, R26 E, S2S2S2NWNW**MULTI DIST**.732 AC IN 2; 4.14 AC IN O2 (LESS 5560 SF BENCH ROW) (15)	31,885
D05143	1801 BENCH BLVD	S14, T01 N, R26 E, W2NW4SW4	871,200
D05182	2347 MAIN ST	HOLLING RANCH SUBD, S15, T01 N, R26 E, Lot 1A, 3RD AMND & BLUE BASKET GAS EQUIPEMNT 1.271 AC (99)	55,367
D05186	2222 BENCH BLVD	S15, T01 N, R26 E, C.O.S. 220, PARCEL 1, LT 6	43,550
D05191A	2215 MAIN ST	HOLLING RANCH SUBD, S15, T01 N, R26 E, Lot 7C2, AMD (LESS 1398 SQFT BENCH ROW) (15)	187,709
D05193	2204 BENCH BLVD	HOLLING RANCH SUBD, S15, T01 N, R26 E, Lot 8, FRAC W OF BENCH BLVD (LESS 1569 SF ROW) (15)	78,777
D05197A	2116/2130 BENCH BLVD	HOLLING RANCH SUBD, S15, T01 N, R26 E, Lot 9A, AMD (13)	84,027
D05198	2110 BENCH BLVD	S15, T01 N, R26 E, C.O.S. 451, PARCEL A, (LESS 815 SF BENCH ROW) (15)	42,745
D05202	2104 BENCH BLVD	HOLLING RANCH SUBD, S15, T01 N, R26 E, Lot 10, E519' S2 LT 10 (LESS 846 SF BENCH ROW) (15)	56,140
D05204A	2034 BENCH BLVD	EGGEN SUBD, S15, T01 N, R26 E, BLOCK 1, Lot 2, (95)	18,405
D05206	2006 BENCH BLVD	HOLLING RANCH SUBD, S15, Lot 13, 194X197.3' IN SE CORNER RMNDR LT 13 EXCEPT 20X27.3' IN NW CORNER (LESS 1457 SF ROW)	36,273

**Exhibit B
SILMD 315
Bench Boulevard**

TAX_ID	PhysAddress	ShortLegal	Assessed Area
D05264	1448 BENCH BLVD	CHALICE ACRES SUB (09), S22, T01 N, R26 E, BLOCK 1, Lot 1	10,350
D05269	1432 BENCH BLVD	CHALICE ACRES SUB (09), S22, T01 N, R26 E, BLOCK 1, Lot 3	14,253
D05271	1148 BENCH BLVD	S22, T01 N, R26 E, C.O.S. 248, PARCEL 2A, AMD (LESS 4497 SF BENCH ROW) (15)	53,884
D05272	1142 BENCH BLVD	S22, T01 N, R26 E, C.O.S. 248, PARCEL 2B, AMEND 1.29 AC	52,193
D05273	1134 BENCH BLVD	S22, T01 N, R26 E, FRAC N2NESE (63' X 898.4') 1.30 AC	54,153
D05274	1124 BENCH BLVD	S22, T01 N, R26 E, C.O.S. 162, PARCEL 1, .26AC	11,310
D05277	1104 BENCH BLVD	S22, T01 N, R26 E, C.O.S. 3462, PARCEL 1, (11)	364,989
D05280	1032 BENCH BLVD	S22, T01 N, R26 E, C.O.S. 2537, PARCEL 1, & FRAC S2NESE (73.42X890) & N 2 AC S 10.41 AC LATERAL IN NESE (13)	226,730
D05282	1020 BENCH BLVD	S22, T01 N, R26 E, C.O.S. 2537, PARCEL 2, (LESS 2905 SF BENCH ROW) (15)	10,031
D05284B	1004 BENCH BLVD	S22, T01 N, R26 E, C.O.S. 1927, PARCEL 2B, AMD (LESS 931 SF BENCH ROW) (15)	18,489
D05285	City Park	S22, T01 N, R26 E, 380, PARCEL 0B1, COS 380 AMEND IN SE4SE4 TR B-1 (PARK) (OLD #D-1215) 8AC	321,595
D05286	810 BENCH BLVD	S22, T01 N, R26 E, C.O.S. 380, PARCEL B2, AMD (LESS 19,461 FOR RDS) (14)	137,214
D05377	1209 BENCH BLVD	S23, T01 N, R26 E, C.O.S. 377, PARCEL A, (LESS 2810 SF BENCH ROW) (15)	21,280
D05379	1205 BENCH BLVD	S23, T01 N, R26 E, C.O.S. 2271, PARCEL 1	27,588
D05383	947 BENCH BLVD	S23, T01 N, R26 E, C.O.S. COS 3032, PARCEL 1, (LESS 564 SF BENCH ROW) (15)	11,040
D05384	941 BENCH BLVD	S23, T01 N, R26 E, 3303, PARCEL 001, TR 1 COS 3303 (08) 7923 SF	7,923
D05385	933 BENCH BLVD	S23, T01 N, R26 E, C.O.S. 578, PARCEL 1, (LESS 633 SF BENCH ROW) (15)	12,799
D05387	935 BENCH BLVD	S23, T01 N, R26 E, 3161, PARCEL 002, TR2 COS 3161 (OLD TR 3 COS 578)(04) 9,862 SF	9,862
Total area in district			6,646,702

EXHIBIT "C"

SILMD 315 – BOUNDARY DESCRIPTION

A Special Improvement Lighting Maintenance District in Billings, Montana encompassing all lots, parcels and tracts of land:

Abutting both sides of Bench Boulevard between Hilltop Road and Mary Street, and

Abutting Wicks Lane between Bench Boulevard and Main Street, excepting there from:

Tracts 3, 4, 5, and 6, Amended Certificate of Survey 385, as recorded October 26, 1951 under Document Number 483573

Tract 2, Certificate of Survey 3370, as recorded September 23, 2008 under Document Number 3481085

Tract 2A-1B, of Amended Tract 2A-1 of Amended Tract 2A of Certificate of Survey 509 as recorded July 17, 1985 under Document Number 1358077.

Exempting there from all lands which are public street, road, or alley rights-of-way.

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Resolution Prescribing the Form and Terms of Series 2015 Storm Sewer Revenue Bonds

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The City will be constructing storm drain improvements in the East Billings industrial area and it is necessary to issue storm sewer revenue bonds to fund the project. Piper Jaffray and Company and DA Davidson have been working with the City to issue and sell the storm sewer bonds. This resolution outlines the bond terms.

ALTERNATIVES ANALYZED

The bond purchase agreement has been signed by the City. After approving this resolution, the City can proceed with the closing.

FINANCIAL IMPACT

The term of the bonds is 20 years at an interest rate of 3.04%. The debt service payments will be made from the storm sewer assessments.

RECOMMENDATION

Staff recommends that the City Council approve the resolution that sets the terms of the bond sale.

APPROVED BY CITY ADMINISTRATOR

Attachments

Bond resolution

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. _____, entitled: "RESOLUTION RELATING TO \$9,615,000 STORM SEWER REVENUE BONDS, SERIES 2015; AUTHORIZING THE SALE AND PRESCRIBING THE FORMS AND TERMS THEREOF AND 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 27, 2015, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

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

WITNESS my hand officially this 27th day of April, 2015.

City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO \$9,615,000 STORM SEWER REVENUE BONDS,
SERIES 2015; AUTHORIZING THE SALE AND PRESCRIBING THE FORMS AND
TERMS THEREOF AND THE SECURITY THEREFOR

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

Section 1. Definitions, Authorizations and Findings.

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

1.02. Original Resolution; Outstanding Bonds. In accordance with the authorization described in Section 1.01 and pursuant to Resolution No. 13-19323 of the City, adopted by the Council on October 28, 2013 (the “Original Resolution”), the City issued its Storm Sewer Revenue Bonds, Series 2013 (the “Series 2013 Bonds”), which are outstanding as of the date hereof in the aggregate principal amount of \$4,170,000. Capitalized terms, used but not defined herein, shall have the meanings ascribed to them in the Resolution.

1.03. Parity Bonds. In Section 4 of the Original Resolution, the City reserved the right to issue Additional Bonds payable from and secured by the Net Revenues of the System on a parity with the Series 2013 Bonds on certain terms and conditions. Based on the Net Revenues of the System for fiscal year ended June 30, 2014, it is determined that the City is authorized to issue a series of bonds (the “Series 2015 Bonds”) in the aggregate principal amount of \$9,615,000 in order to finance or reimburse the costs of the 2015 Project, which bonds shall be payable from and secured by the Net Revenues of the System on a parity with the Series 2013 Bonds.

1.04. 2015 Project. After investigation of the facts and as authorized by the Act, this Council has determined it to be necessary and desirable to undertake certain storm drain improvements as further described on Exhibit A hereto (the “2015 Project”). The estimated costs of the 2015 Project, including engineering and financing costs, are presently estimated to be \$10,515,370.35, and consist of the following items:

Design and Construction Administration	\$ 1,314,282.00
Construction	7,622,290.00
Project Management	96,644.00
Utility Relocations	250,000.00
Contingency	381,115.00
Costs of Issuance	87,855.59
Underwriter's Discount	81,727.50
Deposit to Reserve Account	681,456.26
<u>Total</u>	<u>\$10,515,370.35</u>

Costs of the 2015 Project in excess of the proceeds of the Series 2015 Bonds shall be paid from Revenues of the System available therefor (\$399,711.00), including specifically the City's project management costs.

1.05. Findings and Determinations. It is hereby found, determined and declared by this Council as follows:

(a) The City is authorized under the Act to charge just and equitable rates, charges and rentals for all services directly or indirectly furnished by the System, and to pledge and appropriate to the payment of the Bonds the revenues to be derived from the operation of the System, including improvements, betterments or extensions thereof hereafter constructed or acquired.

(b) The Net Revenues to be produced by such rates, charges and rentals during the term of the Series 2015 Bonds will be sufficient to pay the principal of and interest when due on the Series 2013 Bonds and the Series 2015 Bonds, to create and maintain reasonable reserves therefor, to pay the reasonable and ordinary costs of operating and maintaining the System and to provide an adequate allowance for replacement and repair, as herein prescribed or prescribed in the Resolution. Upon the issuance of the Series 2015 Bonds, the only Bonds payable from the System will be the Series 2013 Bonds and the Series 2015 Bonds.

(c) It is in the best interests of the City and its residents to issue and sell the Series 2015 Bonds to finance or reimburse the costs of the 2015 Project as provided in this Resolution.

1.06. Authorization and Sale of Series 2015 Bonds. Pursuant to Resolution No. 15-10430 adopted February 23, 2015 (the "Parameters Resolution") and as authorized by Montana Code Annotated, Section 17-5-117, this Council authorized the negotiated sale of the Series 2015 Bonds to Piper Jaffray & Co. and D.A. Davidson & Co. (together, the "Original Purchasers") and authorized the City Administrator and the City Finance Director to enter into a Bond Purchase Agreement with the Original Purchasers (the "Bond Purchase Agreement"). Pursuant to the Bond Purchase Agreement, dated as of April 8, 2015, the Original Purchasers agreed to purchase the Series 2015 Bonds at the aggregate purchase price of \$10,033,931.85 (representing the par amount of the Series 2015 Bonds, less underwriter's compensation of \$81,727.50 plus a net reoffering premium of \$500,659.35), subject to the terms and conditions of the Bond Purchase

Agreement and this Resolution. The net interest cost of the Series 2015 Bonds is 3.129793%. The sale of the Series 2015 Bonds to the Original Purchasers is hereby ratified and confirmed.

1.07. Application of Proceeds of Series 2015 Bonds. The City shall deposit the proceeds of the sale of the Series 2015 Bonds as follows: (i) deposit a sufficient amount to the Reserve Account as to cause the balance therein to equal the Reserve Requirement giving effect to the issuance of the Series 2015 Bonds; and (ii) deposit the balance of the proceeds of the Series 2015 Bonds in the Construction Account to be used to pay costs of the 2015 Project and costs of issuance of the Series 2015 Bonds.

1.08. Recitals. All acts, conditions and things required by the Constitution and laws of the State to be done, to exist, to happen and to be performed prior to the issuance of the Series 2015 Bonds have been done, do exist, have happened, and have been performed in due time, form and manner, wherefore it is now necessary for this Council to establish the form and terms of the Series 2015 Bonds, to provide for the security thereof and to issue the Series 2015 Bonds forthwith.

Section 2. Bond Terms, Execution and Delivery.

2.01. Term of Series 2015 Bonds. The Series 2015 Bonds shall be designated “Storm Sewer Revenue Bonds, Series 2015.” The Series 2015 Bonds shall be in denominations of \$5,000 or any integral multiple thereof of single maturities. The Series 2015 Bonds shall mature, subject to redemption as hereinafter provided, on July 1 in the years and amounts listed below, and the Series 2015 Bonds maturing in such years and amounts shall bear interest from date of original issue until paid or duly called for redemption at the rates shown opposite such years and amounts, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2016	\$300,000	2.000%	2025	\$ 465,000	3.000%
2017	360,000	2.000	2026	475,000	3.250
2018	370,000	3.000	2027	495,000	3.500
2019	380,000	3.000	2028	510,000	4.000
2020	390,000	3.000	2029	530,000	4.000
2021	400,000	4.000	2030	550,000	4.000
2022	420,000	5.000	2031	575,000	4.000
2023	440,000	2.500	2033*	1,210,000	3.250
2024	450,000	3.000	2035*	1,295,000	3.375

*Term Bond subject to mandatory sinking fund redemption as set forth in Section 2.07 below.

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

2.02. Registered Form, Interest Payment Dates. The Series 2015 Bonds shall be issuable only in fully registered form, and the ownership of the Series 2015 Bonds shall be transferred

only upon the Bond Register. The interest on the Series 2015 Bonds shall be payable on January 1 and July 1 in each year, commencing January 1, 2016. Interest on the Series 2015 Bonds shall be payable to the Owners thereof as of the close of business on the 15th day of the month immediately preceding each Interest Payment Date, whether or not such day is a Business Day. Interest on, and upon presentation and surrender thereof, the principal of each Series 2015 Bond shall be payable by check or draft issued by the Registrar described herein.

2.03. Dated Date. Each Series 2015 Bond shall be dated, as originally issued, as of April 29, 2015, and upon authentication of any Series 2015 Bond the Registrar shall indicate thereon the date of such authentication.

2.04. Registration. The City shall appoint, and shall maintain, a bond registrar, transfer agent and paying agent (the "Registrar"). This Section 2.04 shall establish a system of registration for the Series 2015 Bonds. The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Bond Register. The Registrar shall keep at its principal office a Bond Register in which the Registrar shall provide for the registration of ownership of Series 2015 Bonds and the registration of transfers and exchanges of Series 2015 Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Series 2015 Bonds. Upon surrender to the Registrar for transfer of any Series 2015 Bond duly endorsed by the Owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the Owner thereof or by an attorney duly authorized by the Owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Series 2015 Bonds of the same series and a like aggregate principal amount, interest rate and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer of any Series 2015 Bond or portion thereof selected or called for redemption.

(c) Exchange of Series 2015 Bonds. Whenever any Series 2015 Bond is surrendered by the Owner for exchange, the Registrar shall authenticate and deliver one or more new Series 2015 Bonds of the same series and a like aggregate principal amount, interest rate and maturity, as requested by the Owner or the Owner's attorney in writing.

(d) Cancellation. All Series 2015 Bonds surrendered upon any transfer or exchange shall be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Series 2015 Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Series 2015 Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the Person in whose name any Series 2015 Bond is at any time registered in the Bond Register as the absolute owner of such Series 2015 Bond, whether such Series 2015 Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of, premium, if any, and interest on such Series 2015 Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the City upon such Series 2015 Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Series 2015 Bonds (except for an exchange upon a partial redemption of a Series 2015 Bond), the Registrar may impose a charge upon the Owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Series 2015 Bonds. In case any Series 2015 Bond shall become mutilated or be lost, stolen or destroyed, the Registrar shall deliver a new Series 2015 Bond of the same series and a like aggregate principal amount, interest rate and maturity in exchange and substitution for and upon cancellation of any such mutilated Series 2015 Bond or in lieu of and in substitution for any such Series 2015 Bond lost, stolen or destroyed, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Series 2015 Bond lost, stolen or destroyed, upon filing with the Registrar of evidence satisfactory to it that such Series 2015 Bond was lost, stolen or destroyed, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. All Series 2015 Bonds so surrendered to the Registrar shall be cancelled by it and evidence of such cancellation shall be given to the City. If the mutilated, lost, stolen or destroyed Series 2015 Bond has already matured or such Series 2015 Bond has been called for redemption in accordance with its terms, it shall not be necessary to issue a new Series 2015 Bond prior to payment.

2.05. Appointment of Initial Registrar. The City hereby appoints U.S. Bank National Association, of Seattle, Washington, to act as the Registrar. The City reserves the right to appoint a successor Registrar, but the City agrees to pay the reasonable and customary charges of the Registrar for the services performed. Upon merger or consolidation of a bank or trust company that is acting as the Registrar, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The City reserves the right to remove any Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Series 2015 Bonds in its possession as Registrar to the successor Registrar and shall deliver the Bond Register to the successor Registrar.

2.06. Optional Redemption. The Series 2015 Bonds with Stated Maturities in the years 2016 through 2025 are not subject to redemption prior to their Stated Maturities. The Series 2015 Bonds with Stated Maturities on or after July 1, 2026 are subject to redemption on July 1, 2025 and any date thereafter, at the option of the City, in whole or in part, and if in part from

such Stated Maturities and in such principal amounts as the City may designate in writing to the Registrar (or, if no designation is made, in inverse order of maturities and within a maturity in \$5,000 principal amounts selected by the Registrar by lot or other manner it deems fair), at a Redemption Price equal to the principal amount thereof and interest accrued to the Redemption Date, without premium.

The Redemption Date and the principal amount of the Series 2015 Bonds to be redeemed shall be fixed by the City Finance Director who shall give notice thereof to the Registrar at least 35 days prior to the Redemption Date or such lesser period as the Registrar accepts. The Registrar, at least 30 days prior to the designated Redemption Date, shall cause notice of redemption to be mailed, by first class mail, or by other means required by the securities depository, to the Owners of each Series 2015 Bond to be redeemed at their addresses as they appear on the Bond Register, but no defect in or failure to give such mailed notice shall affect the validity of proceedings for the redemption of any Series 2015 Bond not affected by such defect or failure. The notice of redemption shall specify the Redemption Date, Redemption Price, the numbers, interest rates and CUSIP numbers of the Series 2015 Bonds to be redeemed and the place at which the Series 2015 Bonds are to be surrendered for payment, which is the principal office of the Registrar. Official notice of redemption having been given as aforesaid, the Series 2015 Bonds or portions thereof so to be redeemed shall, on the Redemption Date, become due and payable at the Redemption Price therein specified and from and after such date (unless the City shall default in the payment of the Redemption Price) such Series 2015 Bonds or portions thereof shall cease to bear interest.

2.07. Mandatory Sinking Fund Redemption. The Series 2015 Bonds having Stated Maturities in 2033 and 2035 are subject to mandatory sinking fund redemption on July 1 in the respective years and the respective principal amounts set forth below in \$5,000 principal amounts selected by the Registrar, by lot or other manner it deems fair, at a Redemption Price equal to the principal amount thereof to be redeemed plus interest accrued to the Redemption Date:

2033 Term Bond		2035 Term Bond	
July 1	Sinking Fund Payment Amount	July 1	Sinking Fund Payment Amount
2032	\$595,000	2034	\$635,000
2033*	615,000	2035*	660,000

*Stated Maturity.

If the Term Bonds having Stated Maturities in 2033 and 2035 are not previously purchased by the City in the open market or prepaid, \$615,000 and \$660,000, respectively, in principal amount of such Term Bonds would remain to mature in 2033 and 2035, respectively. The principal amount of such Term Bonds required to be redeemed on the above Sinking Fund Payment Dates shall be reduced by the principal amount of such Term Bonds theretofore redeemed at the option of the City and as to which the City has not previously applied amounts to reduce the principal amount of such Term Bonds on a Sinking Fund Payment Date.

2.08. Execution and Delivery. The Series 2015 Bonds shall be forthwith prepared for execution under the direction of the City Clerk and shall be executed on behalf of the City by the

signatures of the Mayor, the City Finance Director and the City Clerk, provided that said signatures may be printed, engraved or lithographed facsimiles thereof. The seal of the City need not be imprinted on or affixed to any Series 2015 Bond. In case any officer whose signature or a facsimile of whose signature shall appear on the Series 2015 Bonds shall cease to be such officer before the delivery thereof, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. When the Series 2015 Bonds have been so executed by said City officers, they shall be registered by the City Finance Director in accordance with Montana Code Annotated, Section 7-7-4432, as amended. Notwithstanding such execution, no Series 2015 Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Series 2015 Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Series 2015 Bonds need not be signed by the same representative. The executed certificate of authentication on each Series 2015 Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Series 2015 Bonds have been fully executed and authenticated, they shall be delivered by the Registrar to the Original Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Original Purchaser shall not be obligated to see to the application of the purchase price.

2.09. Securities Depository for the Series 2015 Bonds.

(a) For purposes of this Section 2.09, the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Series 2015 Bond of which DTC (as hereinafter defined) or its nominee is the Owner, the Person (or subrogee of the Person) recorded as the beneficial owner of such Series 2015 Bond on the records of the Participant (as hereinafter defined) in whose name DTC holds such Series 2015 Bond.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Series 2015 Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds Series 2015 Bonds as securities depository.

“Representation Letter” shall mean the Blanket Issuer Letter of Representations pursuant to which the City agrees to comply with DTC’s Operational Arrangements.

(b) The Series 2015 Bonds shall be initially issued as separately authenticated fully registered Series 2015 Bonds, and one Series 2015 Bond shall be issued in the principal amount of each Stated Maturity of the Series 2015 Bonds. Upon initial issuance, the ownership of all Series 2015 Bonds shall be registered in the Bond Register in the name of Cede & Co., as nominee of DTC. The Registrar and the City may treat DTC (or its nominee) as the sole and exclusive Owner of the Series 2015 Bonds registered in its name for the purposes of payment of

the principal of or interest on the Series 2015 Bonds, selecting the Series 2015 Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to Owners of Series 2015 Bonds under this Resolution, registering the transfer of Series 2015 Bonds, and for all other purposes whatsoever; and neither the Registrar nor the City shall be affected by any notice to the contrary. Neither the Registrar nor the City shall have any responsibility or obligation to any Participant, any Person claiming a beneficial ownership interest in the Series 2015 Bonds under or through DTC or any Participant, or any other Person which is not shown on the Bond Register as being an Owner, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Series 2015 Bonds, with respect to any notice which is permitted or required to be given to Owners under this Resolution, with respect to the selection by DTC or any Participant of any Person to receive payment in the event of a partial redemption of the Series 2015 Bonds, or with respect to any consent given or other action taken by DTC as Owner of the Series 2015 Bonds. So long as any Series 2015 Bond is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Series 2015 Bond, and shall give all notices with respect to such Series 2015 Bond, only to Cede & Co. in accordance with the Representation Letter, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal of and interest on the Series 2015 Bonds to the extent of the sum or sums so paid. Unless the services of DTC as securities depository with respect to the Series 2015 Bonds are terminated as provided in subsection (c) hereof, no Person other than DTC shall receive an authenticated Series 2015 Bond for each separate stated maturity evidencing the obligation of the City to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Series 2015 Bonds will be transferable to such new nominee in accordance with subsection (e) hereof.

(c) In the event the City determines to discontinue the book-entry-only system for the Series 2015 Bonds, the City may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Series 2015 Bonds in the form of certificates. In such event, the Series 2015 Bonds will be transferable in accordance with subsection (e) hereof. DTC may determine to discontinue providing its services with respect to the Series 2015 Bonds at any time by giving notice to the City and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Series 2015 Bonds will be transferable in accordance with subsection (e) hereof.

(d) The Representation Letter sets forth certain matters with respect to, among other things, notices, consents and approvals by Owners and Beneficial Owners and payments on the Series 2015 Bonds. The Registrar shall have the same rights with respect to its actions thereunder as it has with respect to its actions under this Resolution.

(e) In the event that any transfer or exchange of Series 2015 Bonds is permitted under subsection (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Series 2015 Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this Resolution. In the event Series 2015 Bonds in the form of certificates are issued to Owners other than Cede & Co., its successor as nominee for DTC as Owner of all the Series 2015 Bonds, or another securities

depository as Owner of all the Series 2015 Bonds, the provisions of this Resolution shall also apply to all matters relating thereto, including, without limitation, the preparation of such Series 2015 Bonds in the form of Series 2015 Bond certificates and the method of payment of principal of and interest on such Series 2015 Bonds in the form of Series 2015 Bond certificates.

2.10. Form of Series 2015 Bonds. The Series 2015 Bonds shall be prepared in substantially the form set forth in Exhibit B hereto and by this reference is made a part hereof.

Section 3. Security for the Series 2015 Bonds. The Series 2015 Bonds are issued under Section 4.02 of the Original Resolution and shall, with the Series 2013 Bonds and any other Additional Bonds issued under the provisions of Section 4 of the Original Resolution, be equally and ratably secured by the provisions of the Original Resolution and this Supplemental Resolution and payable out of the Net Revenues appropriated to the Debt Service Account of the Storm Sewer System Fund, without preference or priority, all as provided in the Resolution, as amended and supplemented, and secured by the Reserve Account. Upon the issuance of the Series 2015 Bonds, the City Finance Director shall deposit, from the Series 2015 Bonds as noted above in this Section 4 and, to the extent necessary, from other available funds in the Storm Sewer System Fund, the amount required to cause the balance in the Reserve Account to equal the maximum Principal and Interest Requirements on Outstanding Bonds for the current or any future Fiscal Year. The City shall keep, perform and observe each and every one of its covenants and undertakings set forth in the Original Resolution, as amended and supplemented, and shall cause the 2015 Project to be undertaken and completed expeditiously.

Section 4. Continuing Disclosure.

(a) Purpose and Beneficiaries. To provide for the public availability of certain information relating to the Series 2015 Bonds and the security therefor and to permit the Original Purchasers and other participating underwriters in the primary offering of the Series 2015 Bonds to comply with paragraph (b)(5) of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended (the “Rule”), the City hereby makes the following covenants and agrees, for the benefit of the Owners (as hereinafter defined) from time to time of the Series 2015 Bonds, to provide annual reports of specified information and notice of the occurrence of certain events to the Municipal Securities Rulemaking Board (“MSRB”) through its Electronic Municipal Market Access system website (“EMMA”), as hereinafter described (the “Disclosure Covenants”). The City is the only “obligated person” in respect of the Series 2015 Bonds within the meaning of the Rule for purposes of identifying the entities in respect of which continuing disclosure must be made.

If the City fails to comply with the Disclosure Covenants, any Person aggrieved thereby, including the Owners of the Series 2015 Bonds, may take whatever action at law or in equity may appear necessary or appropriate to enforce performance and observance of the Disclosure Covenants, including an action for a writ of mandamus or specific performance. Direct, indirect, consequential and punitive damages shall not be recoverable for any default hereunder. Notwithstanding anything to the contrary contained in the Disclosure Covenants, in no event shall a default under this Section 4 constitute a default under the Series 2015 Bonds or under any other provision of this Resolution.

As used in this Section 4, “Owner” means, in respect of a Series 2015 Bond, the registered owner or owners thereof appearing in the Bond Register or any Beneficial Owner (as hereinafter defined) thereof, if such Beneficial Owner provides to the Registrar evidence of such beneficial ownership in form and substance reasonably satisfactory to the Registrar. As used in this Section 4, “Beneficial Owner” means, in respect of a Series 2015 Bond, any Person that (i) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, such Series 2015 Bond (including Persons holding Series 2015 Bonds through nominees, depositories or other intermediaries), or (ii) is treated as the owner of the Series 2015 Bond for federal income tax purposes.

(b) Information To Be Disclosed. The City will provide, in the manner set forth in paragraph (c) hereof, either directly or indirectly through an agent designated by the City, the following information at the following times:

(i) on or before 365 days after the end of each fiscal year of the City, commencing with the fiscal year ending June 30, 2015, the following financial information and operating data in respect of the City (the “Disclosure Information”):

(A) the audited financial statements of the City for such fiscal year, accompanied by the audit report and opinion of the Accountant or government auditor relating thereto, as permitted or required by the laws of the State of Montana, containing a balance sheet as of the end of such fiscal year and a statement of operations, changes in fund balances and cash flows for the System for the fiscal year then ended, prepared in accordance with generally accepted accounting principles promulgated by the Financial Accounting Standards Board as modified in accordance with the governmental accounting standards promulgated by the Governmental Accounting Standards Board or as otherwise provided under Montana law, as in effect from time to time or, if and to the extent such financial statements have not been prepared in accordance with such generally accepted accounting principles for reasons beyond the reasonable control of the City, noting the discrepancies therefrom and the effect thereof, and certified as to accuracy and completeness in all material respects by the City Finance Director; and

(B) To the extent not included in the financial statements referred to in paragraph (b)(i)(A) hereof, the information for such fiscal year of the type set forth below, which information may be unaudited:

(1) a description of any additional borrowing or plans for future financing for the System;

(2) updated figures for collections of storm sewer assessments for the then current fiscal year in format similar to the table “Collections of Storm Sewer Assessments” in the Official Statement;

(3) updated information of any changes in the user rates in a format similar to the table “Storm Sewer Service Charges” in the Official Statement; and

(4) a list of the major System users for the then current fiscal year in format similar to the table “Largest Storm Sewer Charges” in the Official Statement.

Notwithstanding anything in this Section 4 to the contrary, if the audited financial statements are not available by the date specified, the City shall provide on or before such date unaudited financial statements in the format required for the audited financial statements as part of the Disclosure Information and, within 10 days after the receipt thereof, the City shall provide the audited financial statements.

Any or all of the Disclosure Information may be incorporated by reference, if it is updated as required hereby, by reference from other documents, including official statements, which have been submitted to the MSRB in the manner set forth in paragraph (c) hereof. The City shall clearly identify in the Disclosure Information in each document so incorporated by reference.

If any part of the Disclosure Information can no longer be generated because the operations of the City have materially changed or been discontinued, such Disclosure Information need no longer be provided if the City includes in the Disclosure Information a statement to such effect; provided, however, if such operations have been replaced by other City operations in respect of which data is not included in the Disclosure Information and the City determines that certain specified data regarding such replacement operations would be material (as hereinafter defined), then, from and after such determination, the Disclosure Information shall include such additional specified data regarding the replacement operations.

If the Disclosure Information is changed or the Disclosure Covenants are amended as permitted by paragraph (d) hereof, then the City shall include in the next Disclosure Information to be delivered pursuant to this Section 4, to the extent necessary, an explanation of the reasons for the amendment and the effect of any change in the type of financial information or operating data provided.

(ii) In a timely manner not in excess of ten business days, the City will provide notice of the occurrence of any of the following events:

- (A) principal and interest payment delinquencies;
- (B) non-payment related defaults, if material;
- (C) unscheduled draws on debt service reserves reflecting financial difficulties;
- (D) unscheduled draws on credit enhancements reflecting financial difficulties;
- (E) substitution of credit or liquidity providers, or their failure to perform;

- (F) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the Series 2015 Bonds or other material events affecting the tax status of the Series 2015 Bonds;
- (G) modifications to rights of holders of the Series 2015 Bonds, if material;
- (H) bond calls, if material, and tender offers;
- (I) defeasances;
- (J) release, substitution or sale of property securing repayment of the Series 2015 Bonds, if material;
- (K) rating changes;
- (L) bankruptcy, insolvency, receivership, or similar event of the obligated person;
- (M) the consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (N) appointment of a successor or additional trustee or the change of name of a trustee, if material.

An event is “material” if it is an event as to which a substantial likelihood exists that a reasonably prudent investor would attach importance thereto in deciding to buy, hold or sell a Series 2015 Bond or, if not disclosed, would materially alter the total mix of information otherwise available to an investor from the Official Statement or information generally available to the public. Notwithstanding the foregoing sentence, an event is also “material” if it is an event that would be deemed material for purposes of the purchase, holding or sale of a Series 2015 Bond within the meaning of applicable federal securities laws, as interpreted at the time of discovery of the occurrence of the event.

(iii) In a timely manner, the City will provide notice of the occurrence of any of the following events or conditions:

- (A) the failure of the City to provide the Disclosure Information described under paragraph (b)(i) hereof at the time specified thereunder;
- (B) the amendment or supplementing of the Disclosure Covenants pursuant to paragraph (d) hereof, together with a copy of such amendment or supplement and any explanation provided by the City;
- (C) the termination of the obligations of the City under the Disclosure Covenants; and
- (D) any change in the fiscal year of the City.

(c) Manner of Disclosure. The City agrees to make available the information described in paragraph (b) hereof to the MSRB through EMMA or in a manner as may be otherwise proscribed by the MSRB consistent with the Rule. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

(d) Term; Amendments; Interpretation.

(i) The Disclosure Covenants shall remain in effect so long as any Series 2015 Bonds are outstanding.

(ii) Notwithstanding paragraph (d)(i) hereof, the Disclosure Covenants (and the form and requirements of the Disclosure Information) may be amended or supplemented by the City from time to time, without notice to (except as provided in this subsection (d)(ii)) or the consent of the Owners of any Series 2015 Bonds, by a resolution of this Council filed in the office of the recording officer of the City accompanied by an opinion of Bond Counsel, who may rely on certificates of the City and others and the opinion may be subject to customary qualifications, to the effect that such amendment or supplement (A) is made in connection with a change in circumstances that arises from a change in law or regulation or a change in the identity, nature or status of the City or the type of operations conducted by the City, or (B) is required by, or better complies with, the provisions of paragraph (b)(5) of the Rule.

If the Disclosure Information is so amended, the City agrees to provide, contemporaneously with the effectiveness of such amendment, an explanation of the reasons for the amendment and the effect, if any, of the change in the type of financial information or operating data being provided hereunder.

(iii) The Disclosure Covenants are entered into to comply with the continuing disclosure provisions of the Rule and should be construed so the undertaking would satisfy the requirements of paragraph (b)(5) of the Rule.

Section 5. Tax Covenants and Certifications.

5.01. Use of Facilities. The facilities of the System financed in whole or in part with proceeds of the Series 2015 Bonds (the “Financed Facilities”) are and will be owned and operated by the City and used by the City to provide storm sewer system services to members of the general public. No user of the System is granted any concession, license or special arrangement with respect to the System. The City shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the Financed Facilities or the System or security for the payment of the Series 2015 Bonds which might cause the Series 2015 Bonds to be considered “private activity bonds” or “private loan bonds” within the meaning of Section 141 of Code.

5.02. General Covenant. The City covenants and agrees with the Owners from time to time of the Series 2015 Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Series 2015 Bonds to become includable in gross income for federal income tax purposes under the Code and applicable Regulations and covenants to take any and all actions within its powers to ensure that

the interest on the Series 2015 Bonds will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

5.03. Arbitrage Certification. The Mayor, the City Finance Director and the City Clerk being the officers of the City charged with the responsibility for issuing the Series 2015 Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Original Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Series 2015 Bonds, it is reasonably expected that the proceeds of the Series 2015 Bonds will not be used in a manner that would cause the Series 2015 Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code and the Regulations.

5.04. Arbitrage Rebate. The City acknowledges that the Series 2015 Bonds are subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Treasury Regulations to preserve the exclusion of interest on the Series 2015 Bonds from gross income for federal income tax purposes, unless the Series 2015 Bonds qualify for the exception from the rebate requirement under Section 148(f)(4)(B) of the Code and no “gross proceeds” of the Series 2015 Bonds (other than amounts constituting a “bona fide debt service fund”) arise during or after the expenditure of the original proceeds thereof. In furtherance of the foregoing, the Mayor, the City Finance Director and the City Clerk are hereby authorized and directed to execute a Rebate Certificate, substantially in the form to be prepared by Bond Counsel, and the City hereby covenants and agrees to observe and perform the covenants and agreements contained therein, unless amended or terminated in accordance with the provisions thereof.

5.05. Information Reporting. The City shall file with the Secretary of the Treasury, not later than August 15, 2015, a statement concerning the Series 2015 Bonds containing the information required by Section 149(e) of the Code.

Section 6. Certification of Proceedings.

The officers of the City are hereby authorized and directed to prepare and furnish to the Original Purchaser and to Dorsey & Whitney LLP, Bond Counsel, certified copies of all proceedings and records of the City, and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Series 2015 Bonds as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

Section 7. Repeals and Effective Date.

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

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

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 27th day of April, 2015.

Mayor

Attest: _____
City Clerk

(SEAL)

EXHIBIT A

2015 PROJECT

The East End Industrial Area Storm Drain Project will install roughly 3,555 feet 72-inch reinforced concrete pipe (RCP) starting at the intersection of 4th Avenue North and North 23rd Street, down 4th Avenue North to its intersection with North 15th Street. At 2nd Avenue North and North 15th Street, the 72-inch RCP will be upsized to a 10-foot by 4-foot box culvert. The 10-foot by 4-foot box culvert will run down North 15th Street and under the MRL Tracks and Minnesota Avenue, approximately 944-feet, where it will discharge into the North Branch of the Yegen Drain.

EXHIBIT B

UNITED STATES OF AMERICA
STATE OF MONTANA
COUNTY OF YELLOWSTONE

CITY OF BILLINGS, MONTANA

STORM SYSTEM REVENUE BONDS, SERIES 2015

No. _____ \$ _____

<u>Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
%	July 1,	April 29, 2015	090139

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS AND NO/100

FOR VALUE RECEIVED, THE CITY OF BILLINGS, YELLOWSTONE COUNTY, STATE OF MONTANA (the "City"), acknowledges itself to be indebted and hereby promises to pay to the registered owner named above, or registered assigns, solely from the Debt Service Account of its Storm Sewer System Fund, the principal amount specified above on the maturity date specified above or, if this Bond is prepayable as stated herein, on any date prior thereto on which this Bond shall have been duly called for redemption, and to pay interest on said principal amount to the registered owner hereof from the Date of Original Issue set forth above or from such later date to which interest has been paid or duly provided for until this Bond is paid or, if this Bond is prepayable, until it has been duly called for redemption, at the rate specified above. Principal of this Bond is payable upon presentation and surrender hereof to U.S. Bank National Association, of Seattle, Washington, as registrar, transfer agent and paying agent, or its successor designated under the Resolution described herein (the "Registrar") at its operations center in St. Paul, Minnesota. The interest on this Bond shall be payable on January 1 and July 1 in each year, commencing January 1, 2016. Interest on the Series 2015 Bonds shall be payable to the owners of record thereof as such appear on the Bond Register as of the close of business on the 15th day of the month immediately preceding each interest payment date, whether or not such day is a Business Day. Interest on, and upon presentation and surrender thereof, the principal of each Bond shall be payable by check or draft issued by the Registrar described herein. The principal of and interest on this Bond are payable in lawful money of the United States of America. Interest shall be calculated on the basis of a 360-day year composed of twelve 30-day months.

Notwithstanding any other provisions of this Bond, so long as this Bond is registered in the name of Cede & Co., as nominee of The Depository Trust Company, or in the name of any

other nominee of The Depository Trust Company or other securities depository, the Registrar shall pay all principal of and interest on this Bond, and shall give all notices with respect to this Bond, only to Cede & Co. or other nominee in accordance with the operational arrangements of The Depository Trust Company or other securities depository as agreed to by the City.

This Bond is one of a duly authorized issue of Bonds of the City designated as “Storm Sewer System Revenue Bonds” (collectively, the “Bonds”), issued and to be issued in one or more series under, and all equally and ratably secured by Resolution No. 13-19323 of the City, adopted by the City Council on October 28, 2013 (the “Original Resolution”), as supplemented and amended by Resolution No. 15-[] of the City, adopted by the City Council on April 27, 2015 (as amended or supplemented in accordance with the provisions thereof, the “Resolution”), to which Resolution, copies of which are on file with the City, reference is hereby made for a description of the nature and extent of the security, the respective rights thereunder of the Owners of the Bonds and the City and the terms upon which the Bonds are to be issued and delivered. As provided in the Resolution, the Bonds are issuable in series which may vary as in the Resolution provided or permitted. This Bond is one of the series specified in its title, issued in the aggregate principal amount of \$9,615,000 (the “Series 2015 Bonds”), all of like date of original issue and tenor except as to serial number, denomination, date, interest rate, maturity date and redemption privilege. The Series 2015 Bonds are issued by the City for the purpose of financing the costs of certain improvements of the City’s municipal storm sewer system (the “System,” which term includes all improvements, betterments, extensions and alterations of the System as it exists at any time). Capitalized terms used herein but not otherwise defined shall have the respective meanings given such terms in the Resolution.

The Series 2015 Bonds are issued on a parity and are equally and ratably secured by the Net Revenues of the System with the City’s Storm Sewer System Revenue Bonds, Series 2013 (the “Series 2013 Bonds”), outstanding in the aggregate principal amount of \$4,170,000.

The Series 2015 Bonds are issued pursuant to and in full compliance with the Constitution and laws of the State of Montana, particularly Montana Code Annotated, Title 7, Chapter 7, Part 44, and Sections 7-13-4304 through 7-13-4314, as amended or supplemented (the “Act”), and pursuant to the Resolution. The Series 2015 Bonds are payable solely and ratably from Net Revenues pledged to the payment thereof.

The Bonds are not general obligations of the City and the City’s general credit and taxing powers are not pledged to the payment of the Bonds or the interest thereon. The Bonds shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitations.

The Series 2015 Bonds with Stated Maturities in the years 2016 through 2025 are not subject to redemption prior to their Stated Maturities. The Series 2015 Bonds with Stated Maturities on or after July 1, 2026 are subject to redemption on July 1, 2025 and any date thereafter, at the option of the City, in whole or in part, and if in part from such Stated Maturities and in such principal amounts as the City may designate in writing to the Registrar (or, if no designation is made, in inverse order of maturities and within a maturity in \$5,000 principal amounts selected by the Registrar by lot or other manner it deems fair), at a Redemption Price

equal to the principal amount thereof and interest accrued to the Redemption Date, without premium.

The Series 2015 Bonds having Stated Maturities in 2033 and 2035 are subject to mandatory sinking fund redemption on July 1 in the respective years and the respective principal amounts set forth below in \$5,000 principal amounts selected by the Registrar, by lot or other manner it deems fair, at a Redemption Price equal to the principal amount thereof to be redeemed plus interest accrued to the Redemption Date:

2033 Term Bond		2035 Term Bond	
July 1	Sinking Fund Payment Amount	July 1	Sinking Fund Payment Amount
2032	\$595,000	2034	\$635,000
2033*	615,000	2035*	660,000

*Stated Maturity.

If the Term Bonds having Stated Maturities in 2033 and 2035 are not previously purchased by the City in the open market or prepaid, \$615,000 and \$660,000, respectively, in principal amount of such Term Bonds would remain to mature in 2033 and 2035, respectively. The principal amount of such Term Bonds required to be redeemed on the above Sinking Fund Payment Dates shall be reduced by the principal amount of such Term Bonds theretofore redeemed at the option of the City and as to which the City has not previously applied amounts to reduce the principal amount of such Term Bonds on a Sinking Fund Payment Date.

As provided in the Resolution and subject to certain limitations set forth therein, this Series 2015 Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his attorney; and may also be surrendered in exchange for Series 2015 Bonds of other authorized denominations. Upon any such transfer or exchange, the City will cause a new Series 2015 Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

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

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that the City will prescribe and collect reasonable rates and charges for all services and facilities afforded by the System, and has created a special Storm Sewer System Fund into which the Revenues of the System will be paid and a separate and special Debt Service Account in the Storm Sewer System Fund into which will be paid semiannually, from and as a first and prior lien on the Net Revenues of the System, an amount not less than one-sixth of the interest due on all Outstanding Bonds within the next six months and one-twelfth of the principal of all Outstanding Bonds due

within the next twelve months; that the City has credited to the Reserve Account of the Storm Sewer System Fund from the proceeds of the Series 2015 Bonds an amount sufficient to cause the balance therein to equal the Reserve Requirement, and the City has agreed thereafter to credit semiannually to the Reserve Account, from the Net Revenues, such additional amounts as may be necessary to maintain a balance therein at least equal to the Reserve Requirement; that the Debt Service Account and the Reserve Account will be used only to pay the principal of, premium, if any, and interest on the Bonds (subject to the requirements of the Rebate Account); that the rates and charges for the System will from time to time be made and kept sufficient to provide Net Revenues for each fiscal year commencing after June 30, 2015, at least equal to 125% of the maximum of the principal of and interest on the Series 2013 Bonds, the Series 2015 Bonds and any Additional Bonds to become due in all full future fiscal years, to establish and maintain the Reserve Requirement, to pay promptly the reasonable and current expenses of operating and maintaining the System, to pay principal of and interest on any Subordinate Obligations and to provide reserves for the repair and replacement of the System; that Additional Bonds may be issued and made payable from the Storm Sewer System Fund on a parity with the Series 2013 Bonds and the Series 2015 Bonds upon certain conditions set forth in the Resolution, but no obligation will be otherwise incurred and made payable from the Net Revenues, whether or not such obligation shall also constitute a general obligation and indebtedness of the City, unless the lien thereof shall be expressly made subordinate to the lien of the Series 2013 Bonds and the Series 2015 Bonds on such Net Revenues; that all provisions for the security of the holder of this Bond set forth in the Resolution will be punctually and faithfully performed as therein stipulated; that all acts, conditions and things required by the Constitution and laws of the State of Montana and the ordinances and resolutions of the City to be done, to exist, to happen and to be performed in order to make this Bond a valid and binding special, limited obligation of the City according to its terms have been done, do exist, have happened and have been performed as so required; and that this Bond and the interest and premium, if any, hereon are payable solely from the Net Revenues of the System pledged and appropriated to the Debt Service Account and do not constitute a debt of the City within the meaning of any constitutional or statutory limitation or provision and the issuance of the Series 2015 Bonds does not cause either the general or the special indebtedness of the City to exceed any constitutional or statutory limitation.

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

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

CITY OF BILLINGS, MONTANA

(Facsimile Signature)
MAYOR

(Facsimile Seal)

(Facsimile Signature)
CITY FINANCE DIRECTOR

(Facsimile Signature)
CITY CLERK

Dated:

CERTIFICATE OF AUTHENTICATION

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

U.S. BANK NATIONAL ASSOCIATION,
as Registrar, Transfer Agent, and
Paying Agent

By _____
Authorized Signature

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants
in common

UTMA.....Custodian.....
(Cust) (Minor)

TEN ENT -- as tenants
by the entireties

under Uniform Gifts to

JT TEN -- as joint tenants
with right of
survivorship and
not as tenants in
common

Minor Act.....
(State)

Additional abbreviations may also be used.

ASSIGNMENT

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

Dated: _____

PLEASE INSERT SOCIAL SECURITY
OR OTHER IDENTIFYING NUMBER
OF ASSIGNEE:

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

SIGNATURE GUARANTEED

Signature(s) must be guaranteed by an
“eligible guarantor institution” meeting
the requirements of the Registrar,
which requirements include membership
or participation in STAMP or such other
“signature guaranty program” as may be
determined by the Registrar in
addition to or in substitution for STAMP,
all in accordance with the Securities
Exchange Act of 1934, as amended.

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Resolution Authorizing the Issuance and Calling for a Negotiated Sale for Sidewalk Bonds

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Two sidewalk projects will be pooled together for a bond sale. W.O. 15-06 will improve Poly Drive from 32nd Street West to 38th Street West. Improvements will consist of street widening, installation of curb/gutter, sidewalk, drive approaches, and other miscellaneous items. This project will also include assessments to property owners for curb/gutter, sidewalk, drive approach, and driveway improvements for lots which do not already have those improvements. W.O. 14-02 consists of curb, gutter, sidewalk, and storm drain improvements at various locations around the city. It is the continuation of annual improvements that deal with tripping hazards, drainage problems, property owner requests, complaints, and other miscellaneous concrete work brought to the attention of the City Engineer's Office.

The total amount of the bonds will be approximately \$310,000. Upon approval of the resolution, the negotiations can proceed for the sale of the bonds.

ALTERNATIVES ANALYZED

The Council may:

- Approve the resolution; or
- Not approve the resolution and find another funding source

FINANCIAL IMPACT

The financial impact will be determined after the bond sale. The interest will be determined during negotiations.

RECOMMENDATION

Staff recommends that the Council approve the attached resolution that authorizes a negotiated sale for the indicated projects.

APPROVED BY CITY ADMINISTRATOR

Attachments

SW resolution

CERTIFICATE AS TO RESOLUTION AND 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 UP TO \$310,000 POOLED SPECIAL SIDEWALK, CURB, GUTTER AND ALLEY APPROACH BONDS, SERIES 2015; AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE THEREOF AND AUTHORIZING THE PLEDGE OF THE REVOLVING FUND TO THE SECURITY THEREOF" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on April 27, 2015, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

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

WITNESS my hand officially this 27th day of April, 2015.

City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO UP TO \$310,000 POOLED
SPECIAL SIDEWALK, CURB, GUTTER AND ALLEY
APPROACH BONDS, SERIES 2015; AUTHORIZING THE
ISSUANCE AND PRIVATE NEGOTIATED SALE THEREOF
AND AUTHORIZING THE PLEDGE OF THE REVOLVING
FUND TO THE SECURITY THEREOF

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

Section 1. Recitals.

1.01. Prior Acts. This Council has duly and validly ordered in under Montana Code Annotated, Title 7, Chapter 14, Part 41, as amended and Title 7, Chapter 12, Parts 41 and 42, as amended (collectively, the “Act”), the installation, construction, reconstruction, or replacements of certain curbs, gutters, sidewalks, drive approaches, driveways, alley approaches and appurtenant improvements in certain locations in the City, which are designated as W.O. 14-02, Miscellaneous/Developer-Related Improvements (the “Miscellaneous Improvements”) and W.O. 15-06, Poly Drive—32nd Street West to 38th Street West Improvements (the “Poly Drive Improvements” and, together with the Miscellaneous Improvements, the “Projects”), and has determined to assess the costs of the Projects and costs incidental thereto (the “Incidental Costs”), including costs associated with the sale and the security of special sidewalk, curb, gutter and alley approach bonds of the City, the ordering in and administration of the Projects and the funding of deposits to the City’s Special Improvement District Revolving Fund (the “Revolving Fund”), against property adjacent to the Projects.

1.02. Proposed Bond Issue. The City proposes to issue special sidewalk, curb, gutter and alley approach bonds of the City in the maximum estimated principal amount of \$310,000 to pay the costs of the Projects and Incidental Costs (the “Bonds”). The Bonds are to be payable from special assessments to be levied against property adjacent to the Projects, which property will be specially benefited by the Improvements. Assessments will be levied against the property within the Projects in an amount not less than the principal amount of the Bonds to be issued.

The costs of the Projects and Incidental Costs are currently estimated, as follows:

	<u>Miscellaneous Improvements</u>	<u>Poly Drive Improvements</u>
Construction	\$62,256.90	\$142,478.45
Design and Construction Administration	28,631.18	26,011.84
Engineering and Administration	144.71	4,682.18
Contingency	—	14,247.85
City Financing Expense	350.00	350.00
City Engineering Expense	1,490.30	3,942.00
Revolving Fund Deposit	5,058.65	10,441.35
Costs of Issuance	2,615.39	5,384.61
Rounding	625.92	1,288.67
Total	\$101,173.05	\$208,826.95

1.03. Pooling. The City is authorized pursuant to Montana Code Annotated, Sections 7-14-4109(5)(a) and 7-12-4193, to issue and sell sidewalk, curb, gutter and alley approach bonds relating to more than one project in a single offering on a pooled basis upon a determination that such pooling is in the best interests of the properties specially benefiting from the Projects and the City and will facilitate the sale of the bonds under more advantageous terms or with lower interest rates.

Section 2. Sale and Term of Bonds.

2.01. Principal Amount. Pursuant to Sections 7-7-4204 and 17-5-107, Montana Code Annotated, this Council hereby determines that it is in the best interests of the properties specially benefiting from the Projects and the City to sell the Bonds in a single pooled offering for the Projects, at a private negotiated sale at a price not less than 97% of the principal amount thereof, including interest thereon to the date of delivery. The City Finance Director is authorized to select one or more purchasers (the “Purchaser”) for the Bonds and to negotiate the sale thereof, subject to Section 2.02 hereof.

<u>Project</u>	<u>Principal Amount</u>
Miscellaneous Improvements	\$ 101,173.05
Poly Drive Improvements	\$ 208,826.95

2.02. Pricing and Terms. The Bonds shall be sold to the Purchaser on the terms and at a purchase price subject to the following limitations and conditions: (1) the aggregate principal amount of the Bonds shall not exceed \$310,000; (2) the net interest cost on the Bonds shall not exceed 5.0%; (3) the purchase price of the Bonds shall not be less than 100% of the principal amount thereof; (4) the term of the Bonds shall not exceed 12 years; (5) the Bonds shall be payable from special assessments to be levied against property adjacent to the Projects; and (6) the Bonds shall be callable from the prepayment of special assessments.

All costs of issuing the Bonds (including, without limitation, the fees and expenses of Dorsey & Whitney LLP, the City’s Bond Counsel, the fees of the Paying Agent and Registrar and the costs of printing the Preliminary Official Statement, the Official Statement and the

Bonds, if any) shall be paid by the City as part of the financing from proceeds of the Bonds or other available sources.

2.03. Bond Purchase Agreement. The City Administrator and City Finance Director are hereby authorized and directed to approve the final principal amount of the Bonds, dated date, the amount of the serial maturities, interest rates and redemption provisions of the Bonds, subject to the limitations contained in Section 2.02 hereof 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 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 Bonds and the agreement of the City to sell the Bonds on such terms in accordance with the provisions thereof.

The form of the Bonds and the final terms and conditions thereof shall be prescribed by a subsequent resolution to be adopted by this Council.

Section 3. Pledge of Revolving Fund. In the resolutions of intention to order in the Miscellaneous Improvements and the Poly Drive Improvements, adopted on March 24, 2014 and March 23, 2015, respectively, this Council found it to be in the public interest, and in the best interest of the properties specially benefitting from the Projects and the City, to secure payment of principal of and interest on the Bonds by the Revolving Fund and authorized the City to enter into the undertakings and agreements authorized in the Act in respect of the Bonds, based on the factors required to be considered under Section 7-12-4225(4) of the Act. Those findings and determinations were ratified and confirmed in the resolutions ordering in the Miscellaneous Improvements and the Poly Drive Improvements adopted on April 14, 2014 and April 13, 2015, respectively, and are hereby ratified and confirmed. It is hereby covenanted and recited that the City has the power under the Act to pledge the Revolving Fund to payment of the principal of and interest on the Bonds.

Section 4. Preliminary Official Statement. The City Finance Director, together with Springsted 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 Bonds, if necessary for the sale of the Bonds. The Official Statement shall contain such information as shall be advisable and necessary to describe accurately the City and the security for, and the terms and conditions of, the Bonds. The City Administrator and the City Finance Director are authorized on behalf of the Council to deem the Preliminary 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 27th day of April, 2015.

Mayor

Attest: _____
City Clerk

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Resolution Adopting Easement Policy for Obtaining Easements in City Parkland

PRESENTED BY: Mike Whitaker, Parks, Recreation & Public Lands Director

Department: Parks/Rec/Public Lands

PROBLEM/ISSUE STATEMENT

In the past there has been no clear policy for the granting of easements in City parklands. Easements that were granted were vague with no clearly established guidelines and expectations. The purpose of this policy is to establish a guide for the granting of easements for utility installations across or in parklands in the City of Billings. This policy will apply to all requests for easements in the City owned parklands by utility companies. Parkland is different from other City owned properties by nature of the high level and variety of uses by the general public. Safety of the public, utility personnel and city staff is of paramount importance. Therefore, by establishing this Utility Easement Policy it will provide a way for PRPL Staff to establish communication channels with utility companies, work with the utilities to minimize damage in parks, ensure parkland is properly restored, optimize the usability of parkland for programming of recreational activities and general use by the public while at the same time accommodating utility easements, recover all staff and restoration costs incurred by the City and provide a safe environment for all users of parkland and facilities.

On Monday April 6th PRPL Staff made a presentation at the Council Work Session to discuss the easement policy and receive Council direction. At that time a draft copy of the Easement Policy and the Easement Document were distributed to Council members for their review. The attached documents reflect minor edits to clarify responsibilities of contractors, their sub-contractors and agents, employees etc. as well as comments made by utility company representatives. Those recent changes are indicated by underline and strike through sections of the documents.

ALTERNATIVES ANALYZED

City Council may:

- Approve the Policy and Easement Document for utility easements in City parks, or;
- Disapprove the policy and provide Staff with additional direction.

FINANCIAL IMPACT

There will be no financial impact to the City. Implementation of the easement policy is intended to cover all direct costs associated with granting and administering easements in parklands by PRPL Staff.

RECOMMENDATION

Staff recommends the adoption of the Policy on Utility Easements in City Parks and the associated Easement Document for utility installations across or in parklands in the City of Billings.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

Utility Easement Policy

Utility Easement

RESOLUTION NO. 15-

A RESOLUTION OF THE BILLINGS, MONTANA CITY COUNCIL ADOPTING A POLICY FOR MANAGING EXISTING AND FUTURE UTILITY EASEMENTS IN CITY PARKS AND AUTHORIZING THE CITY ADMINISTRATOR TO ENACT RULES AND PROCEDURES IMPLEMENTING THE POLICY.

WHEREAS, it is essential to the public that the use of parkland include a variety of purposes and recreational opportunities and the use of parkland by the general public has doubled within the past 5 years, for a variety of outdoor recreation, event and sport purposes that are frequently unscheduled; and

WHEREAS, the expectation of park users is that the parks and facilities are safe and in a usable condition for the recreational use and enjoyment of the general public; and,

WHEREAS, City parks currently contain significant numbers of utility easements including but not limited to above or below surface facilities that are used to generate, transmit and/or distribute electricity, water, natural gas and petroleum products such as oil and automotive fuel which require periodic maintenance, upgrades and occasional relocation that often impacts the use and physical character of the specific park involved; and

WHEREAS, Utility companies from time to time may request to acquire easements in City-owned parkland; and

WHEREAS, the Billings City Council desires to adopt a policy together with appropriate procedures allowing for the management of existing and future utility easements located in City parks and thereby establish a more structured, uniform and consistent management of existing and future utility easements across or in parklands in the City of Billings; and

WHEREAS, the Billings City Council desires for City staff to communicate and work with utility companies to minimize damage and ensure parkland is restored to a safe and useable condition as existing and future easements are used by utility companies; and

WHEREAS, the Billings City Council desires to recover all City staff and restoration costs associated with utility easement operations in parkland, and

WHEREAS, the Billings City Council desires to direct the City Administrator to construct an efficient process for the granting and management of future utility easements in City parks and management of existing utility easements located in City parks;

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

That the City of Billings hereby adopts the *City Utility Right-of-Way Easement Policy for parkland and a Utility Right-Of-Way Easement* which are provided in Attachments “A” and “B”.

APPROVED AND PASSED by the City Council of the City of Billings, Montana this 27th day of April, 2015.

THE CITY OF BILLINGS:

By: _____
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Cari Martin, CITY CLERK

ATTACHMENT "A"

POLICY ON UTILITY EASEMENTS IN CITY PARKS

I. PURPOSE:

To establish a guide for the granting of easements for utility installations across or in parklands in the City of Billings by utility companies or their contractors, subcontractors, agents or employees.

II. TYPES OF EASEMENTS:

This policy applies to all requests for easements in City owned parklands by utility companies. Two kinds of easements are recognized for the purpose of this policy:

1. Service Easement – is an agreement to provide a utility service for a park facility or area.
2. Non-Service Easement - is an agreement for a utility to cross, but does not provide any service to a park area.

III. POLICY:

- A. A Service Easement, to bring a utility to a park facility or area to be served, shall be located on construction drawings and approved by the Parks, Recreation and Public Lands (PRPL) staff.
- B. A Non-Service Easement may be granted in the event there are no other possible routes outside parklands available. The utility company shall ~~fill-out~~ complete an Easement Request Form for review and recommendation by PRPL Staff.
- C. Requests for easements will be submitted to the City Council for approval or disapproval.
- D. All easements shall be executed on a City of Billings easement document form.
- E. Indemnification, Insurance, and Excavation Bond. Any person or entity (Grantee) provided an easement shall indemnify, defend and save the City, its officers, agents and employees harmless from any and all losses, damages, judgments, causes of action and liability, including reasonable attorney's fees occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act or omission on the part of Grantee or its agents or employees in the exercise and use of an easement granted by the City. A Grantee shall provide City with proof of Commercial General Liability insurance issued by a reliable company or companies for personal injury and property damage, in an amount not less than \$1.5 million per occurrence and naming the City as an additional insured. The insurance must be in a form suitable to and approved by City. Grantee shall also obtain an Excavation Bond as required by City ordinance.
- F. Dedicated parks in new Subdivision Plats shall not contain easements for non-service utility locations without prior staff approval during the plat development process.

- G. All easements shall be non-exclusive; and at its discretion, the City may permit additional utilities to co-locate within the same easement. However, existing Grantee/Utility may not charge any fee of any type for such co-location. Additional utilities desiring co-location are subject to all easement policies and procedures.
- H. Utility easement may be granted to a utility firm and its successors. The easement shall not be assignable by the Grantee to any other utility for any use other than that specifically described in the easement.
- I. Compensation to the City shall be charged for all Non-Service Easements.
- J. All approved easements shall follow a route through the affected park that will minimize conflicts with current and future park facilities, trees, and features.
- K. Location of any necessary surface equipment shall be approved by the Parks, Recreation and Public Lands Department. All surface equipment such as, but not limited to, pedestals and vaults, shall be located, installed, and maintained in such a manner as to preserve and enhance the safety and aesthetics of the surrounding park area and adjacent private housing lots as approved by the City of Billings.
- L. All easements shall guarantee the repair and restoration to City specifications of all areas and facilities disturbed by activities to install, repair, maintain, or remove the utility.
- M. Appropriate measures as approved by the City of Billings shall be implemented to protect park trees and facilities in the vicinity of the utility during installation and repairs.
- N. All cable installation shall be underground and in conduit.
- O. No repair, upgrade, or any other activity within the easement shall take place until the City has been notified and has coordinated with other park uses and maintenance operations scheduled or in progress.
- P. Pre and post operations inspections and on-site coordination may be required in the sole discretion of PRPL personnel. If such inspections and coordination are required Grantee shall pay Grantor for these services on a per hour basis at the current established billing rates as set by PRPL.
- Q. If an existing easement conflicts with park development or re-development, the City will cooperate with the utility company (Grantee) to relocate the existing easement to a mutually acceptable location.

IV. TERMINATION OF EASEMENT:

Noncompliance with any of the conditions and terms of any easement ~~shall~~ may, upon discovery and notification of the utility company, cause the easement to be terminated in its entirety. The utility company shall, in that event, vacate the premises immediately. City shall send written notification to Grantee of any noncompliance with any of the conditions and terms of this agreement and Grantee shall have fifteen (15) calendar days to cure and eliminate such noncompliance unless both City and Grantee agree to an extension. If Grantee fails or refuses to respond to the City's notification of noncompliance or fails to remediate the noncompliance after written notification from City as described above, City shall have the right and option to declare this easement terminated in its entirety. The **Grantee** shall, in that event,

vacate the premises immediately and restore the park grounds to their original condition.

ATTACHMENT "B"

Return to:
City of Billings
PO Box 1178
Billings, MT 59103

CITY OF BILLINGS
DEPARTMENT OF PARKS, RECREATION AND PUBLIC LANDS

UTILITY RIGHT-OF-WAY EASEMENT

The **City of Billings**, for and in consideration of One Hundred Dollars \$ 100.00 in hand paid by the **Grantee**, the receipt whereof is hereby acknowledged, as agreed, hereby grants and conveys to _____, **Grantee**, a **Utility Right-of Way Easement** on the following described City property:

A tract of land _____ located in _____ Park, _____, of _____, Situated in the _____ and the _____ of Section _____, Township _____, Range _____ P.M.M., Yellowstone County, Montana. Said tract and easement strip located as shown on Exhibit "A" attached hereto and made a part hereof.

This easement to _____, **Grantee**, is for the purpose of constructing, operating, maintaining, replacing and removing utility systems as described in attached Exhibit(s) concerning the above-described property, together with the right of free ingress and egress over and across said property for the above stated purpose subject to the conditions provided below. However, the **City of Billings** reserves the right to occupy and/or use the property in question for all purposes not inconsistent with the rights herein granted.

It is understood and agreed that the following conditions shall apply to this easement:

1. All utility installation located within this easement shall be located as required in the **Policy and Procedures on Utility Easements in City Parks** of the City of Billings.
2. **Grantee** shall install the underground utility and restore the lot to its original condition as approved by the **City of Billings**. Installation and restoration shall be completed within 45 days after construction.
3. **Grantee** shall notify the PRPL offices 48 hours in advance of any construction, maintenance or repairs. In the event of an emergency **Grantee** shall provide notice within 24 hours after access. ~~For any pre and post operations inspections and all on site coordination requiring PRPL personnel, Grantee shall pay Grantor for these services on a per hour basis at current billing rates as set by PRPL.~~
4. During operations in the easement **Grantee** shall keep site clear of any debris. The area shall be left in a condition equal to or better than the existing condition prior to access satisfactory to the Parks, Recreation and Public Lands (PRPL). **Grantee** shall coordinate all access routes with Grantor's Park Superintendent or designee.

5. **Grantee** shall take all necessary precautions to protect existing infrastructure including but not limited to structures, vegetation, utilities, irrigation, fencing, sidewalks and paths. Any and all damage shall be repaired at **Grantee's** expense to the satisfaction of PRPL. Damage not repaired in a reasonable time period shall be undertaken by PRPL and all expenses shall be billed to the **Grantee**.
6. To allow travel over and across the park by **Grantee**, linear portions of the utility installation shall be ten (10) feet in width (sufficient to allow access to necessary equipment for installation and repair purposes).
7. Protection of trees and facilities in the vicinity of the utility during installation and during any replacement, maintenance, or repairs shall comply with the **Policy and Procedures on Utility Easements in City Parks**.
8. **Grantee** shall maintain any surface equipment in such a manner as to preserve or enhance the safety and aesthetics of the surrounding park area and private housing lots as approved by the City of Billings.
9. All underground wire and cable installation shall be in conduit.
10. The easement shall not be assignable by the Grantee to any other utility for any use other than that specifically described in the easement.
11. The **City of Billings** shall be notified at least five (5) calendar days in advance of any maintenance or repairs.
12. Subject to the condition in # 10 above, ~~T~~his easement shall run with the land and be binding upon successors in interest should ownership of said described tract change in the future.
13. **Indemnity and Insurance:** As partial consideration for the permission to obtain this easement across City parkland, **Grantee** agrees to indemnify, defend and save the City, its officers, agents and employees harmless from any and all losses, damages, judgments, causes of action and liability, including reasonable attorney's fees occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act or omission on the part of **Grantee** or its contractors, subcontractors, agents or employees. For this purpose, Contractor shall provide City with proof of Commercial General Liability insurance issued by a reliable company or companies for personal injury and property damage, in an amount not less than \$750,000 per claim, and in an amount not less than \$1.5 million per occurrence, and naming the City as an additional insured. The insurance must be in a form suitable to and approved by City.
14. Noncompliance with any of the above terms and conditions, may result in the City exercising any or all available remedies up to and including termination of this easement if **Grantee** fails to initiate action to remedy the non-compliance after fifteen (15) calendar days written notice from the City.

Dated this _____ day of _____, 20_____.

By: _____
Thomas W. Hanel, Mayor

Attest:

By: _____
Cari Martin, City Clerk

State of Montana)
) ss.
County of Yellowstone)

On this ____ day of _____ 20____, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk of Billings, respectively, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public for the State of Montana

Printed Name

Residing at _____

My commission expires _____



CITY OF BILLINGS DEPARTMENT OF PARKS, RECREATION AND PUBLIC LANDS

POLICY ON UTILITY EASEMENTS IN CITY PARKS

I. PURPOSE:

To establish a guide for the granting of easements for utility installations across or in parklands in the City of Billings by utility companies or their contractors, subcontractors, agents or employees.

II. TYPES OF EASEMENTS:

This policy applies to all requests for easements in City owned parklands by utility companies. Two kinds of easements are recognized for the purpose of this policy:

1. Service Easement – is an agreement to provide a utility service for a park facility or area.
2. Non-Service Easement - is an agreement for a utility to cross, but does not provide any service to a park area.

III. POLICY:

- A. A Service Easement, to bring a utility to a park facility or area to be served, shall be located on construction drawings and approved by the Parks, Recreation and Public Lands (PRPL) staff.
- B. A Non-Service Easement may be granted in the event there are no other possible routes outside parklands available. The utility company shall ~~fill out~~ complete an Easement Request Form for review and recommendation by PRPL Staff.
- C. Requests for easements will be submitted to the City Council for approval or disapproval.
- D. All easements shall be executed on a City of Billings easement document form.
- E. Indemnification, Insurance, and Excavation Bond. Any person or entity (Grantee) provided an easement shall indemnify, defend and save the City, its officers, agents and employees harmless from any and all losses, damages, judgments, causes of action and liability, including reasonable attorneys fees occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act or omission on the part of Grantee or its agents or employees in the exercise and use of an easement granted by the City. A Grantee shall provide City with proof of Commercial General Liability insurance issued by a reliable company or companies for personal injury and property damage, in an amount not less than \$1.5 million per occurrence and naming the City as an additional insured. The insurance must be in a form suitable to and approved by City. Grantee shall also obtain an Excavation Bond as required by City ordinance.



CITY OF BILLINGS DEPARTMENT OF PARKS, RECREATION AND PUBLIC LANDS

- F. Dedicated parks in new Subdivision Plats shall not contain easements for non-service utility locations without prior staff approval during the plat development process.
- G. All easements shall be non-exclusive; and at its discretion, the City may permit additional utilities to co-locate within the same easement. However, existing Grantee/Utility may not charge any fee of any type for such co-location. Additional utilities desiring co-location are subject to all easement policies and procedures.
- H. Utility easement may be granted to a utility firm and its successors. The easement shall not be assignable by the Grantee to any other utility for any use other than that specifically described in the easement.
- I. Compensation to the City shall be charged for all Non-Service Easements.
- J. All approved easements shall follow a route through the affected park that will minimize conflicts with current and future park facilities, trees, and features.
- K. Location of any necessary surface equipment shall be approved by the Parks, Recreation and Public Lands Department. All surface equipment such as, but not limited to, pedestals and vaults, shall be located, installed, and maintained in such a manner as to preserve and enhance the safety and aesthetics of the surrounding park area and adjacent private housing lots as approved by the City of Billings.
- L. All easements shall guarantee the repair and restoration to City specifications of all areas and facilities disturbed by activities to install, repair, maintain, or remove the utility.
- M. Appropriate measures as approved by the City of Billings shall be implemented to protect park trees and facilities in the vicinity of the utility during installation and repairs.
- N. All cable installation shall be underground and in conduit.
- O. No repair, upgrade, or any other activity within the easement shall take place until the City has been notified and has coordinated with other park uses and maintenance operations scheduled or in progress.
- P. Pre and post operations inspections and on-site coordination may be required in the sole discretion of PRPL personnel. If such inspections and coordination are required Grantee shall pay Grantor for these services on a per hour basis at the current established billing rates as set by PRPL.
- Q. If an existing easement conflicts with park development or redevelopment , the City will cooperate with the utility company (Grantee) to relocate the existing easement to a mutually acceptable location.

IV. TERMINATION OF EASEMENT:

Noncompliance with any of the conditions and terms of any easement ~~shall~~ may, upon discovery and notification of the utility company, cause the easement to be terminated in its entirety. The utility company shall, in that event, vacate the



CITY OF BILLINGS DEPARTMENT OF PARKS, RECREATION AND PUBLIC LANDS

premises immediately. City shall send written notification to Grantee of any noncompliance with any of the conditions and terms of this agreement and Grantee shall have fifteen (15) calendar days to cure and eliminate such noncompliance unless both City and Grantee agree to an extension. If Grantee fails or refuses to respond to the City's notification of noncompliance or fails to remediate the noncompliance after written notification from City as described above, City shall have the right and option to declare this easement terminated in its entirety. The **Grantee** shall, in that event, vacate the premises immediately and restore the park grounds to their original condition.

Return to:
City of Billings
PO Box 1178
Billings, MT 59103

CITY OF BILLINGS
DEPARTMENT OF PARKS, RECREATION AND PUBLIC LANDS

UTILITY RIGHT-OF-WAY EASEMENT

The **City of Billings**, for and in consideration of One Hundred Dollars \$ 100.00 in hand paid by the **Grantee**, the receipt whereof is hereby acknowledged, as agreed, hereby grants and conveys to _____

_____, **Grantee**, a **Utility Right-of Way Easement** on the following described City property:

A tract of land _____ located in _____ Park, _____, of _____, Situated in the _____ and the _____ of Section _____, Township _____, Range _____ P.M.M., Yellowstone County, Montana. Said tract and easement strip located as shown on Exhibit "A" attached hereto and made a part hereof.

This easement to _____, **Grantee**, is for the purpose of constructing, operating, maintaining, replacing and removing utility systems as described in attached Exhibit(s) concerning the above-described property, together with the right of free ingress and egress over and across said property for the above stated purpose subject to the conditions provided below. However, the **City of Billings** reserves the right to occupy and/or use the property in question for all purposes not inconsistent with the rights herein granted.

It is understood and agreed that the following conditions shall apply to this easement:

1. All utility installation located within this easement shall be located as required in the **Policy and Procedures on Utility Easements in City Parks** of the City of Billings.
2. **Grantee** shall install the underground utility and restore the lot to its original condition as approved by the **City of Billings**. Installation and restoration shall be completed within 45 days after construction.
3. **Grantee** shall notify the PRPL offices 48 hours in advance of any construction, maintenance or repairs. In the event of an emergency **Grantee** shall provide notice within 24 hours after access. ~~For any pre and post operations inspections and all on-site coordination requiring PRPL personnel, Grantee shall pay Grantor for these services on a per hour basis at current billing rates as set by PRPL.~~
4. During operations in the easement **Grantee** shall keep site clear of any debris. The area shall be left in a condition equal to or better than the existing condition prior to access satisfactory to the Parks, Recreation and Public Lands (PRPL). **Grantee** shall coordinate all access routes with Grantor's Park Superintendent or designee.

5. **Grantee** shall take all necessary precautions to protect existing infrastructure including but not limited to structures, vegetation, utilities, irrigation, fencing, sidewalks and paths. Any and all damage shall be repaired at **Grantee's** expense to the satisfaction of PRPL. Damage not repaired in a reasonable time period shall be undertaken by PRPL and all expenses shall be billed to the **Grantee**.
6. To allow travel over and across the park by **Grantee**, linear portions of the utility installation shall be ten (10) feet in width (sufficient to allow access to necessary equipment for installation and repair purposes).
7. Protection of trees and facilities in the vicinity of the utility during installation and during any replacement, maintenance, or repairs shall comply with the **Policy and Procedures on Utility Easements in City Parks**.
8. **Grantee** shall maintain any surface equipment in such a manner as to preserve or enhance the safety and aesthetics of the surrounding park area and private housing lots as approved by the City of Billings.
9. All underground wire and cable installation shall be in conduit.
10. The easement shall not be assignable by the Grantee to any other utility for any use other than that specifically described in the easement.
11. The **City of Billings** shall be notified at least five (5) calendar days in advance of any maintenance or repairs.
12. Subject to the condition in # 10 above, this easement shall run with the land and be binding upon successors in interest should ownership of said described tract change in the future.
13. **Indemnity and Insurance:** As partial consideration for the permission to obtain this easement across City parkland, **Grantee** agrees to indemnify, defend and save the City, its officers, agents and employees harmless from any and all losses, damages, judgments, causes of action and liability, including reasonable attorney's fees occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act or omission on the part of **Grantee** or its contractors, subcontractors, agents or employees. For this purpose, Contractor shall provide City with proof of Commercial General Liability insurance issued by a reliable company or companies for personal injury and property damage, in an amount not less than \$750,000 per claim, and in an amount not less than \$1.5 million per occurrence, and naming the City as an additional insured. The insurance must be in a form suitable to and approved by City.
14. Noncompliance with any of the above terms and conditions, may result in the City exercising any or all available remedies up to and including termination of this easement if **Grantee** fails to initiate action to remedy the non-compliance after fifteen (15) calendar days written notice from the City.

Dated this _____ day of _____, 20_____.

By: _____
Mayor, City of Billings

Attest:

By: _____
City Clerk

State of Montana)

County of Yellowstone) ss.
)

On this _____ day of _____ 20_____, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk of Billings, respectively, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public for the State of Montana

Printed Name

Residing at _____

My commission expires _____

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Final Plat of Josephine Crossing Subdivision, 5th Filing

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

The final plat for Josephine Crossing Subdivision, 5th Filing is being presented to Council for approval. On September 22, 2014, the City Council conditionally approved the preliminary plat of this 92-lot subdivision. The 15.35-acre subject property is generally located south of Elysian Road, and east of Mullowney Lane, on the west edge of the existing Josephine Crossing development. The property was formerly owned by the Roman Catholic Church and used for farming. The land is zoned Planned Development, an expansion of the existing Planned Development that exists for the rest of Josephine Crossing. The owners are McCall Development, Inc., 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 Josephine Crossing Subdivision, 5th Filing. If the 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 may be developed, which will increase tax revenues for the City.

RECOMMENDATION

Staff recommends that the City Council approve the final plat of Josephine Crossing Subdivision, 5th Filing.

APPROVED BY CITY ADMINISTRATOR

Attachments

Final Plat page 1

Final Plat page 2

PLAT OF JOSEPHINE CROSSING SUBDIVISION, FIFTH FILING

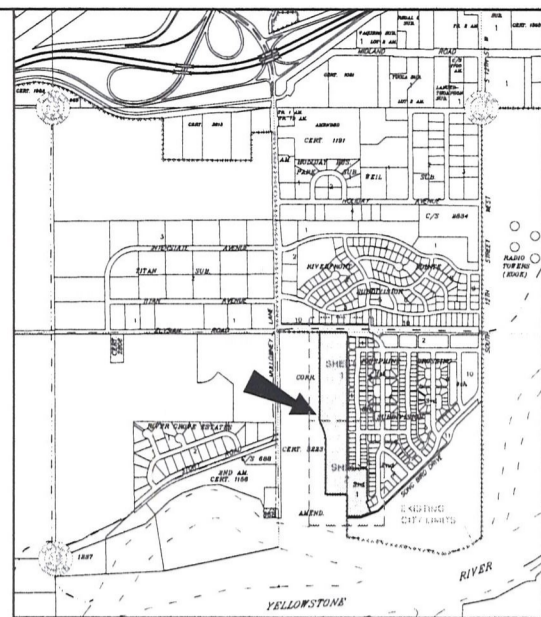
BEING LOT 33A OF AMENDED PLAT OF LOT 33, BLOCK 1,
JOSEPHINE CROSSING SUBDIVISION, THIRD FILING
SITUATED IN THE NW1/4 OF SECTION 20, T. 1 S., R. 26 E., P.M.M.,
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : McCALL DEVELOPMENT, INC.

AUGUST, 2014

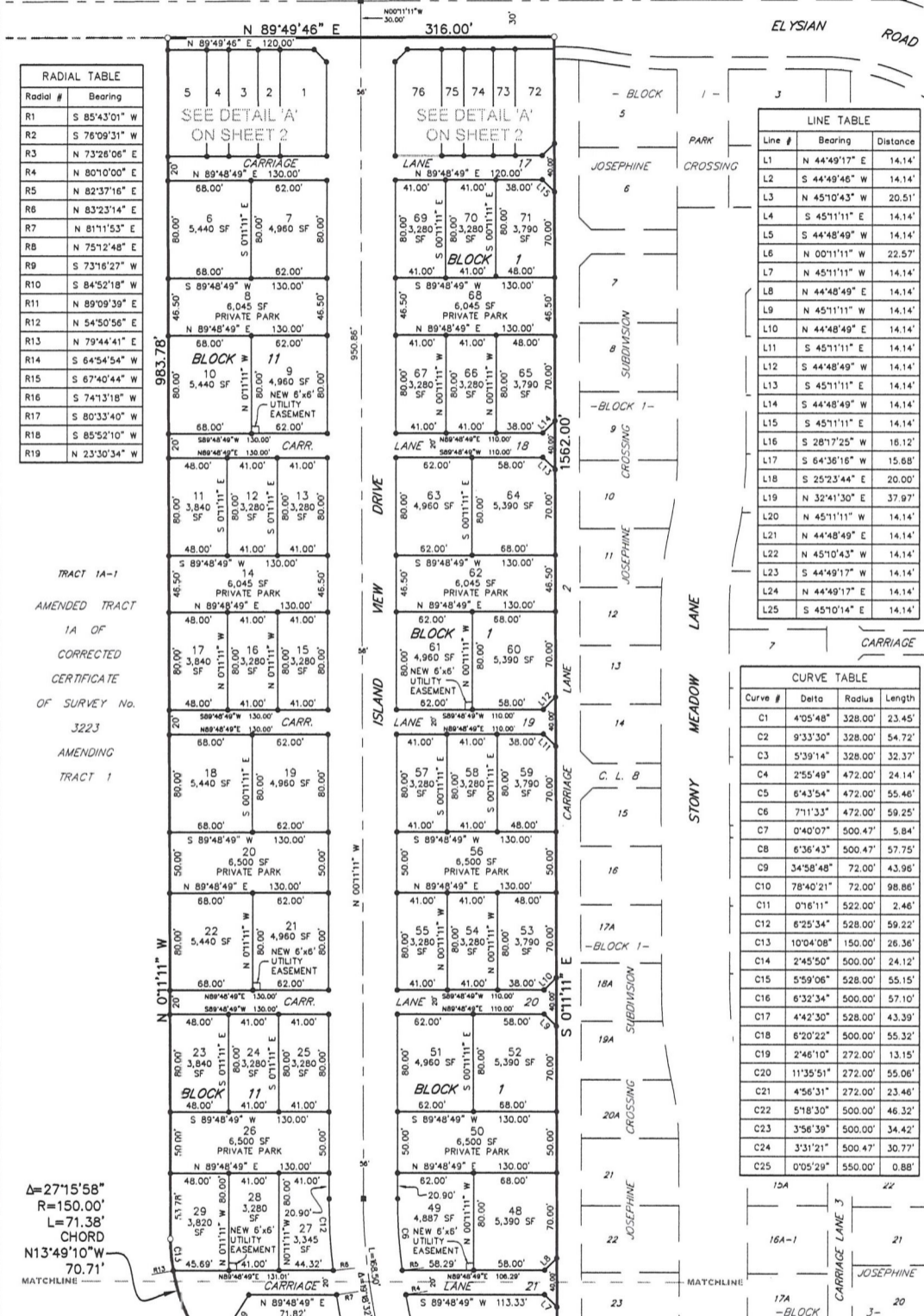
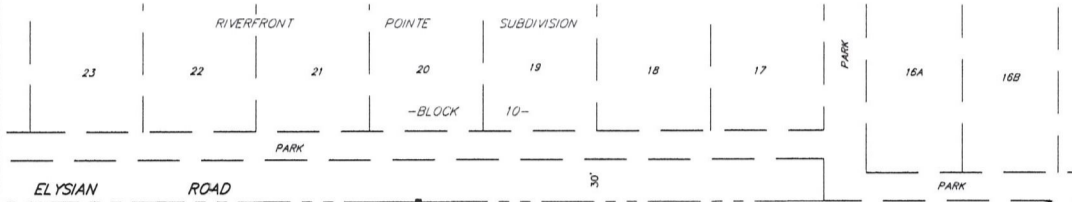
PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



VICINITY MAP
NOT TO SCALE

SCALE: 1"=60'



PLAT OF JOSEPHINE CROSSING SUBDIVISION, FIFTH FILING

BEING LOT 33A OF AMENDED PLAT OF LOT 33, BLOCK 1, JOSEPHINE CROSSING SUBDIVISION, THIRD FILING
SITUATED IN THE NW1/4 OF SECTION 20, T. 1 S., R. 26 E., P.M.M.,
IN THE CITY OF BILLINGS. YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : McCALL DEVELOPMENT, INC.

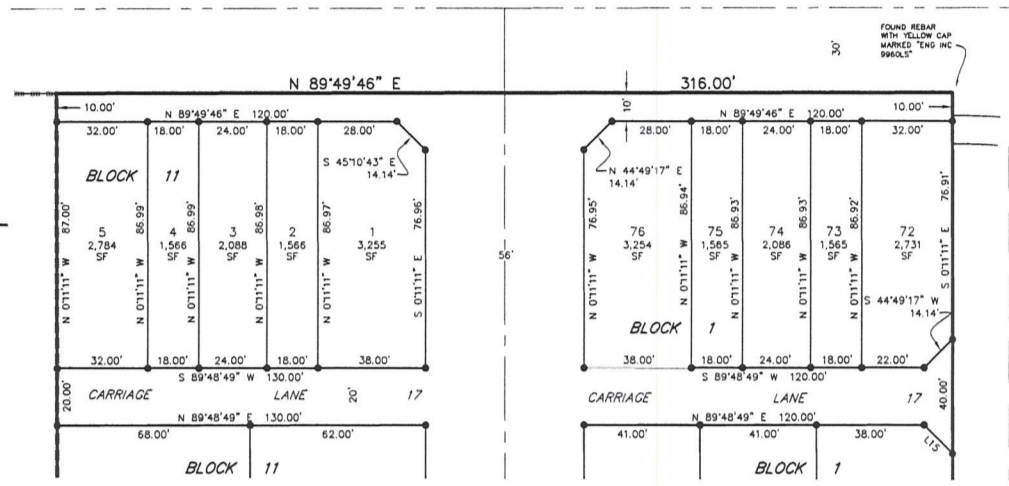
AUGUST, 2014

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA

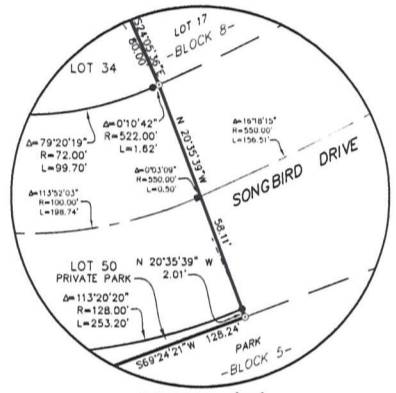
ELYSIAN ROAD

DETAIL 'A'
SCALE: 1"=30'



$\Delta=27'15.58''$
 $R=150.00'$
 $L=71.38'$
CHORD
 $N13'49'10''W$
70.71'

$\Delta=27'15.58''$
 $R=480.00'$
 $L=228.42'$
CHORD
 $N13'49'10''W$
226.27'



DETAIL 'B'
SCALE: 1"=20'

Radial #	Bearing
R1	S 85°43'01" W
R2	S 76°09'31" W
R3	N 73°26'06" E
R4	N 80°10'00" E
R5	N 82°37'16" E
R6	N 83°23'14" E
R7	N 81°11'53" E
R8	N 75°12'48" E
R9	S 73°16'27" W
R10	S 84°52'18" W
R11	N 89°09'39" E
R12	N 54°50'56" E
R13	N 79°44'41" E
R14	S 64°54'54" W
R15	S 67°40'44" W
R16	S 74°13'18" W
R17	S 80°33'40" W
R18	S 85°52'10" W
R19	N 23°30'34" W

Line #	Bearing	Distance
L1	N 44°49'17" E	14.14'
L2	S 44°49'46" W	14.14'
L3	N 45°10'43" W	20.51'
L4	S 45°11'11" E	14.14'
L5	S 44°48'49" W	14.14'
L6	N 00°11'11" W	22.57'
L7	N 45°11'11" W	14.14'
L8	N 44°48'49" E	14.14'
L9	N 45°11'11" W	14.14'
L10	N 44°48'49" E	14.14'
L11	S 45°11'11" E	14.14'
L12	S 44°48'49" W	14.14'
L13	S 45°11'11" E	14.14'
L14	S 44°48'49" W	14.14'
L15	S 45°11'11" E	14.14'
L16	S 28°17'25" W	16.12'
L17	S 64°36'16" W	15.68'
L18	S 2°23'44" E	20.00'
L19	N 32°41'30" E	37.97'
L20	N 45°11'11" W	14.14'
L21	N 44°48'49" E	14.14'
L22	N 45°10'43" W	14.14'
L23	S 44°49'17" W	14.14'
L24	N 44°49'17" E	14.14'
L25	S 45°10'43" E	14.14'

Curve #	Delta	Radius	Length
C1	4°05'48"	328.00'	23.45'
C2	9°33'30"	328.00'	54.72'
C3	5°39'14"	328.00'	32.37'
C4	2°55'49"	472.00'	24.14'
C5	6°43'54"	472.00'	55.46'
C6	7°11'33"	472.00'	59.25'
C7	0°40'07"	500.47'	5.84'
C8	6°36'43"	500.47'	57.75'
C9	34°58'48"	72.00'	43.96'
C10	78°40'21"	72.00'	98.86'
C11	0°16'11"	522.00'	2.46'
C12	6°25'34"	528.00'	59.22'
C13	10°04'08"	150.00'	26.36'
C14	2°45'50"	500.00'	24.12'
C15	5°56'06"	528.00'	55.15'
C16	6°32'34"	500.00'	57.10'
C17	4°42'30"	528.00'	43.39'
C18	6°20'22"	500.00'	55.32'
C19	2°46'10"	272.00'	13.15'
C20	11°35'51"	272.00'	55.06'
C21	4°56'31"	272.00'	23.46'
C22	5°16'30"	500.00'	46.32'
C23	3°56'39"	500.00'	34.42'
C24	3°3'21"	500.47'	30.77'
C25	0°05'29"	550.00'	0.88'

- BASIS OF BEARINGS:** PLAT OF JOSEPHINE CROSSING, THIRD FILING
- FOUND REBAR WITH CAP MARKED "ENGINEERING INC 8377S"
 - FOUND SURVEY MONUMENT, REBAR WITH CAP MARKED "SANDERSON STEWART 18972LS", OR AS NOTED
 - SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
 - SET INTERSECTION MONUMENT, 5/8"x18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART BILLINGS MT". WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.
- NOTE: ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.



SCALE: 1"=60'

Regular City Council Meeting

Meeting Date: 04/27/2015
TITLE: Payment of Claims March 30, 2015
PRESENTED BY: Patrick M. Weber, Finance Director
Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$877,814.14 have been audited and are presented for City Council payment approval. A complete listing of the claims dated March 30, 2015, 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

council memo 3-30-15

Check Date	Check Name	Amount	Account	Item Desc
03/30/2015	783128 3M Library Systems	\$2,778.40	2600-55180-403690	Invoice OF64142
03/30/2015	783133 Archie Cochrane	\$32.12	1500-21120-402320	5149593
03/30/2015	783133 Archie Cochrane	\$370.34	5020-73120-402320	5149646
03/30/2015	783133 Archie Cochrane	\$18.06	0100-51120-402320	5149647
03/30/2015	783133 Archie Cochrane	\$8.00	6010-15500-402320	5150013
03/30/2015	783133 Archie Cochrane	\$122.54	5020-73120-402320	5150253
03/30/2015	783133 Archie Cochrane	\$119.95	2110-31320-402320	5150391
03/30/2015	783133 Archie Cochrane	\$336.88	1500-21120-402320	5150679
03/30/2015	783133 Archie Cochrane	-\$336.88	1500-21120-402320	5150720
03/30/2015	783133 Archie Cochrane	\$163.59	1500-21120-402320	5150851
03/30/2015	783133 Archie Cochrane	\$16.22	1500-21120-402320	5150862
03/30/2015	783133 Archie Cochrane	\$336.88	1500-21120-402320	5150891
03/30/2015	783133 Archie Cochrane	-\$336.88	1500-21120-402320	5150977
03/30/2015	783133 Archie Cochrane	\$172.98	5710-71470-402320	AUTO &TRUCK MAINT.ITEMS
03/30/2015	783133 Archie Cochrane	\$3,066.58	6300-17530-407310	Inv. #832174-1 BPD Car #1416
03/30/2015	783142 Bison Motor Company	\$16,309.99	5030-75910-409440	1- 2015 1-ton two wheel drive dual rear wheels,
03/30/2015	783142 Bison Motor Company	\$10,873.32	5130-85910-409440	1- 2015 1-ton two wheel drive dual rear wheels,
03/30/2015	783142 Bison Motor Company	\$20,974.78	5030-75910-409440	1- 2015 1-ton 4 wheel drive reg cab pickup with
03/30/2015	783142 Bison Motor Company	\$13,983.19	5130-85910-409440	1- 2015 1-ton 4 wheel drive reg cab pickup with
03/30/2015	783142 Bison Motor Company	\$18,060.34	6400-22400-409440	2015 FORD FUSION S, 4 DOOR MID-SIZE
03/30/2015	783146 Bruco Inc	\$1,061.93	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
03/30/2015	783146 Bruco Inc	\$8,362.25	6500-15670-409291	Tennant T3 20-inch with auto drive, ec-H20 self
03/30/2015	783150 Cummins Rocky Mountain Llc	\$418.06	5410-31220-402320	004-343
03/30/2015	783150 Cummins Rocky Mountain Llc	\$2,491.67	5410-31220-402320	004-547
03/30/2015	783150 Cummins Rocky Mountain Llc	\$349.00	1500-22260-402320	004-553
03/30/2015	783150 Cummins Rocky Mountain Llc	-\$475.00	5410-31220-402320	004-565
03/30/2015	783150 Cummins Rocky Mountain Llc	\$2,446.00	5410-31220-402320	004-823
03/30/2015	783150 Cummins Rocky Mountain Llc	\$138.72	5410-31220-402320	004-870
03/30/2015	783150 Cummins Rocky Mountain Llc	\$98.00	2110-31320-402320	004-1154
03/30/2015	783150 Cummins Rocky Mountain Llc	\$149.32	5410-31220-402320	004-1189
03/30/2015	783150 Cummins Rocky Mountain Llc	\$13,811.11	5410-31220-402320	004-1250
03/30/2015	783150 Cummins Rocky Mountain Llc	\$30.92	5410-31220-402320	004-1354
03/30/2015	783150 Cummins Rocky Mountain Llc	\$86.68	5410-31220-402320	004-1505
03/30/2015	783150 Cummins Rocky Mountain Llc	\$50.00	5410-31220-402320	004-1505
03/30/2015	783153 Desert Mountain Corporation	\$4,245.70	2110-31320-404721	ice slicer for melting snow on streets
03/30/2015	783153 Desert Mountain Corporation	\$4,213.76	2110-31320-404721	ice slicer used for melting snow on roads
03/30/2015	783156 Dowl Hkm	\$5,244.00	8400-31840-409310	WO 14-14 Reflections at Copper Ridge Pond
03/30/2015	783160 Ebms	\$1,615.00	6270-17520-403511	April 2015 Fee Breakdown
03/30/2015	783160 Ebms	\$23,885.00	6270-17520-403512	April 2015 Fee Breakdown
03/30/2015	783160 Ebms	\$45,560.17	6270-17520-403515	April 2015 Fee Breakdown
03/30/2015	783160 Ebms	\$777.00	6270-17520-403517	April 2015 Fee Breakdown
03/30/2015	783160 Ebms	\$3,335.50	6270-17520-405161	April 2015 Fee Breakdown
03/30/2015	783166 First Montana Title Co	\$10,000.00	2830-65810-407277	FTHB Jandi Farnsworth 4540 San Fernando Drive
03/30/2015	783167 Gallagher Benefit Services Inc	\$4,000.50	6270-17520-403560	February 2015 On-Site Clinic #66719
03/30/2015	783168 Geographic Information Sevices Inc	\$5,741.67	2110-31320-409480	CityWorks Software Implementation Services
03/30/2015	783168 Geographic Information Sevices Inc	\$6,890.00	5030-75910-409480	CityWorks Software Implementation Services
03/30/2015	783168 Geographic Information Sevices Inc	\$4,593.33	5130-85910-409480	CityWorks Software Implementation Services
03/30/2015	783176 HDR, Inc.	\$114,955.78	5130-84910-409390	WO 14-11 WWTP Nutrient Upgrade Expansion &
03/30/2015	783177 Hose & Rubber Supply Inc	\$3,117.66	5020-74000-402320	NONSTOCKING ITEMS-P.U.D.
03/30/2015	783177 Hose & Rubber Supply Inc	\$4,819.61	5020-74000-402320	NONSTOCKING ITEMS-P.U.D.
03/30/2015	783177 Hose & Rubber Supply Inc	\$56.07	5020-74000-402320	NONSTOCKING ITEMS-P.U.D.
03/30/2015	783178 House Of Clean	\$3,674.81	5120-84000-402450	Boiler treatment
03/30/2015	783183 Integra Chemical Company	\$3,632.64	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
03/30/2015	783184 Integra Telecom Holding Inc	\$39.49	5610-71100-403450	Airport 2948370 Airport Alarm Account 330194
03/30/2015	783184 Integra Telecom Holding Inc	\$4,034.38	6060-19310-403450	Main Bill Acct 330046
03/30/2015	783184 Integra Telecom Holding Inc	\$230.86	6060-19310-403450	Main Bill T-1 Account 330047
03/30/2015	783184 Integra Telecom Holding Inc	\$40.10	1500-21110-403450	CPC line 247-8592 Account 00018768
03/30/2015	783184 Integra Telecom Holding Inc	\$46.00	0100-51120-403450	Dehler Park line 867-7275
03/30/2015	783184 Integra Telecom Holding Inc	\$980.00	2600-55180-403590	Library Internet Connection Account 00001906
03/30/2015	783184 Integra Telecom Holding Inc	\$79.95	6200-19110-403452	IT Internet Connection
03/30/2015	783184 Integra Telecom Holding Inc	\$40.10	2900-65010-403450	Community Development Services FAX 406-294-7595 Account 00018768
03/30/2015	783184 Integra Telecom Holding Inc	\$40.10	2090-44510-403450	Building FAX 406-657-8252 Account 0018768
03/30/2015	783184 Integra Telecom Holding Inc	\$40.10	2400-43010-403450	Planning FAX 406-657-8327 Account 00018768
03/30/2015	783186 Johnson's Welding	\$5,010.00	1500-22260-409250	CUSTOM WELDING: FIRE/BURN BUILDING-
03/30/2015	783187 Kadrmas Lee & Jackson	\$5,308.27	4710-31610-409310	SID 1382 Colton Boulevard
03/30/2015	783187 Kadrmas Lee & Jackson	\$605.42	5030-75910-409340	SID 1382 Colton Boulevard
03/30/2015	783187 Kadrmas Lee & Jackson	\$931.42	8400-31840-409310	SID 1382 Colton Boulevard
03/30/2015	783187 Kadrmas Lee & Jackson	\$4,557.22	2050-31310-409310	SID 1382 Colton Boulevard
03/30/2015	783193 Labor Ready Northwest, Inc.	\$1,471.36	5410-31230-403581	contract labor at landfill
03/30/2015	783193 Labor Ready Northwest, Inc.	\$1,337.60	5410-31230-403581	contract labor at landfill
03/30/2015	783195 Library Ideas LLC	\$13,900.00	2600-55190-403381	Invoice 43024

Check Date	Check	Name	Amount	Account	Item Desc
03/30/2015	783200	Montana Dakota Utilities Co	\$26.32	0100-51260-403440	0619431000 6
03/30/2015	783200	Montana Dakota Utilities Co	\$263.07	6500-15660-403440	1307331000 8
03/30/2015	783200	Montana Dakota Utilities Co	\$437.89	1500-22210-403440	4421901000 4
03/30/2015	783200	Montana Dakota Utilities Co	\$773.37	6500-15660-403440	9937331000 4
03/30/2015	783200	Montana Dakota Utilities Co	\$2,805.04	6500-15660-403440	7576331000 2
03/30/2015	783200	Montana Dakota Utilities Co	\$3,779.75	6500-15660-403440	9897331000 0
03/30/2015	783200	Montana Dakota Utilities Co	\$454.48	5610-71170-403440	205 087 7152 2. Edwards Jet Center. March 2015
03/30/2015	783200	Montana Dakota Utilities Co	\$1,429.76	5610-71190-403440	889 373 1000 6. Car Wash. March 2015
03/30/2015	783200	Montana Dakota Utilities Co	\$714.08	5610-71190-403440	129 573 1000 1. Mud Wash. March 2015
03/30/2015	783200	Montana Dakota Utilities Co	\$168.61	5610-71190-403440	229 573 1000 0. Detail Bay 1 Hertz. March 2015
03/30/2015	783200	Montana Dakota Utilities Co	\$161.83	5610-71190-403440	629 573 1000 6. Detail Bay 2 National/Alamo.
03/30/2015	783200	Montana Dakota Utilities Co	\$133.30	5610-71190-403440	329 573 1000 9. Detail Bay 3 Enterprise. March
03/30/2015	783200	Montana Dakota Utilities Co	\$156.40	5610-71190-403440	1264299-7. Detail Bay 4 Avis/Budget. March 2015
03/30/2015	783200	Montana Dakota Utilities Co	\$71.50	5610-71190-403440	529 573 1000 7. Detail Bay 5 Thrifty/Dollar. March
03/30/2015	783200	Montana Dakota Utilities Co	\$148.22	5610-71170-403440	295 580 1000 4. Aero Interiors. March 2015
03/30/2015	783200	Montana Dakota Utilities Co	\$391.99	5610-71170-403440	185 580 1000 7. TSA Building. March 2015
03/30/2015	783200	Montana Dakota Utilities Co	\$534.82	5610-71130-403440	06882310003 / 31454601
03/30/2015	783200	Montana Dakota Utilities Co	\$115.47	5210-15950-403440	79915212090
03/30/2015	783200	Montana Dakota Utilities Co	\$918.47	1500-21710-403440	1692331000 3
03/30/2015	783200	Montana Dakota Utilities Co	\$1,860.93	5610-71130-403440	2855801000 6
03/30/2015	783200	Montana Dakota Utilities Co	\$5,492.83	5120-84000-403440	2937801000 2
03/30/2015	783200	Montana Dakota Utilities Co	\$10,985.65	5120-84000-403440	2937801000 2
03/30/2015	783200	Montana Dakota Utilities Co	\$5,492.82	5120-84000-403440	2937801000 2
03/30/2015	783200	Montana Dakota Utilities Co	\$114.78	6600-31100-403440	5953731000 1
03/30/2015	783200	Montana Dakota Utilities Co	\$172.16	6700-31410-403440	5953731000 1
03/30/2015	783200	Montana Dakota Utilities Co	\$54.16	1500-21150-403410	51411704789
03/30/2015	783200	Montana Dakota Utilities Co	\$45.59	5020-74000-403440	3735801000 9
03/30/2015	783200	Montana Dakota Utilities Co	\$45.60	5020-74000-403440	3735801000 9
03/30/2015	783200	Montana Dakota Utilities Co	\$24.16	1500-21150-403410	06290794947
03/30/2015	783200	Montana Dakota Utilities Co	\$295.86	0100-51270-403440	4377801000 9
03/30/2015	783200	Montana Dakota Utilities Co	\$499.99	1500-22210-403440	5336531000 1
03/30/2015	783200	Montana Dakota Utilities Co	\$6,580.76	5610-71120-403440	5955801000 1
03/30/2015	783200	Montana Dakota Utilities Co	\$30.52	5120-85000-403440	5967331000 5
03/30/2015	783200	Montana Dakota Utilities Co	\$1,283.07	5610-71170-403440	7065801000 7
03/30/2015	783200	Montana Dakota Utilities Co	\$14.59	5210-15920-403440	7173531000 6
03/30/2015	783200	Montana Dakota Utilities Co	\$26.80	5120-85000-403440	7354531000 2
03/30/2015	783200	Montana Dakota Utilities Co	\$14.47	5610-71170-403440	8065801000 6
03/30/2015	783200	Montana Dakota Utilities Co	\$902.00	1500-22210-403440	8858801000 4
03/30/2015	783200	Montana Dakota Utilities Co	\$94.64	5020-74000-403440	9215801000 6
03/30/2015	783200	Montana Dakota Utilities Co	\$2,996.38	6500-15670-403440	9297801000 4
03/30/2015	783200	Montana Dakota Utilities Co	\$31.00	5120-85000-403440	9550431000 4
03/30/2015	783200	Montana Dakota Utilities Co	\$1,881.85	5710-71430-403440	9628801000 0
03/30/2015	783200	Montana Dakota Utilities Co	\$2,842.68	2600-55120-403440	2199244851 0
03/30/2015	783203	Morrison Maierle Inc	\$5,664.60	5620-71200-409310	Convert Old Employee Parking Lot into Paid
03/30/2015	783203	Morrison Maierle Inc	\$3,605.12	5620-71200-409310	Convert Old Employee Parking Lot into Paid
03/30/2015	783203	Morrison Maierle Inc	\$3,136.37	4060-71190-409310	Transfer Lot Lighting & Fence Installation - CA
03/30/2015	783203	Morrison Maierle Inc	\$1,924.12	5620-71200-409310	Ponds A, B, and C Fence Installation - CA
03/30/2015	783203	Morrison Maierle Inc	\$15,618.02	4050-71250-409685	Environmental Assessment RW10R - Federal
03/30/2015	783203	Morrison Maierle Inc	\$1,735.34	4050-71250-409686	Environmental Assessment RW10R - Local Share
03/30/2015	783203	Morrison Maierle Inc	\$4,530.89	5630-71220-409390	Amendment 13-Wetland Delineation, Surveys &
03/30/2015	783203	Morrison Maierle Inc	\$44,679.47	5130-85910-409340	WO 15-01 Sch 2 2015 Sewer Main Replacement
03/30/2015	783205	Moulton Bellingham PC	\$460.00	5610-71100-403590	Invoice #111853. Jon Marchi Bankruptcy
03/30/2015	783205	Moulton Bellingham PC	\$2,528.50	0100-16110-403560	Inv. 111713, Watters Case
03/30/2015	783206	Municipal Emergency Services Inc	\$600.00	1500-21720-402260	Ballistic for Animal Control Officer Kathy Byrd,
03/30/2015	783206	Municipal Emergency Services Inc	\$3,000.00	1500-21120-402120	Ballistics Vests for Flammang, Hendrickson,
03/30/2015	783206	Municipal Emergency Services Inc	\$844.00	1500-21120-402120	Ballistic vest for Lapham & Morrison, inner only
03/30/2015	783206	Municipal Emergency Services Inc	\$600.00	1500-21120-402120	Ballistic vest for Nyquist, inner & outer vest
03/30/2015	783206	Municipal Emergency Services Inc	\$422.00	1500-21120-402120	Ballistic vest for Puckett, inner only
03/30/2015	783206	Municipal Emergency Services Inc	\$356.00	1500-21120-402261	Ballistic Vest for Mayo & Johnson, outer only
03/30/2015	783206	Municipal Emergency Services Inc	\$1,148.00	1500-21120-402261	Ballistic vest, Paraclete PMV- original vest with
03/30/2015	783206	Municipal Emergency Services Inc	\$892.00	1500-21120-402261	Ballistic vest, R-20-D Firearms Instructor Carrier
03/30/2015	783206	Municipal Emergency Services Inc	\$101.16	1500-21120-402120	Shipping & Handling
03/30/2015	783209	New World Systems	\$687.90	1500-21500-402140	New World Travel Expenses Thomas Visser Todd Townley
03/30/2015	783209	New World Systems	\$525.91	2250-22320-403590	New World Travel Expenses Thomas Visser Todd Townley
03/30/2015	783209	New World Systems	\$42.40	2250-22320-403590	New World Travel Expenses Thomas Visser Todd Townley
03/30/2015	783209	New World Systems	\$2,517.72	6200-19110-405370	New World Travel Expenses Thomas Visser Todd Townley
03/30/2015	783209	New World Systems	\$2,126.31	6200-19110-405370	New World Travel Expenses Thomas Visser 02/22/15 Corrections Invoice 014353
03/30/2015	783214	NorthWestern Energy	\$432.94	5610-71170-403410	1264299-7. Old Hertz Car Wash. March 2015
03/30/2015	783214	NorthWestern Energy	\$39.50	5610-71130-403410	1647695-4. De-Icer. March 2015
03/30/2015	783214	NorthWestern Energy	\$249.68	5610-71170-403410	0712817-6. IP-House. March 2015
03/30/2015	783214	NorthWestern Energy	\$328.68	5610-71170-403410	0712792-1. IP-7. March 2015
03/30/2015	783214	NorthWestern Energy	\$16.99	5610-71170-403410	0712799-6. IP-8. March 2015

Check Date	Check	Name	Amount	Account	Item Desc
03/30/2015	783214	NorthWestern Energy	\$1,323.34	5610-71170-403410	07128700-2. IP-9. March 2015
03/30/2015	783214	NorthWestern Energy	\$62.80	5610-71130-403410	0719616-5. ARFF Facility Lights. March 2015
03/30/2015	783214	NorthWestern Energy	\$816.70	5020-74000-403410	Airport Rd/17th West/Hwy 3/Waldo
03/30/2015	783214	NorthWestern Energy	\$3,022.61	5210-15920-403410	07208341
03/30/2015	783214	NorthWestern Energy	\$215.66	6070-22350-403410	07215809
03/30/2015	783214	NorthWestern Energy	\$9.87	0100-51120-403410	07222375
03/30/2015	783214	NorthWestern Energy	\$7.45	0100-51120-403410	07222474
03/30/2015	783214	NorthWestern Energy	\$94.99	0100-51120-403410	07222557
03/30/2015	783214	NorthWestern Energy	\$38.53	0100-51120-403410	07222573
03/30/2015	783214	NorthWestern Energy	\$0.00	0100-51120-403410	07222607
03/30/2015	783214	NorthWestern Energy	\$0.00	0100-51120-403410	07222615
03/30/2015	783214	NorthWestern Energy	\$0.00	0100-51120-403410	07222623
03/30/2015	783214	NorthWestern Energy	\$0.00	0100-51120-403410	07222656
03/30/2015	783214	NorthWestern Energy	\$48.82	0100-51120-403410	07222664
03/30/2015	783214	NorthWestern Energy	\$0.00	0100-51120-403410	07222680
03/30/2015	783214	NorthWestern Energy	\$15.56	0100-51120-403410	07222698
03/30/2015	783214	NorthWestern Energy	\$12.29	0100-51120-403410	07222920
03/30/2015	783214	NorthWestern Energy	\$25.43	0100-51120-403410	07222938
03/30/2015	783214	NorthWestern Energy	\$7.45	0100-51120-403410	07229057
03/30/2015	783214	NorthWestern Energy	\$0.00	0100-51120-403410	07230279
03/30/2015	783214	NorthWestern Energy	\$107.17	0100-51120-403410	07230352
03/30/2015	783214	NorthWestern Energy	\$8.91	0100-51120-403410	07230360
03/30/2015	783214	NorthWestern Energy	\$181.98	0100-51120-403410	07230378
03/30/2015	783214	NorthWestern Energy	\$0.00	0100-51120-403410	07230386
03/30/2015	783214	NorthWestern Energy	\$39.26	0100-51120-403410	07230428
03/30/2015	783214	NorthWestern Energy	\$21.89	0100-51120-403410	07230444
03/30/2015	783214	NorthWestern Energy	\$0.00	0100-51120-403410	07230519
03/30/2015	783214	NorthWestern Energy	\$0.00	0100-51120-403410	07230527
03/30/2015	783214	NorthWestern Energy	\$19.06	0100-51120-403410	07230550
03/30/2015	783214	NorthWestern Energy	\$25.70	0100-51120-403410	07230568
03/30/2015	783214	NorthWestern Energy	\$10.96	0100-51120-403410	07230576
03/30/2015	783214	NorthWestern Energy	\$32.70	0100-51120-403410	07230584
03/30/2015	783214	NorthWestern Energy	\$7.45	0100-51120-403410	07229339
03/30/2015	783214	NorthWestern Energy	\$9.30	0100-51120-403410	07230907
03/30/2015	783214	NorthWestern Energy	\$7.45	0100-51120-403410	07231624
03/30/2015	783214	NorthWestern Energy	\$9.30	0100-51120-403410	07231707
03/30/2015	783214	NorthWestern Energy	\$7.45	0100-51120-403410	07236441
03/30/2015	783214	NorthWestern Energy	\$7.45	0100-51120-403410	07236458
03/30/2015	783214	NorthWestern Energy	\$21.66	0100-51120-403410	07894371
03/30/2015	783214	NorthWestern Energy	\$958.84	6500-15660-403410	11608023
03/30/2015	783214	NorthWestern Energy	\$2,866.08	6500-15660-403410	11608049
03/30/2015	783214	NorthWestern Energy	\$3,114.30	6500-15660-403410	12693917
03/30/2015	783214	NorthWestern Energy	\$1,272.34	5210-15910-403410	15942824
03/30/2015	783214	NorthWestern Energy	\$292.40	6600-31100-403410	17413147
03/30/2015	783214	NorthWestern Energy	\$438.60	6700-31410-403410	17413147
03/30/2015	783214	NorthWestern Energy	\$315.59	5710-71480-403410	17847567
03/30/2015	783214	NorthWestern Energy	\$6,300.59	6500-15670-403410	01005073
03/30/2015	783214	NorthWestern Energy	\$459.74	1500-22210-403410	07125370
03/30/2015	783214	NorthWestern Energy	\$97.64	0100-51220-403410	07126832
03/30/2015	783214	NorthWestern Energy	\$25.42	5710-71480-403410	07127640
03/30/2015	783214	NorthWestern Energy	\$396.30	1500-22210-403410	07208408
03/30/2015	783214	NorthWestern Energy	\$188.02	5020-74000-403410	07222524
03/30/2015	783214	NorthWestern Energy	\$28,168.62	5610-71120-403410	0100482-9. Airport Vault. March 2015
03/30/2015	783214	NorthWestern Energy	\$7.45	0100-51120-403410	08317026
03/30/2015	783214	NorthWestern Energy	\$120.08	8720-51980-403410	10590933
03/30/2015	783214	NorthWestern Energy	\$2,191.35	5210-15910-403410	15696362
03/30/2015	783214	NorthWestern Energy	\$471.45	5210-15950-403410	21283197
03/30/2015	783216	O'Reilly Auto Parts	-\$33.75	5710-71440-402320	Purchase a strap clamp and return strap clamp
03/30/2015	783216	O'Reilly Auto Parts	-\$5.06	6010-15530-402650	EB56441022
03/30/2015	783216	O'Reilly Auto Parts	\$112.44	2110-31320-402320	primer and paint for 1152
03/30/2015	783216	O'Reilly Auto Parts	\$81.96	2110-31320-402290	speakers/wire slicer
03/30/2015	783216	O'Reilly Auto Parts	\$83.88	2110-31320-402320	paint for 1152
03/30/2015	783216	O'Reilly Auto Parts	\$7.99	2110-31320-402320	ties for 1152
03/30/2015	783216	O'Reilly Auto Parts	\$32.49	5710-71430-402630	AUTO &TRUCK MAINT.ITEMS
03/30/2015	783216	O'Reilly Auto Parts	\$190.98	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
03/30/2015	783216	O'Reilly Auto Parts	\$2,867.00	5710-71440-402925	AUTO &TRUCK MAINT.ITEMS
03/30/2015	783216	O'Reilly Auto Parts	\$77.88	2110-31320-402290	paint for new flatbed on 1107
03/30/2015	783216	O'Reilly Auto Parts	\$99.90	6010-00000-141000	1551-491037 PO NUM 297036
03/30/2015	783216	O'Reilly Auto Parts	\$9.38	5410-31230-402320	1551-487766
03/30/2015	783216	O'Reilly Auto Parts	\$14.32	6010-15530-402650	1551-487778
03/30/2015	783216	O'Reilly Auto Parts	\$61.74	0100-51120-402320	1551-491064
03/30/2015	783216	O'Reilly Auto Parts	-\$11.67	0100-51120-402320	1551-491073
03/30/2015	783216	O'Reilly Auto Parts	\$49.10	6010-00000-141000	1551-492380 PO NUM 297036
03/30/2015	783221	Qwest Communications	\$51.94	2250-22320-403450	Qwest 406-245-2296 911 Qwest
03/30/2015	783221	Qwest Communications	\$45.65	2250-22320-403450	Qwest 406-245-3107 911 Qwest
03/30/2015	783221	Qwest Communications	\$45.65	2250-22320-403450	Qwest 406-245-3108 911 Qwest
03/30/2015	783221	Qwest Communications	\$39.44	5020-74000-403450	Qwest 406-245-3659 PUD Alarm Water Tower

Check Date	Check	Name	Amount	Account	Item Desc
03/30/2015	783221	Qwest Communications	\$45.66	5610-71100-403450	Qwest 406-245-5834 Airport Alarm
03/30/2015	783221	Qwest Communications	\$119.32	1500-22250-403450	Qwest 406-245-7469 Fire
03/30/2015	783221	Qwest Communications	\$45.66	1500-21110-403450	Qwest 406-245-7481 Police
03/30/2015	783221	Qwest Communications	\$228.20	6060-19310-403450	Qwest 406-248-3049 Main System T1 City/County
03/30/2015	783221	Qwest Communications	\$311.26	6070-22350-403450	Qwest 406-248-3635 Fire Airport Radio Tower
03/30/2015	783221	Qwest Communications	\$311.26	6070-22350-403450	Qwest 406-248-3636 Fire Airport Radio Tower
03/30/2015	783221	Qwest Communications	\$31.14	5120-85000-403450	Qwest 406-259-2328 PUD Sahara Sand Lift
03/30/2015	783221	Qwest Communications	\$47.06	2110-31320-403450	Qwest 406-259-3298 PW Traffic 3728 McDougall
03/30/2015	783221	Qwest Communications	\$53.54	6600-31100-403450	Qwest 406-259-7758 Measured Lines Depot 60% 6700 31410 403450 40% 6600 31100 403450
03/30/2015	783221	Qwest Communications	\$80.29	6700-31410-403450	Qwest 406-259-7758 Measured Lines Depot 60% 6700 31410 403450 40% 6600 31100 403450
03/30/2015	783221	Qwest Communications	\$118.32	1500-22250-403450	Qwest 406-373-3742 Fire RR Crossing Alarm
03/30/2015	783221	Qwest Communications	\$311.26	2250-22320-403450	Qwest 406-245-7101 9-1-1 Center Landfill #2
03/30/2015	783221	Qwest Communications	\$311.26	2250-22320-403450	Qwest 406-245-7102 9-1-1 Center Fox Reservoir
03/30/2015	783221	Qwest Communications	\$47.06	5410-31230-403450	Qwest 406-256-7001 Solid Waste Scale House 5410 31230 403450
03/30/2015	783221	Qwest Communications	\$101.55	1500-22210-403450	Qwest 406-245-1743 Fire Elevator 1500-22210-403450
03/30/2015	783221	Qwest Communications	\$45.76	5210-15920-403450	Qwest 406-252-2041 Park 2 Elevator Phone
03/30/2015	783221	Qwest Communications	\$91.52	5610-71100-403450	Qwest 406-252-9412 Airport
03/30/2015	783221	Qwest Communications	\$47.26	6010-15500-403450	Qwest 406-256-5047 Motor Pool
03/30/2015	783221	Qwest Communications	\$45.53	5610-71100-403450	Qwest 406-256-7070 Airport
03/30/2015	783221	Qwest Communications	\$45.76	2250-22320-403450	Qwest 406-651-0282 Fire 5 911 Line
03/30/2015	783221	Qwest Communications	\$32.02	2110-31320-403450	Qwest 406-652-8104 PW Traffic Signal 24
03/30/2015	783221	Qwest Communications	\$45.76	1500-21110-403450	Qwest 406-656-1046 PD3 FAX Line
03/30/2015	783221	Qwest Communications	\$31.14	2400-43010-407214	Qwest 406-656-9578 Planning Traffic Central
03/30/2015	783221	Qwest Communications	\$31.14	2400-43010-407214	Qwest 406-656-9604 Planning Traffic Central 9th
03/30/2015	783221	Qwest Communications	\$31.14	0100-51120-403450	Qwest 406-657-3014 Parks 3890 Stillwater
03/30/2015	783221	Qwest Communications	\$3,163.10	6060-19310-403450	Qwest 406-657-8377 Main System Centrex
03/30/2015	783221	Qwest Communications	\$50.15	5610-71170-403450	Qwest 406-256-6014 Airport P9 Building
03/30/2015	783221	Qwest Communications	\$50.15	5610-71170-403450	Qwest 406-252-0721 Airport 1FB Line
03/30/2015	783221	Qwest Communications	\$96.42	6060-19310-403450	Qwest 406-657-3009 PUD Measured Lines 406-657-3009 406-247-8579
03/30/2015	783221	Qwest Communications	\$31.14	5210-15920-403450	Qwest 406-657-3054 Park 1 Elevator Phone
03/30/2015	783221	Qwest Communications	\$65.28	6060-19310-403450	Qwest BOC Measured Lines 406-252-3774 406-252-3789
03/30/2015	783222	Sanderson Stewart	\$31,953.52	5030-75910-409340	WO 14-13 Mullowney/Elysian Water & Sewer Ext
03/30/2015	783222	Sanderson Stewart	\$47,930.28	5130-85910-409340	WO 14-13 Mullowney/Elysian Water & Sewer Ext
03/30/2015	783222	Sanderson Stewart	\$37,173.47	5030-75910-409340	WO 15-01 2015 Water & Sewer Project - Sch 3
03/30/2015	783222	Sanderson Stewart	\$794.91	5130-85910-409340	WO 14-15 Bench Boulevard North Sanitary Sewer
03/30/2015	783222	Sanderson Stewart	\$1,360.00	2400-43010-407214	Final payment Hwy 3 corridor planning study
03/30/2015	783231	Stewart Title Company	\$10,000.00	2830-65810-407277	FTHB Amanda Baker 205 South 35th
03/30/2015	783233	Sunset Excavation	\$825.00	5050-75150-403671	4511 Vaughn
03/30/2015	783233	Sunset Excavation	\$3,217.50	5050-75150-403671	Water Repair List 06.06.14; Change Order #1
03/30/2015	783236	Titan Machinery Inc	\$407.97	6010-00000-141000	5575540 PO NUM 297536
03/30/2015	783236	Titan Machinery Inc	\$265.20	2110-31320-402320	5505517
03/30/2015	783236	Titan Machinery Inc	\$65.31	2110-31320-402320	5505517
03/30/2015	783236	Titan Machinery Inc	\$98.61	2110-31320-402320	5531458
03/30/2015	783236	Titan Machinery Inc	\$1,004.99	2110-31320-402320	5557906
03/30/2015	783236	Titan Machinery Inc	-\$3.62	2110-31320-402320	5557906
03/30/2015	783236	Titan Machinery Inc	\$2,692.58	2110-31320-402320	5557909
03/30/2015	783236	Titan Machinery Inc	-\$0.56	2110-31320-402320	5557909
03/30/2015	783236	Titan Machinery Inc	\$88.80	2110-31320-402320	5557911
03/30/2015	783236	Titan Machinery Inc	\$9.53	2110-31320-402320	5557911
03/30/2015	783236	Titan Machinery Inc	\$478.26	2110-31320-402320	5575547
03/30/2015	783237	Town & Country Supply Association	\$14,359.08	5710-00000-141000	BUS MET PO NUM 297489
03/30/2015	783237	Town & Country Supply Association	\$92.49	1500-22260-402310	213332: FIRE 1 - UNLEADED DELIVERED
03/30/2015	783237	Town & Country Supply Association	\$180.94	1500-22260-402310	213332: FIRE 3 - DYED DIESEL DELIVERED
03/30/2015	783237	Town & Country Supply Association	\$226.18	1500-22260-402310	213332: FIRE 6 - DYED DIESEL DELIVERED
03/30/2015	783237	Town & Country Supply Association	\$452.35	1500-22260-402310	213332: FIRE 5 - DYED DIESEL DELIVERED
03/30/2015	783237	Town & Country Supply Association	\$416.16	1500-22260-402310	213332: FIRE 1 - DYED DIESEL DELIVERED
03/30/2015	783237	Town & Country Supply Association	\$17,954.77	5610-71130-402310	Invoice #212071. Bulk purchase of fuel for
03/30/2015	783237	Town & Country Supply Association	\$16,279.10	5710-00000-141000	BUS MET PO NUM 297555
03/30/2015	783239	Verizon Wireless	\$200.05	1500-21700-403450	Animal Shelter MDT
03/30/2015	783239	Verizon Wireless	\$691.34	7170-21660-403450	CCSIU Cell/PTT
03/30/2015	783239	Verizon Wireless	\$40.01	7170-21660-403450	CCSIU Air Card
03/30/2015	783239	Verizon Wireless	\$80.02	7170-21660-403450	CCSIU RAVEN
03/30/2015	783239	Verizon Wireless	\$40.01	0100-13130-403450	City Administration 406-839-4295 Bruce McCandless
03/30/2015	783239	Verizon Wireless	\$80.02	0100-43210-403450	Code Enforcement Air Cards
03/30/2015	783239	Verizon Wireless	\$40.01	1500-22210-403450	Fire MiFi 406-839-3253
03/30/2015	783239	Verizon Wireless	\$40.01	2200-22330-402410	Fire HAZMAT MDT 406-670-1284
03/30/2015	783239	Verizon Wireless	\$1,080.35	1500-22210-403450	Fire MDT
03/30/2015	783239	Verizon Wireless	\$80.02	6200-19110-403450	ITD

Check Date	Check	Name	Amount	Account	Item Desc
03/30/2015	783239	Verizon Wireless	\$80.06	2600-55170-403450	Library Outreach Air Cards
03/30/2015	783239	Verizon Wireless	\$3,991.03	1500-21110-403450	Police MDT Toughbooks
03/30/2015	783239	Verizon Wireless	\$470.28	5710-71470-403160	MET Transit Tablets
03/30/2015	783239	Verizon Wireless	\$40.01	1500-21110-403450	Police ICAC 406-690-7347
03/30/2015	783239	Verizon Wireless	\$40.01	1500-21110-403450	Police MiFi 406-633-0820
03/30/2015	783239	Verizon Wireless	\$160.04	1500-21110-403450	Police US Marshall Toughbooks
03/30/2015	783239	Verizon Wireless	\$40.01	0100-51120-403450	PRPL-PARKS PMD Air Card 406-794-6977
03/30/2015	783239	Verizon Wireless	\$240.06	2090-44510-403450	PW-Building Air Cards
03/30/2015	783239	Verizon Wireless	\$216.05	5020-75000-403450	PW-Distribution Collection Tablets 60%/40% 60% 5020-75000-403450 40% 5120-85000-403450
03/30/2015	783239	Verizon Wireless	\$144.04	5120-85000-403450	PW-Distribution Collection Tablets 60%/40% 60% 5020-75000-403450 40% 5120-85000-403450
03/30/2015	783239	Verizon Wireless	\$100.05	6700-31410-403450	PW Engineering
03/30/2015	783239	Verizon Wireless	\$70.03	2110-31320-403450	PW-Streets 406-697-0361 iPad 406-633-1991 iPad
03/30/2015	783239	Verizon Wireless	\$18.01	5020-75000-403450	PWBELKNAP-AIR 60% 40% 60% 5020-75000-403450 40% 5120-85000-403450
03/30/2015	783239	Verizon Wireless	\$12.01	5120-85000-403450	PWBELKNAP-AIR 60% 40% 60% 5020-75000-403450 40% 5120-85000-403450
03/30/2015	783239	Verizon Wireless	\$162.30	5020-73120-403450	Meter Reader Account 4420118965-00001 502-73120-403450
03/30/2015	783239	Verizon Wireless	\$120.03	7170-21660-403450	CCSIU MDT
03/30/2015	783239	Verizon Wireless	\$40.01	1500-21110-403450	POLICE IPAD ST. JOHN 406-690-5995
03/30/2015	783239	Verizon Wireless	\$120.03	5020-75000-403450	PW-DIS-COLL CITYWORKS 60% /40% 5020-75000-403450 60% 5120-85000-403450 40%
03/30/2015	783239	Verizon Wireless	\$80.02	5120-85000-403450	PW-DIS-COLL CITYWORKS 60% /40% 5020-75000-403450 60% 5120-85000-403450 40%
03/30/2015	783239	Verizon Wireless	\$240.06	2110-31320-403450	PW-STREETS CITY WORKS 2110-31320-403450
03/30/2015	783239	Verizon Wireless	\$551.51	5610-71100-403450	Airport
03/30/2015	783239	Verizon Wireless	\$361.35	1500-21700-403450	Animal Shelter
03/30/2015	783239	Verizon Wireless	\$86.32	7170-21660-403450	CCSIU
03/30/2015	783239	Verizon Wireless	\$54.33	0100-16110-403450	Legal
03/30/2015	783239	Verizon Wireless	\$52.62	1500-22250-403450	Comm Center 911
03/30/2015	783239	Verizon Wireless	\$68.39	6500-15650-403450	Facilities BOC Plus 70% of 406-672-3027
03/30/2015	783239	Verizon Wireless	\$84.73	6500-15670-403450	Facilities City Hall Plus 30% of 406-672-3027
03/30/2015	783239	Verizon Wireless	\$79.15	0100-15120-403450	Finance Pat Weber
03/30/2015	783239	Verizon Wireless	\$810.70	1500-22210-403450	Fire Department
03/30/2015	783239	Verizon Wireless	\$80.41	0100-17500-403450	Human Resources
03/30/2015	783239	Verizon Wireless	\$13.15	6200-19130-403450	ITD GIS
03/30/2015	783239	Verizon Wireless	\$13.15	6200-19110-403450	ITD
03/30/2015	783239	Verizon Wireless	\$11.57	2600-55170-403450	Library Outreach
03/30/2015	783239	Verizon Wireless	\$342.45	2600-55120-403450	Library
03/30/2015	783239	Verizon Wireless	\$42.86	0100-11000-403450	Mayor
03/30/2015	783239	Verizon Wireless	\$63.02	6010-15500-403450	Motor Pool
03/30/2015	783239	Verizon Wireless	\$192.14	0100-12200-403450	Drug Court
03/30/2015	783239	Verizon Wireless	\$88.08	0100-12120-403450	Municipal Court Judge
03/30/2015	783239	Verizon Wireless	\$13.15	2400-43010-403450	Planning
03/30/2015	783239	Verizon Wireless	\$3,088.50	1500-21110-403450	Police
03/30/2015	783239	Verizon Wireless	\$90.67	2510-21870-403450	Police Forensic 406-794-6880 406-698-7323
03/30/2015	783239	Verizon Wireless	\$507.20	1500-21110-403450	Police Resource Officers
03/30/2015	783239	Verizon Wireless	\$28.20	2490-21960-403450	Police DV 406-698-1391
03/30/2015	783239	Verizon Wireless	\$84.27	5210-15210-403450	Parking
03/30/2015	783239	Verizon Wireless	\$245.56	0100-51100-403450	PRPL Admin
03/30/2015	783239	Verizon Wireless	\$286.08	0100-51210-403450	PRPL Recreation
03/30/2015	783239	Verizon Wireless	\$92.88	0100-51400-403450	Cemetery
03/30/2015	783239	Verizon Wireless	\$43.97	0100-51120-403450	Parks PMD
03/30/2015	783239	Verizon Wireless	\$1,159.19	0100-51120-403450	Parks
03/30/2015	783239	Verizon Wireless	\$219.97	0100-51120-403450	Parks Irrigation
03/30/2015	783239	Verizon Wireless	\$125.70	6600-31100-403450	Public Works Admin
03/30/2015	783239	Verizon Wireless	\$141.24	2090-44510-403450	Building
03/30/2015	783239	Verizon Wireless	\$235.69	6700-31410-403450	Engineering
03/30/2015	783239	Verizon Wireless	\$184.94	5410-31210-403450	Solid Waste
03/30/2015	783239	Verizon Wireless	\$361.94	2110-31320-403450	Streets
03/30/2015	783239	Verizon Wireless	\$198.51	5410-31230-403450	Solid Waste On Call
03/30/2015	783239	Verizon Wireless	\$462.78	5020-75000-403450	Distribution & Collection 60\$ 5020-75000-403450 Distribution & Collection 40\$ 5120-85000-403450

Check Date	Check	Name	Amount	Account	Item Desc
03/30/2015	783239	Verizon Wireless	\$308.52	5120-85000-403450	Distribution & Collection 60% 5020-75000-403450 Distribution & Collection 40\$ 5120-85000-403450
03/30/2015	783239	Verizon Wireless	\$659.32	5020-74000-403450	Water Treatment PWBelknap-WT
03/30/2015	783239	Verizon Wireless	\$442.19	5020-73120-403450	PWBLKNP MTRSHOP
03/30/2015	783239	Verizon Wireless	\$69.80	5020-73110-403450	Belknap Office 60% 5020-73110-403450 Belknap Office 40\$ 5120-83110-403450
03/30/2015	783239	Verizon Wireless	\$46.54	5120-83110-403450	Belknap Office 60% 5020-73110-403450 Belknap Office 40\$ 5120-83110-403450
03/30/2015	783239	Verizon Wireless	\$87.27	5020-73140-403450	PWBLKNP STORES 75% 5020-73140-403450 PWBLKNP STORES 25% 5120-83140-403450
03/30/2015	783239	Verizon Wireless	\$29.09	5120-83140-403450	PWBLKNP STORES 75% 5020-73140-403450 PWBLKNP STORES 25% 5120-83140-403450
03/30/2015	783239	Verizon Wireless	\$922.98	5120-84000-403450	Wastewater Treatment Plant
03/30/2015	783239	Verizon Wireless	\$23.47	6060-19310-403450	TeleComm Manager
03/30/2015	783239	Verizon Wireless	\$92.23	5710-71420-403160	On Call MET
03/30/2015	783239	Verizon Wireless	\$125.87	5710-71410-403450	MET Transit
03/30/2015	783239	Verizon Wireless	\$92.00	0100-43210-403450	Code Enforcement
03/30/2015	783239	Verizon Wireless	-\$116.47	0100-51120-403450	Parks Seasonal
03/30/2015	783239	Verizon Wireless	\$222.67	5020-74000-403450	PWVLKNP ELECTRICIANS 50%/50% 50% 5020-74000-403450 50% 5120-84300-403450
03/30/2015	783239	Verizon Wireless	\$222.68	5120-84300-403450	PWVLKNP ELECTRICIANS 50%/50% 50% 5020-74000-403450 50% 5120-84300-403450
03/30/2015	783239	Verizon Wireless	\$164.49	5710-71470-403160	MET Account 770599076-00001 March 2015
03/30/2015	783243	Joshua Cornelius	\$5,999.40	8730-51990-409370	Remove and modify speed slide support arm,

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Payment of Claims April 6, 2015

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$795,164.32 have been audited and are presented for City Council payment approval. A complete listing of the claims dated April 6, 2015, 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

council memo 4-6-15

Check Date	Check Name	Amount	Account	Item Desc
04/01/2015	783245 APG - Neuros	\$132,500.00	9000-00000-229000	BD1224 - BID deposit refund for WO15-10 UV
04/06/2015	783248 Ace Electric Inc	\$19,800.00	5620-71200-409490	Operations Center Generator Replacement
04/06/2015	783256 Alpine Plumbing, Heating & Cooling	\$4,975.00	5610-71120-403660	Invoice #69581. Emergency sewer line repair
04/06/2015	783256 Alpine Plumbing, Heating & Cooling	\$315.00	5120-85000-403660	3510 MacDuff Circle
04/06/2015	783256 Alpine Plumbing, Heating & Cooling	\$350.00	5020-73120-403660	4114 Clevenger
04/06/2015	783257 American Title & Escrow	\$9,232.00	2900-65660-407275	MHR-PROGRAM FUNDS ACCOUNT-WILSON -
04/06/2015	783257 American Title & Escrow	\$868.00	2980-65560-407275	MHR-PROGRAM FUNDS ACCOUNT-WILSON -
04/06/2015	783258 American Title & Escrow	\$10,000.00	2830-65810-407277	FTHB Angela Williams 31 Rhea Lane
04/06/2015	783259 American Title & Escrow	\$25,100.00	2900-65550-407275	REHAB-AMINI-40 JEFFERSON STREET-
04/06/2015	783263 Armscor Cartridge Incorporated	\$260.00	1500-21120-402261	AC38-20N, .38, 125 gr, FMJ, New
04/06/2015	783263 Armscor Cartridge Incorporated	\$390.00	1500-21120-402261	Ac9-7N, 9mm,124 gr, JHP, New
04/06/2015	783263 Armscor Cartridge Incorporated	\$220.00	1500-21120-402261	AC380-2N, .380 ACP, 95 gr, FMJ
04/06/2015	783263 Armscor Cartridge Incorporated	\$1,125.00	1500-21120-402261	AC22LR-1N, .22 LR, 36 gr, HP
04/06/2015	783263 Armscor Cartridge Incorporated	\$2,990.00	1500-21120-402261	AC223-1N, .223, 55 gr, FMJ, New
04/06/2015	783272 Billings Community Cable	\$25,000.00	0100-14110-407266	Quarterly Disbursement
04/06/2015	783272 Billings Community Cable	\$300.00	0100-14110-407265	Work Session Live Broadcasts January - March
04/06/2015	783276 Bobcat Of Big Sky, Inc.	\$6,192.00	7690-51820-407248	Bobcat snow blade, angle broom and utility bucke
04/06/2015	783276 Bobcat Of Big Sky, Inc.	\$7,462.00	6400-51600-409440	New 2x2 work utility vehicle-Bobcat 3200 utv.
04/06/2015	783276 Bobcat Of Big Sky, Inc.	\$21,365.00	6400-51600-409440	Bobcat 3650 4x4 work utility vehicle. Bobcat met
04/06/2015	783278 Brown And Caldwell	\$4,595.81	5030-75910-409340	WO 08-25 ZONE 3 RESERVOIR
04/06/2015	783279 Bruco Inc	\$1,370.85	5210-15910-402120	Kaivac 1750 complete. Cleaning equipment for
04/06/2015	783279 Bruco Inc	\$1,370.85	5210-15920-402120	Kaivac 1750 complete. Cleaning equipment for
04/06/2015	783279 Bruco Inc	\$1,370.84	5210-15930-402120	Kaivac 1750 complete. Cleaning equipment for
04/06/2015	783279 Bruco Inc	\$916.58	5120-84000-402240	Janitorial supplies
04/06/2015	783282 Cardinal Tracking Inc	\$6,112.80	5210-15220-403553	System Annual Software License and Customer
04/06/2015	783286 Chicago Title of Montana LLC	\$15,000.00	2830-65810-407277	FTHB Priscilla Ector 4620 Stone Street
04/06/2015	783291 Continuant Inc	\$1,028.59	6060-19310-403450	AVST Upgrade Technician Travel
04/06/2015	783291 Continuant Inc	\$9,346.50	6060-19310-409480	AVST Upgrade Quote SQ10292014-COB-CX PCI CTBus Drop Cable \$149.50 Dell R7610 HEX OEM Server with Rail Kit \$5915.00 CX-E XpressCare Covered Upgrade 8x x Implementation \$3282.00
04/06/2015	783300 Dextras	\$4,839.93	2190-22500-402120	REIMBURSEMENT: 7 TELEVISIONS THAT
04/06/2015	783301 Ditch Witch Of Montana	\$2,370.00	5020-75000-402925	2 - Utility Line Locators per TRP
04/06/2015	783301 Ditch Witch Of Montana	\$1,580.00	5120-85000-402925	2 - Utility Line Locators per TRP
04/06/2015	783301 Ditch Witch Of Montana	\$2,370.00	5020-75000-402925	2 - Utility Line Locators per TRP
04/06/2015	783301 Ditch Witch Of Montana	\$1,580.00	5120-85000-402925	2 - Utility Line Locators per TRP
04/06/2015	783305 Downtown Billings Partnership, Inc.	\$58,218.75	2030-15130-407946	119 - 4th Quarter
04/06/2015	783310 Empire Garage Owner's Association	\$9,155.70	5210-15940-403660	City of Billings March Assessment
04/06/2015	783316 Ferguson Enterprises Inc	\$413.00	5020-74000-402450	Stem assembly
04/06/2015	783316 Ferguson Enterprises Inc	\$57.15	5020-75000-402380	Gaskets
04/06/2015	783316 Ferguson Enterprises Inc	\$38.10	5120-85000-402380	Gaskets
04/06/2015	783316 Ferguson Enterprises Inc	\$18.42	5020-75000-402380	Gaskets
04/06/2015	783316 Ferguson Enterprises Inc	\$12.28	5120-85000-402380	Gaskets
04/06/2015	783316 Ferguson Enterprises Inc	\$5,793.97	8400-31840-402290	Sewer pipe, couplings - Ironwood Drain
04/06/2015	783316 Ferguson Enterprises Inc	-\$864.98	8400-31840-402290	Return and restock - Sewer coupling
04/06/2015	783326 HDR, Inc.	\$20,459.66	5030-74910-409390	WO 15-10 WTP Chemical Building/Disinfection
04/06/2015	783332 Iaff	\$4,598.71	9000-00000-209920	Payroll Summary
04/06/2015	783342 Kiner	\$14,023.73	2030-15130-407968	Limber Tree Yoga II - TIF Assistance grant, Final
04/06/2015	783352 Marketing Specialties Inc	\$5,160.00	6010-15530-403990	Installation and electrical for the BOC Fuel control
04/06/2015	783352 Marketing Specialties Inc	\$1,297.50	6010-15530-403990	Install & program ethernet module.
04/06/2015	783352 Marketing Specialties Inc	\$180.00	6010-15530-403990	Calibrate fuel dispensers.
04/06/2015	783353 Marvin & Associates	\$16,509.59	2100-31100-409311	WO 15-05 Poly & Virginia Intersection
04/06/2015	783353 Marvin & Associates	\$2,559.01	8450-31860-409310	WO 15-05 Poly & Virginia Intersection
04/06/2015	783356 Mead & Hunt Inc	\$3,570.00	5610-71100-403540	True Market Estimate - Air Travel
04/06/2015	783358 MES-NW	\$51.26	1500-22290-402640	MES/HI VIZ RESCUE GLOVES - SIZE MEDIUM
04/06/2015	783358 MES-NW	\$335.00	1500-22210-402260	EV1: TRADITIONAL FIRE HELMETS (3-BLK/1-
04/06/2015	783358 MES-NW	\$1,005.00	1500-22290-402640	EV1: TRADITIONAL FIRE HELMETS (3-BLK/1-
04/06/2015	783358 MES-NW	\$25.40	1500-22290-402640	SHIPPING:
04/06/2015	783358 MES-NW	\$565.00	1500-22240-402120	00603934: PORTABLE SCENE LIGHT,
04/06/2015	783358 MES-NW	\$1,130.00	1500-22290-402490	00603934: PORTABLE SCENE LIGHT,
04/06/2015	783358 MES-NW	\$151.32	1500-22290-402490	00604927: SPANNER WRENCHES/FOLDING
04/06/2015	783363 Montana CSED	\$4,757.54	9000-00000-209926	Payroll Summary
04/06/2015	783364 Montana Dakota Utilities Co	\$15.14	5120-85000-403440	5592501000 5
04/06/2015	783364 Montana Dakota Utilities Co	\$256.82	5020-74000-403440	8251501000 5
04/06/2015	783364 Montana Dakota Utilities Co	\$401.63	5410-31230-403440	7703901000 2
04/06/2015	783364 Montana Dakota Utilities Co	\$26.32	5020-74000-403440	8004901000 4
04/06/2015	783364 Montana Dakota Utilities Co	\$100.37	5020-74000-403440	8320011000 1
04/06/2015	783364 Montana Dakota Utilities Co	\$30.08	5120-85000-403440	8685631000 7
04/06/2015	783364 Montana Dakota Utilities Co	\$113.96	0100-51410-403440	9278901000 3
04/06/2015	783364 Montana Dakota Utilities Co	\$221.60	5020-74000-403440	0104901000 0
04/06/2015	783364 Montana Dakota Utilities Co	\$325.84	0100-51410-403440	0378901000 0
04/06/2015	783364 Montana Dakota Utilities Co	\$27.28	5020-74000-403440	1104901000 9
04/06/2015	783364 Montana Dakota Utilities Co	\$422.00	5020-74000-403440	2104901000 8
04/06/2015	783364 Montana Dakota Utilities Co	\$1,146.86	5020-73140-403440	3104901000 7
04/06/2015	783364 Montana Dakota Utilities Co	\$382.29	5120-83140-403440	3104901000 7

Check Date	Check	Name	Amount	Account	Item Desc
04/06/2015	783364	Montana Dakota Utilities Co	\$3,204.14	5020-74000-403440	5004901000 7
04/06/2015	783364	Montana Dakota Utilities Co	\$1,059.14	5020-74000-403440	9004901000 3
04/06/2015	783364	Montana Dakota Utilities Co	\$709.64	5020-73140-403440	4104901000 6
04/06/2015	783364	Montana Dakota Utilities Co	\$236.54	5120-83140-403440	4104901000 6
04/06/2015	783364	Montana Dakota Utilities Co	\$84.31	0100-51120-403440	3711011000 6
04/06/2015	783364	Montana Dakota Utilities Co	\$92.48	5020-74000-403440	5104901000 5
04/06/2015	783364	Montana Dakota Utilities Co	\$35.49	5020-74000-403440	5270331000 4
04/06/2015	783364	Montana Dakota Utilities Co	\$82.40	5020-74000-403440	5669231000 8
04/06/2015	783364	Montana Dakota Utilities Co	\$27.09	5020-74000-403440	6004901000 6
04/06/2015	783364	Montana Dakota Utilities Co	\$27.08	5020-74000-403440	6004901000 6
04/06/2015	783364	Montana Dakota Utilities Co	\$46.80	5020-74000-403440	6104901000 4
04/06/2015	783364	Montana Dakota Utilities Co	\$65.62	5020-74000-403440	6669231000 7
04/06/2015	783364	Montana Dakota Utilities Co	\$358.10	5020-74000-403440	7004901000 5
04/06/2015	783365	Montana Department Of Environmental Quality	\$3,159.80	5130-85910-409340	WO 15-01 2015 Water & Sewer Project - Sch2
04/06/2015	783365	Montana Department Of Environmental Quality	\$862.50	4710-31610-409310	SID 1382 Colton Blvd
04/06/2015	783369	Montana State Fireman's Assoc	\$3,418.12	9000-00000-209924	Payroll Summary
04/06/2015	783379	New World Systems	\$1,350.00	1500-21500-402140	LERMS/Corr/DSS 2/15 Contract
04/06/2015	783379	New World Systems	\$4,050.00	6200-19110-405370	LERMS/Corr/DSS 2/15 Contract
04/06/2015	783381	NorMont Equipment Company	\$1,344.00	2110-31320-404710	emulsion tote for one man patching machine
04/06/2015	783381	NorMont Equipment Company	\$1,348.35	2110-31320-404710	emulsion for one man patching machine
04/06/2015	783381	NorMont Equipment Company	\$87.00	2110-31320-402380	manure fork for cleaning ditches
04/06/2015	783384	NorthWestern Energy	\$2,799.07	1500-22210-403410	FIRE1: MONTHLY ELECTRIC SERVICE
04/06/2015	783384	NorthWestern Energy	\$5,026.23	2600-55120-403410	Electric usage
04/06/2015	783384	NorthWestern Energy	\$2,458.94	5020-73140-403410	2251 Belknap
04/06/2015	783384	NorthWestern Energy	\$13,114.34	5020-74000-403410	2251 Belknap
04/06/2015	783384	NorthWestern Energy	\$49,178.76	5020-74000-403410	2251 Belknap
04/06/2015	783384	NorthWestern Energy	\$819.64	5120-83140-403410	2251 Belknap
04/06/2015	783384	NorthWestern Energy	\$3,484.21	5020-74000-403410	3116 17th St West
04/06/2015	783384	NorthWestern Energy	\$3,484.21	5020-74000-403410	3116 17th St West
04/06/2015	783384	NorthWestern Energy	\$1,068.57	5120-85000-403410	2750 Bitterroot
04/06/2015	783384	NorthWestern Energy	\$177.87	6070-22350-403410	10069151
04/06/2015	783384	NorthWestern Energy	\$28.37	0100-51120-403410	11607801
04/06/2015	783384	NorthWestern Energy	\$7.45	0100-51120-403410	12300661
04/06/2015	783384	NorthWestern Energy	\$20.25	0100-51410-403410	16352890
04/06/2015	783384	NorthWestern Energy	\$1,430.29	0100-51270-403410	Monthly electrical charges.
04/06/2015	783384	NorthWestern Energy	\$99.75	0100-51410-403410	07125396
04/06/2015	783384	NorthWestern Energy	\$503.94	5210-15950-403410	07208291
04/06/2015	783384	NorthWestern Energy	\$0.00	5020-74000-403410	07230436
04/06/2015	783384	NorthWestern Energy	\$7.45	0100-51120-403410	09208018
04/06/2015	783384	NorthWestern Energy	\$307.84	1500-21150-403410	19841501
04/06/2015	783384	NorthWestern Energy	\$376.32	1500-21150-403410	19841550
04/06/2015	783384	NorthWestern Energy	\$8.30	2110-31320-403410	20470001
04/06/2015	783384	NorthWestern Energy	\$8.78	2110-31320-403410	20470118
04/06/2015	783384	NorthWestern Energy	\$7.45	0100-51120-403410	30208375
04/06/2015	783384	NorthWestern Energy	\$2,555.34	5210-15940-403410	30674162
04/06/2015	783384	NorthWestern Energy	\$413.69	1500-22210-403410	FIRE6: MONTHLY ELECTRIC SERVICE FY2015
04/06/2015	783392	ProDIGIQ Inc	\$5,291.00	5610-71120-403660	FY2015 Service Agreement MUFIDS
04/06/2015	783393	Public Utilities	\$302.90	6500-15660-403420	158260
04/06/2015	783393	Public Utilities	\$205.22	5210-15910-403420	102980
04/06/2015	783393	Public Utilities	\$10.72	5210-15910-403420	102981
04/06/2015	783393	Public Utilities	\$2,449.35	5120-84000-403420	111176
04/06/2015	783393	Public Utilities	\$40.50	5210-15920-403420	102086
04/06/2015	783393	Public Utilities	\$9,616.31	5120-84000-403420	111176
04/06/2015	783393	Public Utilities	\$4,933.68	5610-71100-403420	136516
04/06/2015	783393	Public Utilities	\$9.67	5120-85000-403420	180645
04/06/2015	783400	Sanderson Stewart	\$21,014.52	2010-15070-409310	WO 15-08 Exposition Gateway
04/06/2015	783407	Simply Family Magazine Inc	\$13,641.00	0100-51210-403210	Summer brochure printing.
04/06/2015	783413	Solid Waste Systems Inc	\$721.13	5410-31220-402320	76363
04/06/2015	783413	Solid Waste Systems Inc	\$61.69	5410-31220-402320	76363
04/06/2015	783413	Solid Waste Systems Inc	\$721.13	5410-31220-402320	76364
04/06/2015	783413	Solid Waste Systems Inc	\$54.42	5410-31220-402320	76364
04/06/2015	783413	Solid Waste Systems Inc	\$56.95	5410-31220-402320	76366
04/06/2015	783413	Solid Waste Systems Inc	\$874.00	5410-31220-402320	76366
04/06/2015	783413	Solid Waste Systems Inc	\$88.25	5410-31220-402320	76366
04/06/2015	783413	Solid Waste Systems Inc	\$174.14	5410-31220-402320	76372
04/06/2015	783413	Solid Waste Systems Inc	\$53.61	5410-31220-402320	76392
04/06/2015	783413	Solid Waste Systems Inc	\$20.18	5410-31220-402320	76392
04/06/2015	783418	Star Service Inc	\$3,600.00	5020-74000-403660	Maintenance on tank
04/06/2015	783419	Stericycle Inc	\$2,776.00	5410-31230-403590	hazard waste
04/06/2015	783424	The Spencer Turbine Company	\$20,234.00	9000-00000-229000	BD1223 - Aeration blower improvements BID
04/06/2015	783430	Town & Country Supply Association	\$13,520.54	6010-00000-141000	212064 PO NUM 297557
04/06/2015	783430	Town & Country Supply Association	\$16,793.08	6010-00000-141000	212336 PO NUM 297557
04/06/2015	783430	Town & Country Supply Association	\$7,193.60	6010-00000-141000	213244 PO NUM 297557
04/06/2015	783432	Tristate Equipment	\$8.52	5410-31220-402320	M84384
04/06/2015	783432	Tristate Equipment	\$22.63	5410-31220-402320	M84497
04/06/2015	783432	Tristate Equipment	\$18.88	5410-31220-402320	M84504
04/06/2015	783432	Tristate Equipment	\$28.32	5410-31220-402320	M84594

Check Date	Check	Name	Amount	Account	Item Desc
04/06/2015	783432	Tristate Equipment	\$455.24	2110-31320-402320	M84635
04/06/2015	783432	Tristate Equipment	\$55.90	2110-31320-402320	M84635
04/06/2015	783432	Tristate Equipment	\$116.43	5410-31220-402320	M84802
04/06/2015	783432	Tristate Equipment	\$198.72	5410-31220-402320	M84935
04/06/2015	783432	Tristate Equipment	\$105.26	5410-31220-402320	M84949
04/06/2015	783432	Tristate Equipment	\$4,491.23	5410-31220-402320	N25956
04/06/2015	783441	Yellowstone Valley Animal Shelter	\$22,146.92	1500-21700-403990	city contract 2-22-15 through 3-21-15

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Payment of Claims - January 1, 2015 through March 31st 2015

PRESENTED BY: Sheila Kolar, Municipal Court Judge

Department: Court

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$590,712.51 have been audited and presented to Council for approval. Claims include: payments to the General Fund, County Treasurer, Individual Victims, Businesses for Restitution, Disbursement of Surcharges and Revenues, and return of Bonds posted to ensure court appearances. A complete listing of claims dated January 1, 2015 through March 31, 2015 is attached to this memo and is on file in the Municipal Court.

ALTERNATIVES ANALYZED

City Council may:

- Approve, or;
- Disapprove

FINANCIAL IMPACT

This results in \$418,983.86 to the General Fund and \$171,728.65 in payments to the County Treasurer, individuals and businesses for bond returns, restitution and victims.

RECOMMENDATION

Staff recommends the Council approve the Municipal Court Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

Payment of Claims

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
20822	01/16/2015	City of Billings	50.00	Cleared	01/31/2015
20823	01/16/2015	Sears	50.00	Cleared	02/28/2015
20824	01/16/2015	Shopko	50.00	Cleared	01/31/2015
20825	01/16/2015	Target	60.00	Outstanding	
20826	01/16/2015	Aaron Patrick Stricker	15.00	Cleared	01/31/2015
20827	01/16/2015	Amber M Haff	50.00	Cleared	01/31/2015
20828	01/16/2015	Amy Margaret Yerger	15.00	Cleared	01/31/2015
20829	01/16/2015	Andrew Gunnar Nelson	15.00	Cleared	01/31/2015
20830	01/16/2015	Assurant Health	100.00	Cleared	02/28/2015
20831	01/16/2015	Barbara Clemons Donahue	15.00	Outstanding	
20832	01/16/2015	Barbara Powelson	50.00	Cleared	01/31/2015
20833	01/16/2015	Billings Parks, Recreation and Land	25.00	Cleared	01/31/2015
20834	01/16/2015	Billings Police Department	300.00	Cleared	01/31/2015
20835	01/16/2015	Brittany Ann Lane	15.00	Cleared	02/28/2015
20836	01/16/2015	Byron Gregory Stulc	15.00	Cleared	01/31/2015
20837	01/16/2015	CHARLES & LEE ANN CARRANCO	27.40	Cleared	02/28/2015
20838	01/16/2015	Charlene Pitsch	720.00	Cleared	01/31/2015
20839	01/16/2015	Christina Daugherty	250.00	Cleared	01/31/2015
20840	01/16/2015	Christopher Timm	250.00	Cleared	01/31/2015
20841	01/16/2015	City Of Billings - Street/Traffic Dept	50.00	Cleared	01/31/2015
20842	01/16/2015	City Of Billings-c/o JoLynn Yerger	20.00	Cleared	02/28/2015
20843	01/16/2015	Clarence Marshall III	1500.00	Cleared	01/31/2015
20844	01/16/2015	Community Solutions Inc	50.00	Cleared	01/31/2015
20845	01/16/2015	Corey Heinzroth	25.00	Cleared	02/28/2015
20846	01/16/2015	Corey Jay Flack	15.00	Outstanding	
20847	01/16/2015	Daniel John Degele	50.00	Cleared	01/31/2015
20848	01/16/2015	Dave Welch	50.00	Cleared	02/28/2015
20849	01/16/2015	David Allen Long	50.00	Cleared	01/31/2015
20850	01/16/2015	Dillard's	12.50	Cleared	01/31/2015
20851	01/16/2015	Donna Forbes	50.00	Cleared	02/28/2015
20852	01/16/2015	Douglas Owen Morgan J	200.00	Cleared	01/31/2015
20853	01/16/2015	Dupree Arnell Scott	50.00	Cleared	01/31/2015
20854	01/16/2015	Elisha Plentyhawk	250.00	Cleared	01/31/2015
20855	01/16/2015	Emori Sage Dodson	125.00	Cleared	01/31/2015
20856	01/16/2015	Eric Thorson	720.00	Cleared	01/31/2015
20857	01/16/2015	Ervalynn Nomee	50.00	Outstanding	

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
20858	01/16/2015	Faye Adams	50.00	Cleared	02/28/2015
20859	01/16/2015	First National Pawn	30.82	Cleared	01/31/2015
20860	01/16/2015	Flooring Montana	50.00	Cleared	01/31/2015
20861	01/16/2015	Gina Lynn Kingstad	50.00	Cleared	01/31/2015
20862	01/16/2015	Gloria Lake	50.00	Cleared	01/31/2015
20863	01/16/2015	Gordon Gildroy	50.00	Cleared	02/28/2015
20864	01/16/2015	Greg & Lani Monical	50.00	Cleared	01/31/2015
20865	01/16/2015	Greg Gordon	50.00	Cleared	02/28/2015
20866	01/16/2015	Gypsy Wind	7.00	Cleared	01/31/2015
20867	01/16/2015	Jacob Brotzler	50.00	Cleared	01/31/2015
20868	01/16/2015	James Joseph O'tremba	150.00	Cleared	01/31/2015
20869	01/16/2015	Jason Romell Dix	50.00	Outstanding	
20870	01/16/2015	Jennifer Jill Vasseur	25.00	Cleared	02/28/2015
20871	01/16/2015	Joey Stovall	50.00	Cleared	01/31/2015
20872	01/16/2015	Josh Dewitz	40.45	Outstanding	
20873	01/16/2015	June Ortman	50.00	Cleared	02/28/2015
20874	01/16/2015	Karen Geraldine Zaso	20.00	Cleared	01/31/2015
20875	01/16/2015	Karen Gossett	33.00	Cleared	01/31/2015
20876	01/16/2015	Karen Reinke	690.00	Cleared	01/31/2015
20877	01/16/2015	Karen Reinke	720.00	Cleared	01/31/2015
20878	01/16/2015	Karen Reinke	1380.00	Cleared	01/31/2015
20879	01/16/2015	Karen Reinke	1440.00	Cleared	01/31/2015
20880	01/16/2015	Katherine Lucille Klimper	45.00	Outstanding	
20881	01/16/2015	Kathy Eder	170.00	Cleared	01/31/2015
20882	01/16/2015	Kohl's Corporate Loss Prevention	48.98	Cleared	01/31/2015
20883	01/16/2015	Kristina Rae Richardson	100.00	Cleared	01/31/2015
20884	01/16/2015	Leandra Beckman	9.96	Outstanding	
20885	01/16/2015	Les Benner	50.00	Cleared	01/31/2015
20886	01/16/2015	Linda Oistad	50.00	Cleared	02/28/2015
20887	01/16/2015	Lori Helmey	500.00	Cleared	01/31/2015
20888	01/16/2015	Mandi Toews	100.00	Cleared	01/31/2015
20889	01/16/2015	Mandy Maxwell	50.00	Cleared	02/28/2015
20890	01/16/2015	Mark Lawler	50.00	Cleared	01/31/2015
20891	01/16/2015	Mary Valley	50.00	Cleared	01/31/2015
20892	01/16/2015	Melody Fletcher	1095.00	Cleared	01/31/2015
20893	01/16/2015	Memri Spottedelk	50.00	Cleared	01/31/2015

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
20894	01/16/2015	Michael Kouwenhaven	2000.00	Cleared	01/31/2015
20895	01/16/2015	Miguel Elisco Valdez	50.98	Outstanding	
20896	01/16/2015	Motel 6	50.00	Outstanding	
20897	01/16/2015	Nathan Marcel McClure	15.00	Cleared	02/28/2015
20898	01/16/2015	Nellie Ann Espinoza	500.00	Cleared	01/31/2015
20899	01/16/2015	Nicole Korin	100.00	Cleared	01/31/2015
20900	01/16/2015	Nicole M Korin	620.00	Cleared	01/31/2015
20901	01/16/2015	Nona Main	25.00	Outstanding	
20902	01/16/2015	Oksana Zakharchenko	50.00	Cleared	01/31/2015
20903	01/16/2015	Pacific Steel & Recycling	5.70	Cleared	01/31/2015
20904	01/16/2015	Paul Jeffrey Willis	15.00	Cleared	02/28/2015
20905	01/16/2015	Paul Rosales	50.00	Cleared	02/28/2015
20906	01/16/2015	Penny R Levy	77.50	Cleared	01/31/2015
20907	01/16/2015	Peter Prevost	50.00	Cleared	01/31/2015
20908	01/16/2015	Rick Jensen	698.25	Outstanding	
20909	01/16/2015	Robert A Spadt Jr	89.82	Cleared	01/31/2015
20910	01/16/2015	Ronald Joseph Anderson	50.00	Cleared	01/31/2015
20911	01/16/2015	Sean P Erhard	50.00	Cleared	01/31/2015
20912	01/16/2015	Speak Easy Casino	100.00	Outstanding	
20913	01/16/2015	Stacie M Warehime	25.00	Cleared	01/31/2015
20914	01/16/2015	Steven Ross Johnson	50.00	Cleared	01/31/2015
20915	01/16/2015	Susan Ogden	720.00	Cleared	02/28/2015
20916	01/16/2015	TJ Yzaguirre	50.00	Cleared	01/31/2015
20917	01/16/2015	Tahitian Nights	50.00	Cleared	01/31/2015
20918	01/16/2015	Target AP Recovery	50.00	Cleared	01/31/2015
20919	01/16/2015	Target AP Recovery - (TK-2013-7412)	25.00	Outstanding	
20920	01/16/2015	Taylor Christianson Ita	50.00	Cleared	02/28/2015
20921	01/16/2015	Teresa Daniel	50.00	Cleared	01/31/2015
20922	01/16/2015	Thomas Paul Kosche	50.00	Cleared	02/28/2015
20923	01/16/2015	Tom Cummings	100.00	Cleared	02/28/2015
20924	01/16/2015	Travis John Rykowski	15.00	Cleared	01/31/2015
20925	01/16/2015	Tyler Holliday	50.00	Cleared	01/31/2015
20926	01/16/2015	Wall Mart	35.00	Cleared	01/31/2015
20927	01/16/2015	Walmart	24.38	Cleared	01/31/2015
20928	01/16/2015	Westley Fuchs	200.00	Cleared	01/31/2015
20929	01/16/2015	William Richard Funk	105.00	Cleared	01/31/2015

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
20930	01/16/2015	Yellow Taxi Co	50.00	Cleared	01/31/2015
20931	01/23/2015	South Forty	25.00	Cleared	02/28/2015
20932	01/23/2015	State Farm	50.00	Cleared	02/28/2015
20933	01/23/2015	Walmart	40.00	Cleared	02/28/2015
20934	01/23/2015	Altimus Distributing	90.00	Cleared	01/31/2015
20935	01/23/2015	April M Lapke	50.00	Cleared	02/28/2015
20936	01/23/2015	Big Horn Resort	50.00	Cleared	01/31/2015
20937	01/23/2015	Brad Blythe	50.00	Cleared	02/28/2015
20938	01/23/2015	C.jay Deeney	100.00	Cleared	01/31/2015
20939	01/23/2015	City of Billings Animal Shelter	150.00	Cleared	01/31/2015
20940	01/23/2015	Community Solutions Inc	50.00	Cleared	01/31/2015
20941	01/23/2015	Crime Victim Compensation Program	25.00	Cleared	02/28/2015
20942	01/23/2015	Crime Victim Compensation Program	25.00	Cleared	02/28/2015
20943	01/23/2015	Crime Victim Compensation Program	125.00	Cleared	02/28/2015
20944	01/23/2015	David Theilman	250.00	Cleared	01/31/2015
20945	01/23/2015	Destinee Gondara	50.00	Outstanding	
20946	01/23/2015	Ernie Hernandez	1095.00	Cleared	02/28/2015
20947	01/23/2015	Frank Rollifson	50.00	Outstanding	
20948	01/23/2015	James M Stiles	500.00	Cleared	01/31/2015
20949	01/23/2015	Joshua Morrison	95.00	Cleared	01/31/2015
20950	01/23/2015	Kevin Foster	100.00	Cleared	02/28/2015
20951	01/23/2015	Kyanne Hegel	50.00	Cleared	01/31/2015
20952	01/23/2015	Lawrence James Bell	50.00	Cleared	02/28/2015
20953	01/23/2015	Lonnie R Peterson	25.00	Cleared	01/31/2015
20954	01/23/2015	Margaret Racheal Romero	50.00	Cleared	01/31/2015
20955	01/23/2015	Michael Shawn Bakken	1000.00	Cleared	02/28/2015
20956	01/23/2015	Morgan Ann Zabrocki	15.00	Cleared	02/28/2015
20957	01/23/2015	NAPA Distribution Center Attn: Loren Zoæ	50.00	Cleared	01/31/2015
20958	01/23/2015	Nakeita Rindahl	50.00	Cleared	02/28/2015
20959	01/23/2015	Reece Kalfell	50.00	Cleared	02/28/2015
20960	01/23/2015	Ronald Joseph Anderson	50.00	Cleared	02/28/2015
20961	01/23/2015	Rosco Lagge	60.00	Cleared	01/31/2015
20962	01/23/2015	Sally Cynthia Bittick	15.00	Cleared	02/28/2015
20963	01/23/2015	Scott Aaron Laber	300.00	Cleared	01/31/2015
20964	01/23/2015	Susanne Biglake Hill	50.00	Cleared	02/28/2015
20965	01/23/2015	Title Loan Northwest	50.00	Cleared	02/28/2015

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
20966	01/23/2015	Wall Mart	50.00	Cleared	02/28/2015
20967	01/30/2015	Cenex	25.00	Cleared	02/28/2015
20968	01/30/2015	Kaitlyn Goodluck	50.00	Outstanding	
20969	01/30/2015	Sears	50.00	Outstanding	
20970	01/30/2015	Andrew Cooper	25.00	Outstanding	
20971	01/30/2015	Brandon Robinson	500.00	Voided	02/28/2015
20972	01/30/2015	Brandon Robinson	1000.00	Voided	02/28/2015
20973	01/30/2015	Brett Alan Overley	75.00	Cleared	02/28/2015
20974	01/30/2015	Brooks Joseph Bauer	45.00	Outstanding	
20975	01/30/2015	Chad Morrison	50.00	Cleared	02/28/2015
20976	01/30/2015	City Treasurer	120635.12	Cleared	02/28/2015
20977	01/30/2015	Crime Victim Compensation Program	44.00	Cleared	02/28/2015
20978	01/30/2015	Crime Victim Compensation Program	100.00	Cleared	02/28/2015
20979	01/30/2015	David Christopherson	1045.00	Cleared	02/28/2015
20980	01/30/2015	Donald Robert Finch J	15.00	Cleared	02/28/2015
20981	01/30/2015	Douglas Golden	31.00	Cleared	02/28/2015
20982	01/30/2015	Felicis Caylor	100.00	Cleared	02/28/2015
20983	01/30/2015	Gregg S Glueckert	1585.00	Cleared	02/28/2015
20984	01/30/2015	James Michael Krebs	50.00	Cleared	02/28/2015
20985	01/30/2015	Jared Michael Austfjord	35.00	Cleared	02/28/2015
20986	01/30/2015	Jarrett Wanner	100.00	Cleared	02/28/2015
20987	01/30/2015	Jason Romell Dix	50.00	Outstanding	
20988	01/30/2015	Jennifer Baldner	50.00	Outstanding	
20989	01/30/2015	Jeremiah Desjarlais	1045.00	Cleared	02/28/2015
20990	01/30/2015	Johnny Larue	390.00	Cleared	02/28/2015
20991	01/30/2015	Jonathan Sheffield	25.00	Outstanding	
20992	01/30/2015	Joseph Alex Foster	15.00	Outstanding	
20993	01/30/2015	Joslyn Kayla McClain	15.00	Outstanding	
20994	01/30/2015	Lane Carano	50.00	Cleared	02/28/2015
20995	01/30/2015	Leanne Yucha	50.00	Cleared	02/28/2015
20996	01/30/2015	Leonard E Kenney	40.00	Cleared	02/28/2015
20997	01/30/2015	Lisa Sullivan	390.00	Cleared	02/28/2015
20998	01/30/2015	Lisa Sullivan	1000.00	Cleared	02/28/2015
20999	01/30/2015	Lori Fryett	500.00	Cleared	02/28/2015
21000	01/30/2015	Martha Bouchard	805.00	Cleared	02/28/2015
21001	01/30/2015	Miguel Elisco Valdez	50.00	Outstanding	

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21002	01/30/2015	Municipal Services Bureau	7875.97	Cleared	02/28/2015
21003	01/30/2015	Penny R Levy	77.50	Cleared	02/28/2015
21004	01/30/2015	Rayne Dabel	10.18	Outstanding	
21005	01/30/2015	Rebeca Mus	1000.00	Cleared	02/28/2015
21006	01/30/2015	Robert Lynn Sherrodd	530.00	Cleared	02/28/2015
21007	01/30/2015	Roy D Kessler	25.00	Cleared	02/28/2015
21008	01/30/2015	Sharon Bonogofsky-Parker	50.00	Cleared	02/28/2015
21009	01/30/2015	Soco Marketing attn: Michelle Stocktin	25.00	Cleared	02/28/2015
21010	01/30/2015	St. Vincent Healthcare	150.00	Cleared	02/28/2015
21011	01/30/2015	Target AP Recovery	50.00	Cleared	02/28/2015
21012	01/30/2015	Trevor Conrad Buerkley	245.00	Cleared	02/28/2015
21013	01/30/2015	Whitney Ybarra	125.00	Cleared	02/28/2015
21014	01/30/2015	Yellowstone County Treasurer	9768.69	Cleared	02/28/2015
21015	02/06/2015	St. Vincent's Healthcare	1485.90	Cleared	02/28/2015
21016	02/06/2015	Walmart	20.00	Cleared	02/28/2015
21017	02/06/2015	Allison Melvin	720.00	Cleared	02/28/2015
21018	02/06/2015	City Of Billings - Street/Traffic Dept	50.00	Outstanding	
21019	02/06/2015	Clock Tower Inn	96.80	Cleared	02/28/2015
21020	02/06/2015	Crime Victim Compensation Program	125.00	Cleared	02/28/2015
21021	02/06/2015	Crystal Lounge	100.00	Outstanding	
21022	02/06/2015	Daniel John Degele	50.00	Cleared	02/28/2015
21023	02/06/2015	Deb's Clothing	57.00	Cleared	02/28/2015
21024	02/06/2015	Dillards	25.00	Cleared	02/28/2015
21025	02/06/2015	Donald W Lawson	1000.00	Cleared	02/28/2015
21026	02/06/2015	Edward R Hawthorne	25.00	Outstanding	
21027	02/06/2015	Emori Sage Dodson	100.00	Cleared	02/28/2015
21028	02/06/2015	First Interstate Bank Attn: Brian Brown	25.00	Cleared	02/28/2015
21029	02/06/2015	First National Pawn	25.00	Cleared	02/28/2015
21030	02/06/2015	First National Pawn	50.00	Cleared	02/28/2015
21031	02/06/2015	First National Pawn	96.00	Cleared	02/28/2015
21032	02/06/2015	Flooring Montana	50.00	Cleared	02/28/2015
21033	02/06/2015	Gordon Gildroy	300.00	Outstanding	
21034	02/06/2015	Greg & Lani Monical	45.00	Cleared	02/28/2015
21035	02/06/2015	James Joseph O'tremba	150.00	Cleared	02/28/2015
21036	02/06/2015	James Novotny	50.00	Outstanding	
21037	02/06/2015	John Junnila	25.00	Cleared	02/28/2015

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21038	02/06/2015	Jon Allen Matejovsky	200.00	Cleared	02/28/2015
21039	02/06/2015	June Ortman	50.00	Cleared	02/28/2015
21040	02/06/2015	Les Benner	50.00	Cleared	02/28/2015
21041	02/06/2015	Linda Oistad	50.00	Cleared	02/28/2015
21042	02/06/2015	Mandy Maxwell	50.00	Cleared	02/28/2015
21043	02/06/2015	Mark Lawler	50.00	Cleared	02/28/2015
21044	02/06/2015	Memri Spottedelk	50.00	Cleared	02/28/2015
21045	02/06/2015	Michael Noll	1085.00	Cleared	02/28/2015
21046	02/06/2015	Nicole C Thorup	15.00	Outstanding	
21047	02/06/2015	Robert Henry Smith	1045.00	Cleared	02/28/2015
21048	02/06/2015	Sean P Erhard	50.00	Cleared	02/28/2015
21049	02/06/2015	Shirley Gifford	250.00	Cleared	02/28/2015
21050	02/06/2015	Stephen Andrew Mardikian	275.00	Cleared	02/28/2015
21051	02/06/2015	Steven Ross Johnson	25.00	Cleared	02/28/2015
21052	02/06/2015	Subrogation Unit	50.00	Cleared	02/28/2015
21053	02/06/2015	Tenille Dahlin	100.00	Cleared	02/28/2015
21054	02/06/2015	Teresa Daniel	50.00	Cleared	02/28/2015
21055	02/06/2015	Teresa Delvo	220.00	Cleared	02/28/2015
21056	02/06/2015	Wendi Noelle Largent	100.00	Cleared	02/28/2015
21057	02/06/2015	Westley Fuchs	200.00	Cleared	02/28/2015
21058	02/06/2015	William Moody	500.00	Outstanding	
21059	02/13/2015	Holiday	33.00	Cleared	02/28/2015
21060	02/13/2015	Rio Grande Casino	375.00	Cleared	02/28/2015
21061	02/13/2015	Target	25.00	Outstanding	
21062	02/13/2015	Amanda Herman	500.00	Cleared	02/28/2015
21063	02/13/2015	Brenda Jean Halling	50.00	Cleared	02/28/2015
21064	02/13/2015	Brenda Robison	500.00	Cleared	02/28/2015
21065	02/13/2015	Brenda Robison	1000.00	Cleared	02/28/2015
21066	02/13/2015	Community Solutions Inc	47.00	Cleared	02/28/2015
21067	02/13/2015	Daniel John Degele	50.00	Cleared	02/28/2015
21068	02/13/2015	David Allen Long	50.00	Cleared	02/28/2015
21069	02/13/2015	Dawn Hampton	50.00	Cleared	02/28/2015
21070	02/13/2015	Donna Forbes	205.00	Cleared	02/28/2015
21071	02/13/2015	Eve Decker	500.00	Cleared	02/28/2015
21072	02/13/2015	Gloria Lake	106.16	Outstanding	
21073	02/13/2015	Jennifer Lorraine Stokes	300.00	Cleared	02/28/2015

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21074	02/13/2015	Joseph Earl Scott	1045.00	Outstanding	
21075	02/13/2015	Joseph Palazzolo	15.00	Cleared	02/28/2015
21076	02/13/2015	Kathy Eder	246.69	Cleared	02/28/2015
21077	02/13/2015	Katie Mitchell	233.73	Cleared	02/28/2015
21078	02/13/2015	Kevin Miller	50.00	Cleared	02/28/2015
21079	02/13/2015	Kristina Rae Richardson	50.00	Outstanding	
21080	02/13/2015	Mary Jo Miller	220.00	Cleared	02/28/2015
21081	02/13/2015	Mary Jo Miller	280.00	Cleared	02/28/2015
21082	02/13/2015	Mary Valley	50.00	Cleared	02/28/2015
21083	02/13/2015	Michael Flattum	1330.00	Cleared	02/28/2015
21084	02/13/2015	Nanette Kimberly Getz	15.00	Outstanding	
21085	02/13/2015	Northside Pawn	50.00	Cleared	02/28/2015
21086	02/13/2015	Oksana Zakharchenko	50.00	Cleared	02/28/2015
21087	02/13/2015	Pete Portra	42.15	Cleared	02/28/2015
21088	02/13/2015	Pier 1	24.95	Outstanding	
21089	02/13/2015	Rachel Kitchens	125.00	Cleared	02/28/2015
21090	02/13/2015	Rick Stefanic	4100.00	Cleared	02/28/2015
21091	02/13/2015	Robert Burton	50.00	Cleared	02/28/2015
21092	02/13/2015	Scott Aaron Laber	300.00	Cleared	02/28/2015
21093	02/13/2015	Sharon Torske	50.00	Cleared	02/28/2015
21094	02/13/2015	Steve Espinosa	300.00	Cleared	02/28/2015
21095	02/13/2015	Susanne Biglake Hill	50.00	Outstanding	
21096	02/13/2015	TJ Yzaguirre	50.00	Cleared	02/28/2015
21097	02/13/2015	Tim R Howe	50.00	Cleared	02/28/2015
21098	02/13/2015	Tyler Holliday	50.00	Outstanding	
21099	02/23/2015	South Forty	12.50	Outstanding	
21100	02/23/2015	State Farm Insurance	68.89	Outstanding	
21101	02/23/2015	Amber M Haff	60.00	Outstanding	
21102	02/23/2015	Andrew Cooper	25.00	Outstanding	
21103	02/23/2015	Barbara Clark-Freeman	250.00	Outstanding	
21104	02/23/2015	Barbara Powelson	50.00	Outstanding	
21105	02/23/2015	Beth Desjarlais	720.00	Outstanding	
21106	02/23/2015	Big Horn Resort	50.00	Outstanding	
21107	02/23/2015	Billings Parks, Recreation and Land	50.00	Cleared	02/28/2015
21108	02/23/2015	Brian Leonhardt	445.00	Outstanding	
21109	02/23/2015	Carly Jasmine Sease	50.00	Outstanding	

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21110	02/23/2015	City Of Billings - Street/Traffic Dept	50.00	Outstanding	
21111	02/23/2015	City Of Billings-c/o JoLynn Yerger	20.00	Outstanding	
21112	02/23/2015	Cody Harris	50.00	Outstanding	
21113	02/23/2015	Community Solutions Inc	50.00	Cleared	02/28/2015
21114	02/23/2015	Community Solutions Inc	50.00	Cleared	02/28/2015
21115	02/23/2015	Corinne Daley	50.00	Outstanding	
21116	02/23/2015	Crime Victim Compensation Program	25.00	Outstanding	
21117	02/23/2015	Crime Victim Compensation Program	25.00	Outstanding	
21118	02/23/2015	Crime Victim Compensation Program	100.00	Outstanding	
21119	02/23/2015	Dillards	25.00	Outstanding	
21120	02/23/2015	Dorothy Irene Lester	15.00	Outstanding	
21121	02/23/2015	Douglas Braley	1305.00	Cleared	02/28/2015
21122	02/23/2015	Ervalynn Nomee	50.00	Outstanding	
21123	02/23/2015	Faye Adams	50.00	Outstanding	
21124	02/23/2015	First National Pawn	35.00	Cleared	02/28/2015
21125	02/23/2015	First National Pawn	50.00	Cleared	02/28/2015
21126	02/23/2015	Greg Gordon	50.00	Outstanding	
21127	02/23/2015	Jacob Brotzler	150.00	Outstanding	
21128	02/23/2015	James Novotny	31.11	Outstanding	
21129	02/23/2015	Jason Hertz	1000.00	Cleared	02/28/2015
21130	02/23/2015	Jenny Weaver	50.00	Cleared	02/28/2015
21131	02/23/2015	Joey Stovall	260.20	Cleared	02/28/2015
21132	02/23/2015	Karen Geraldine Zaso	20.00	Outstanding	
21133	02/23/2015	Kevin Foster	60.00	Cleared	02/28/2015
21134	02/23/2015	Kimberly Fay Knaub	5000.00	Outstanding	
21135	02/23/2015	Kyanne Hegel	25.00	Outstanding	
21136	02/23/2015	Lane Carano	50.00	Cleared	02/28/2015
21137	02/23/2015	Laura J Cutrone	15.00	Outstanding	
21138	02/23/2015	Mandi Toews	50.00	Outstanding	
21139	02/23/2015	Motel 6	50.00	Outstanding	
21140	02/23/2015	NAPA Distribution Center Attn: Loren Zo	50.00	Cleared	02/28/2015
21141	02/23/2015	Northwest Pawn	62.50	Cleared	02/28/2015
21142	02/23/2015	Renette Kaline	15.00	Outstanding	
21143	02/23/2015	Renette Kaline	25.00	Outstanding	
21144	02/23/2015	Robert Berl Morehead III	100.00	Outstanding	
21145	02/23/2015	Shawna Coleman	40.00	Cleared	02/28/2015

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21146	02/23/2015	Shay Parker Ridl	1040.00	Outstanding	
21147	02/23/2015	Soco Marketing attn: Michelle Stocktin	50.00	Cleared	02/28/2015
21148	02/23/2015	Stacie M Warehime	25.00	Outstanding	
21149	02/23/2015	Tahitian Nights	50.00	Outstanding	
21150	02/23/2015	Target AP Recovery - (TK-2013-7412)	50.00	Outstanding	
21151	02/23/2015	Thomas Paul Kosche	50.00	Outstanding	
21152	02/23/2015	Tom Cummings	100.00	Outstanding	
21153	02/23/2015	Travis Lynn White	95.00	Outstanding	
21154	02/23/2015	Wall Mart	50.00	Outstanding	
21155	02/23/2015	Wall Mart	66.55	Outstanding	
21156	02/23/2015	Wesley Glen	1553.01	Cleared	02/28/2015
21157	02/27/2015	City of Billings	100.00	Outstanding	
21158	02/27/2015	State Farm	50.00	Outstanding	
21159	02/27/2015	Assurant Health	100.00	Outstanding	
21160	02/27/2015	Braden Tanner Ford	100.00	Outstanding	
21161	02/27/2015	Brittany Hitt	100.00	Outstanding	
21162	02/27/2015	Christina Dennis	50.00	Outstanding	
21163	02/27/2015	City Treasurer	144919.34	Outstanding	
21164	02/27/2015	Corey Heinzroth	25.00	Outstanding	
21165	02/27/2015	Dawn Pearl Justice	15.00	Outstanding	
21166	02/27/2015	Dorian Bigmedicine	500.00	Outstanding	
21167	02/27/2015	First National Pawn	100.00	Outstanding	
21168	02/27/2015	Frank Rollifson	50.00	Outstanding	
21169	02/27/2015	James Michael Krebs	50.00	Outstanding	
21170	02/27/2015	Jerod Douglas Toavs	527.00	Outstanding	
21171	02/27/2015	Jonathan Sheffield	50.00	Outstanding	
21172	02/27/2015	Joshua Michael Brownlee	815.00	Outstanding	
21173	02/27/2015	Karen Reinke	500.00	Outstanding	
21174	02/27/2015	Katelyn Gierke	168.00	Outstanding	
21175	02/27/2015	Kevin Humphrey	25.00	Outstanding	
21176	02/27/2015	Kevin Patrick Ferguson	595.00	Outstanding	
21177	02/27/2015	Lea Ann Yucha	50.00	Outstanding	
21178	02/27/2015	Lisa Strauser	33.00	Outstanding	
21179	02/27/2015	Lyle Benjamin Williams	445.00	Outstanding	
21180	02/27/2015	Mandy Maxwell	50.00	Outstanding	
21181	02/27/2015	Montana Lil's	11.39	Outstanding	

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21182	02/27/2015	Municipal Services Bureau	13310.53	Outstanding	
21183	02/27/2015	Nakeita Rindahl	50.00	Outstanding	
21184	02/27/2015	Northwest Pawn	232.50	Outstanding	
21185	02/27/2015	Orlando Christopher Mota	100.00	Outstanding	
21186	02/27/2015	Penny R Levy	77.50	Outstanding	
21187	02/27/2015	Ryan Christopher Berns	100.00	Outstanding	
21188	02/27/2015	Sharon Bonogofsky-Parker	50.00	Outstanding	
21189	02/27/2015	Subrogation Unit	50.00	Outstanding	
21190	02/27/2015	Target AP Recovery	50.00	Outstanding	
21191	02/27/2015	Yellow Taxi Co	100.00	Outstanding	
21192	02/27/2015	Yellowstone County Treasurer	10486.59	Outstanding	
21193	02/27/2015	Yellowstone Pawn & Trade	125.00	Outstanding	
21194	03/06/2015	Walmart	30.00	Outstanding	
21195	03/06/2015	Alan Hill	295.00	Outstanding	
21196	03/06/2015	Andrew Cooper	50.00	Outstanding	
21197	03/06/2015	Angus Bane Fulton	15.00	Outstanding	
21198	03/06/2015	Billings Police	89.00	Outstanding	
21199	03/06/2015	Billings Powersports	620.95	Outstanding	
21200	03/06/2015	Brad Blythe	50.00	Outstanding	
21201	03/06/2015	Brett Alan Overley	50.00	Outstanding	
21202	03/06/2015	Chase Norwood	50.00	Outstanding	
21203	03/06/2015	Chelsey Marie Hogan	595.00	Outstanding	
21204	03/06/2015	Community Solutions Inc	50.00	Outstanding	
21205	03/06/2015	Dave Welch	25.00	Outstanding	
21206	03/06/2015	Edward Richard Corcoran III	15.00	Outstanding	
21207	03/06/2015	First Interstate Bank Attn: Brian Brown	25.00	Outstanding	
21208	03/06/2015	First National Pawn	50.00	Outstanding	
21209	03/06/2015	Gypsy Wind	50.00	Outstanding	
21210	03/06/2015	James Joseph O'tremba	150.00	Outstanding	
21211	03/06/2015	Jason Romell Dix	50.00	Outstanding	
21212	03/06/2015	Jennifer Anne Abfalder	1630.00	Outstanding	
21213	03/06/2015	Jennifer Baldner	50.00	Outstanding	
21214	03/06/2015	Jon Allen Matejovsky	200.00	Outstanding	
21215	03/06/2015	Joshua Miller	25.00	Outstanding	
21216	03/06/2015	June Ortman	50.00	Outstanding	
21217	03/06/2015	Karl Lehew	1000.00	Outstanding	

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21218	03/06/2015	Lane Carano	50.00	Outstanding	
21219	03/06/2015	Leonard E Kenney	79.00	Outstanding	
21220	03/06/2015	Les Benner	50.00	Outstanding	
21221	03/06/2015	Mandi Toews	50.00	Outstanding	
21222	03/06/2015	Margaret Racheal Romero	28.00	Outstanding	
21223	03/06/2015	Melanie Edeburn Biscoe	15.00	Outstanding	
21224	03/06/2015	Memri Spottedek	50.00	Outstanding	
21225	03/06/2015	Miguel Elisco Valdez	50.00	Outstanding	
21226	03/06/2015	Mona Butler	720.00	Outstanding	
21227	03/06/2015	Nancy Claire Whiteclay	38.00	Outstanding	
21228	03/06/2015	Northside Pawn	50.00	Outstanding	
21229	03/06/2015	Paul Rosales	250.00	Outstanding	
21230	03/06/2015	Rachelle Reinhardt	230.00	Outstanding	
21231	03/06/2015	Robert Burton	50.00	Outstanding	
21232	03/06/2015	Roger Hill	25.00	Outstanding	
21233	03/06/2015	Ronald Joseph Anderson	75.00	Outstanding	
21234	03/06/2015	Rosco Lagge	25.00	Outstanding	
21235	03/06/2015	Ryan Christopher Berns	53.45	Outstanding	
21236	03/06/2015	Scott Carlson	50.00	Outstanding	
21237	03/06/2015	Steven Ross Johnson	50.53	Outstanding	
21238	03/06/2015	TJ Yzaguirre	50.00	Outstanding	
21239	03/06/2015	Theresa Holsinger	195.00	Outstanding	
21240	03/06/2015	Wendi Noelle Largent	100.00	Outstanding	
21241	03/06/2015	Westley Fuchs	200.00	Outstanding	
21242	03/13/2015	Holiday Station	15.03	Outstanding	
21243	03/13/2015	Abby Emmons	720.00	Outstanding	
21244	03/13/2015	City Of Billings - Street/Traffic Dept	50.00	Outstanding	
21245	03/13/2015	City Of Billings-c/o JoLynn Yerger	20.00	Outstanding	
21246	03/13/2015	Community Solutions Inc	20.00	Outstanding	
21247	03/13/2015	Crime Victim Compensation Program	25.00	Outstanding	
21248	03/13/2015	Crime Victim Compensation Program	25.00	Outstanding	
21249	03/13/2015	Daniel John Degele	50.00	Outstanding	
21250	03/13/2015	Delanie Rogers	50.00	Outstanding	
21251	03/13/2015	Ervalynn Nomee	50.00	Outstanding	
21252	03/13/2015	First National Pawn	35.00	Outstanding	
21253	03/13/2015	Gary Gerber	1045.00	Outstanding	

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21254	03/13/2015	George Wells	1025.00	Outstanding	
21255	03/13/2015	Gilbert Almeida	25.00	Outstanding	
21256	03/13/2015	Jacob Browning Campeau	15.00	Outstanding	
21257	03/13/2015	James Palmer	500.00	Outstanding	
21258	03/13/2015	Janet Myers	354.50	Outstanding	
21259	03/13/2015	Jesse M Grossman	15.00	Outstanding	
21260	03/13/2015	Joey M Ponce	1240.00	Outstanding	
21261	03/13/2015	Leroy James Smith	910.00	Outstanding	
21262	03/13/2015	Maribel Walls	1045.00	Outstanding	
21263	03/13/2015	Mason Jay Carpenter	5.00	Outstanding	
21264	03/13/2015	Melanie Marie Cornell	267.60	Outstanding	
21265	03/13/2015	Oksana Zakharchenko	50.00	Outstanding	
21266	03/13/2015	Peter Prevost	50.00	Outstanding	
21267	03/13/2015	Play it Again Sports	34.97	Outstanding	
21268	03/13/2015	Rae Ann Peterson	870.00	Outstanding	
21269	03/13/2015	Rainbow Property Managment Inc.	71.00	Outstanding	
21270	03/13/2015	Rosa Lee Ruff	15.00	Outstanding	
21271	03/13/2015	Sharon Torske	47.80	Outstanding	
21272	03/13/2015	Stacie M Warehime	25.00	Outstanding	
21273	03/13/2015	Tahitian Nights	50.00	Outstanding	
21274	03/13/2015	Taylor Christianson Ita	50.00	Outstanding	
21275	03/13/2015	Teresa Daniel	50.00	Outstanding	
21276	03/13/2015	Teresa Delvo	100.00	Outstanding	
21277	03/13/2015	Tim R Howe	50.00	Outstanding	
21278	03/13/2015	Title Loan Northwest	22.00	Outstanding	
21279	03/13/2015	Tyler Holliday	50.00	Outstanding	
21280	03/13/2015	Victoria Salazar-Garcia	605.00	Outstanding	
21281	03/13/2015	William A. D'Alton	100.00	Outstanding	
21282	03/13/2015	William Richard Funk	50.00	Outstanding	
21283	03/19/2015	Sears	50.00	Outstanding	
21284	03/19/2015	Shopko	25.00	Outstanding	
21285	03/19/2015	Walmart	25.00	Outstanding	
21286	03/19/2015	Amber M Haff	50.00	Outstanding	
21287	03/19/2015	Barbara Powelson	50.00	Outstanding	
21288	03/19/2015	Billings Hardware	50.00	Outstanding	
21289	03/19/2015	Cara Major	100.00	Outstanding	

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21290	03/19/2015	Carly Jasmine Sease	20.00	Outstanding	
21291	03/19/2015	City of Billings Animal Shelter	12.78	Outstanding	
21292	03/19/2015	Community Solutions Inc	50.00	Outstanding	
21293	03/19/2015	Crime Victim Compensation Program	125.00	Outstanding	
21294	03/19/2015	Dupree Arnell Scott	30.00	Outstanding	
21295	03/19/2015	First National Pawn	50.00	Outstanding	
21296	03/19/2015	Greg Gordon	50.00	Outstanding	
21297	03/19/2015	Karen Geraldine Zaso	20.00	Outstanding	
21298	03/19/2015	Katie Janisch	445.00	Outstanding	
21299	03/19/2015	Kim Melody	195.00	Outstanding	
21300	03/19/2015	Lawrence James Bell	50.00	Outstanding	
21301	03/19/2015	Les Adams	1000.00	Outstanding	
21302	03/19/2015	Melvina McClusky	328.95	Outstanding	
21303	03/19/2015	Michael Anthony Diaz	15.00	Outstanding	
21304	03/19/2015	Pamela McNally Murphy	1000.00	Outstanding	
21305	03/19/2015	Paul Rosales	50.00	Outstanding	
21306	03/19/2015	Robert Berl Morehead III	100.00	Outstanding	
21307	03/19/2015	Robin Mcnamee	244.00	Outstanding	
21308	03/19/2015	Susanne Biglake Hill	50.00	Outstanding	
21309	03/19/2015	Target AP Recovery - (TK-2013-7412)	50.00	Outstanding	
21310	03/31/2015	Walmart	40.00	Outstanding	
21311	03/31/2015	Ashley Buyse	100.00	Outstanding	
21312	03/31/2015	Barnes and Noble	724.00	Outstanding	
21313	03/31/2015	Big Horn Resort	50.00	Outstanding	
21314	03/31/2015	Billings Clinic	50.00	Outstanding	
21315	03/31/2015	Billings Parks, Recreation and Land	25.00	Outstanding	
21316	03/31/2015	Chase Norwood	25.00	Outstanding	
21317	03/31/2015	Christina Dennis	50.00	Outstanding	
21318	03/31/2015	Cindy Jolly	220.00	Outstanding	
21319	03/31/2015	City Treasurer	153429.40	Outstanding	
21320	03/31/2015	Crime Victim Compensation	50.00	Outstanding	
21321	03/31/2015	Crime Victim Compensation Program	100.00	Outstanding	
21322	03/31/2015	David Allen Long	50.00	Outstanding	
21323	03/31/2015	Dawn Hampton	50.00	Outstanding	
21324	03/31/2015	Dillard's	12.50	Outstanding	
21325	03/31/2015	Faye Adams	50.00	Outstanding	

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21326	03/31/2015	Felicis Caylon	100.00	Outstanding	
21327	03/31/2015	First Interstate Bank Attn: Brian Brown	50.00	Outstanding	
21328	03/31/2015	Frank Rollifson	50.00	Outstanding	
21329	03/31/2015	Gina Lynn Kingstad	70.00	Outstanding	
21330	03/31/2015	Heather Crockett	15.00	Outstanding	
21331	03/31/2015	James Michael Krebs	50.00	Outstanding	
21332	03/31/2015	James Novotny	50.00	Outstanding	
21333	03/31/2015	Jennifer Baldner	100.00	Outstanding	
21334	03/31/2015	Jennifer Jill Vasseur	75.00	Outstanding	
21335	03/31/2015	Jenny Weaver	50.00	Outstanding	
21336	03/31/2015	John Junnila	25.00	Outstanding	
21337	03/31/2015	Joli Pavelis	1000.00	Outstanding	
21338	03/31/2015	Jonathan Sheffield	25.00	Outstanding	
21339	03/31/2015	Joseph Patrick Collins	95.00	Outstanding	
21340	03/31/2015	Katherine A Gonzales	50.00	Outstanding	
21341	03/31/2015	Kevin Foster	50.00	Outstanding	
21342	03/31/2015	Kevin Miller	350.00	Outstanding	
21343	03/31/2015	Lea Ann Yucha	222.47	Outstanding	
21344	03/31/2015	Leinani Hance	220.00	Outstanding	
21345	03/31/2015	Mandy Maxwell	50.00	Outstanding	
21346	03/31/2015	Mary Vailey	50.00	Outstanding	
21347	03/31/2015	Motel 6	50.00	Outstanding	
21348	03/31/2015	Municipal Services Bureau	14867.26	Outstanding	
21349	03/31/2015	Nakeita Rindahl	25.00	Outstanding	
21350	03/31/2015	Penny R Levy	77.50	Outstanding	
21351	03/31/2015	Play it Again Sports	50.00	Outstanding	
21352	03/31/2015	Robert Raymond Hill	50.00	Outstanding	
21353	03/31/2015	Rosco Lagge	50.00	Outstanding	
21354	03/31/2015	Scott Aaron Laber	300.00	Outstanding	
21355	03/31/2015	Scott Carlson	50.00	Outstanding	
21356	03/31/2015	Shad Baisch	500.00	Outstanding	
21357	03/31/2015	Sharon Bonogofsky-Parker	50.00	Outstanding	
21358	03/31/2015	Shawna Coleman	80.00	Outstanding	
21359	03/31/2015	Soco Marketing attn: Michelle Stocktin	50.00	Outstanding	
21360	03/31/2015	Steven Ray Mackenzie	5.00	Outstanding	
21361	03/31/2015	Subrogation Unit	50.00	Outstanding	

Check Register

Bank: US BANK - Account: 150095602101

Date Range: From 01/01/2015 to 03/31/2015

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
21362	03/31/2015	Target AP Recovery	50.00	Outstanding	
21363	03/31/2015	Teresa Wolff	100.00	Outstanding	
21364	03/31/2015	Thomas Paul Kosche	50.00	Outstanding	
21365	03/31/2015	Tom Cummings	100.00	Outstanding	
21366	03/31/2015	Valerie Iron	395.00	Outstanding	
21367	03/31/2015	Wall Mart	50.00	Outstanding	
21368	03/31/2015	Wall Mart	50.00	Outstanding	
21369	03/31/2015	Westley Fuchs	200.00	Outstanding	
21370	03/31/2015	Yellowstone County Treasurer	10082.63	Outstanding	

Number checks: 549

Total

590712.51

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Public Hearing and Resolution for Annexation #15-01 with Acceptance of County ROW Quit Claim Deed

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

The City of Billings has requested annexation of road rights-of-way to the City of Billings under Section 7-2-4400, MCA. The City Council annexed 12 properties in the area of East Billings between the East Billings Urban Renewal District (EBURD) and MetraPark on January 26, 2015. In coordination with these annexations, the City is designing a large infrastructure project to make public improvements in the East Billings area (WO #15-08 Exposition Gateway Infrastructure Improvements). The project will improve the road rights-of-way adjacent to the annexed properties as well as right-of-way between the properties and in the East Billings area. To provide continuity of jurisdiction and match the area of the public infrastructure project, the City is proposing under Section 7-2-4400, MCA to annex all of the road rights-of-way in the area, not just the rights-of-way adjacent to the annexed properties. Yellowstone County concurs with the City's annexation request and has quitclaimed any interest the County may have in the road Rights-of-way (see attached documents). The rights-of-way include portions of 6th Avenue North, 4th Avenue North, 3rd Avenue North, 2nd Avenue North, 1st Avenue North, Main Street (Exposition Drive), and some alleys in the area.

The road rights-of-way are located within the five-year annexation area of the City's Limits of Annexation Map. The City Council's policy and the state regulations under Section 7-2-4400, MCA for this type of annexation require consideration of the annexations at two separate meetings. At the first meeting on March 23, the Council passed a resolution of intent to annex the rights-of-way and set a public hearing date for April 27. At this meeting, the Council will conduct the hearing and decide if it will annex the road rights-of-way. The Council also will be asked to accept the quitclaim deed from Yellowstone County regarding the road rights-of-way.

ALTERNATIVES ANALYZED

Montana Code Annotated, Section 7-2-4403, allows government officials to request annexation of property on behalf of the City. In this case, the property are road rights-of-way Yellowstone County has quit claimed any interest in to the City of Billings and it is right-of-way the City has a beneficial interest in for its infrastructure improvement project. The only alternative that is consistent with City Council policy and state law is to conduct a public hearing and review the request before taking action.

FINANCIAL IMPACT

The property to be annexed are road rights-of-way. Portions of the rights-of-way to be annexed will be maintained by the City and parts will be maintained by the Montana Department of Transportation. The City also plans to improve portions of the road rights-of-way through the use of tax increment funds and other infrastructure funding. There will be some financial cost to the City's Public Works Department for future maintenance of portions of the right-of-way to be annexed that are under City jurisdiction.

BACKGROUND

To provide continuity of jurisdiction and match the area of the public infrastructure project, the City is proposing under Section 7-2-4400, MCA to annex about 5.5 acres of road rights-of-way in the East Billings area. Yellowstone County concurs with the City's annexation request and has quitclaimed any interest the County may have in the road Rights-of-way (see attached documents). The rights-of-way include portions of 6th Avenue North, 4th Avenue North, 3rd Avenue North, 2nd Avenue North, 1st Avenue North, Main Street (Exposition Drive), and some alleys in the area. The property is located within the five year annexation area of the City's Limits of Annexation Map.

PROCEDURAL HISTORY

- On March 4, 2015 the annexation request memo signed by the City Administrator was submitted to the Planning Division.
- On March 23, 2015 the City Council passed a resolution of intent to annex the property and set a public hearing date for April 27.
- Public notice of the intent by the City to annex the road rights-of-way and the 20-day comment period required by law was published in the Billings Times on March 26 and April 2.
- On April 27, the City Council will conduct the public hearing for the annexation and may take action on the request.
- On May 11, 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 City Council Ward I will be conducted.
- On May 26, the City Council will conduct the second and final reading for the ordinance expanding the Ward I boundary.

STAKEHOLDERS

Annexation of property by City request does not require notification of adjoining landowners. However, it does require that the City Council provide a 20-day comment period and conduct a public hearing. Notice of the 20-day comment period and the public hearing was published in the Billings Times on March 26 and April 2. The Planning Division received an inquiry from one property owner, Mr. Cliff Hanson, in the area and has provided information about the process to Mr. Hanson. He may attend the public hearing on April 27.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Although MCA 7-2-4400-4407 does not specify the need to prepare a public services plan, it is the City's custom to have staff prepare a brief analysis of predicted impacts to services and facilities. Since this property is public road-rights-of-way, staff has abbreviated this report significantly to reflect the City's proposed use of the property. The proposed annexation complies with the adopted Annexation Policy criteria as follows:

1. The area is located within the Limits of Annexation.

2. Any proposed improvements to the property will meet City standards.

City Facilities:

- Water: New water system infrastructure will be installed in portions of the road rights-of-way to be annexed to better serve property in the area.
- Sewer: New sewer system infrastructure will be installed in portions of the road rights-of-way to be annexed to better serve property in the area.
- Stormwater: New stormwater system infrastructure will be installed in portions of the road rights-of-way to be annexed to better serve property in the area.
- Bicycle and pedestrian facilities: Boulevard sidewalks and bike lanes will be installed in portions of the road rights-of-way to be annexed to better serve property in the area and the community at large.
- Public Works -Street and Traffic Division: The Street and Traffic Division will be able to manage maintenance of the annexed rights-of-way that are within the City's jurisdiction.

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

- Aesthetics Goal #1, "Visually appealing communities."
- Public Service Goal #4, "Sanitary and safe properties."
- Transportation Goal #6, "Well maintained network of safe and interconnected sidewalks."

RECOMMENDATION

Staff recommends that the City Council conduct the public hearing and approve the Resolution annexing the road rights-of-way, and accept the Quit Claim Deed from Yellowstone County deeding any interest in the road rights-of-way the County may have to the City.

APPROVED BY CITY ADMINISTRATOR

Attachments

City Annexation Request

Annexation Exhibit

Annexation Resolution

County ROW Quit Claim Deed

County ROW Resolution



City of Billings

PUBLIC WORKS DEPARTMENT

Engineering Division

2224 Montana Avenue

Billings, Montana 59101

Office (406) 657-8231

Fax (406) 237-6291

Memorandum



Date: March 4, 2015
To: City-County Planning
From: Christina Volek, Billings City Administrator *CV*
CC: Dave Mumford, Debi Meling
RE: Annexation of Public Right of Way located in the Exposition Gateway area

In accordance with the requirements of Montana Code Annotated (MCA) 7-2-4403 this memo is a request to annex into the corporate limits of the City of Billings, property (public right of way) in the Exposition Gateway area. The roads in this area will be reconstructed as part of the Exposition Gateway project using TIF funds in addition to some City funding. The legal description of the areas which are the subject of this annexation request are as shown on the attached sheet.

ANNEXATION # 15-01

Legal Description of Property to be annexed

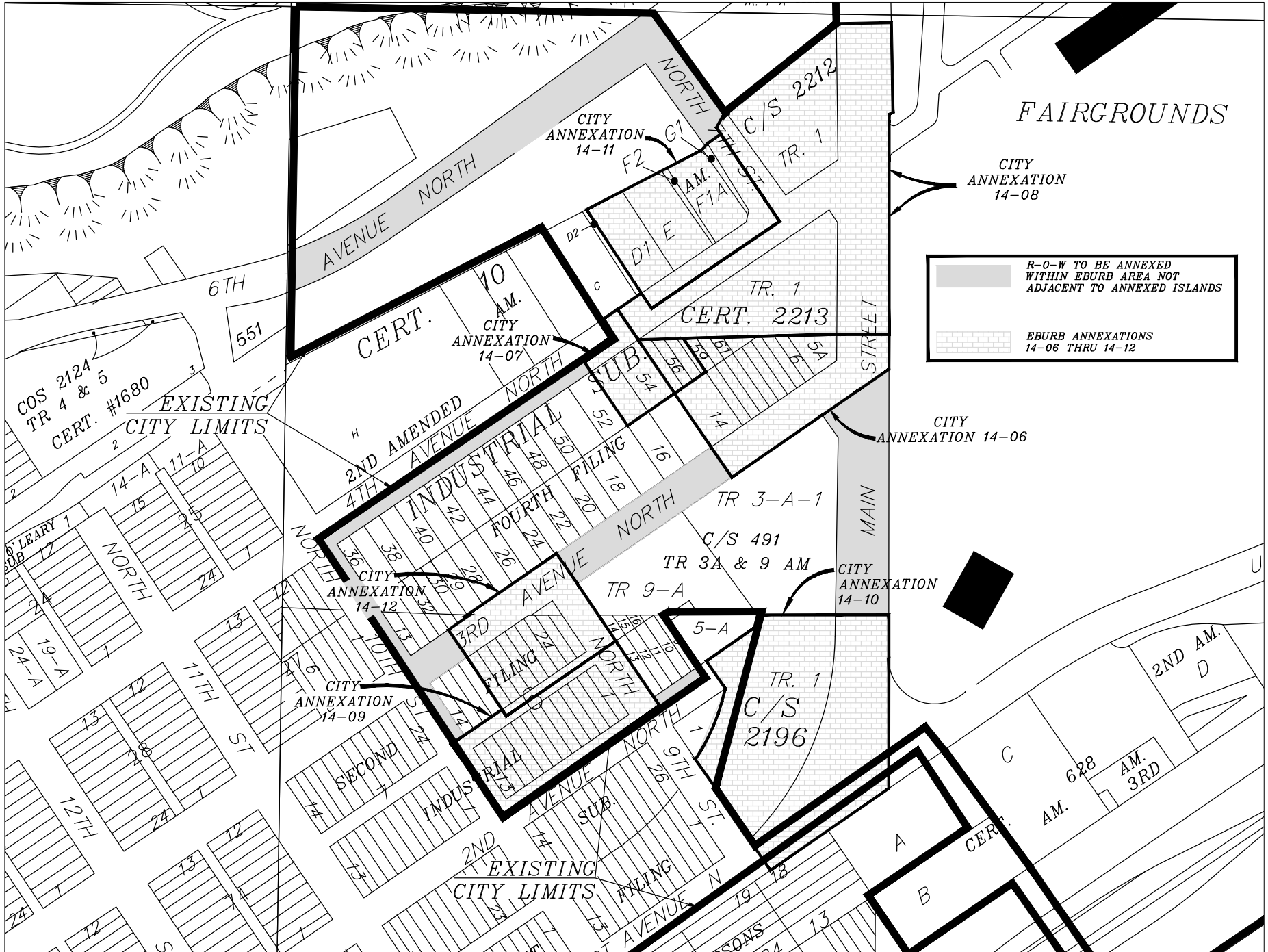
Tracts of land being street Right-Of-Way situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being 6th Avenue North from the extended easterly Right-Of-Way line of North 7th Street and running in a southwesterly direction to the west section line of said Section 34;
North 7th Street from the southerly Right-Of-Way line of 6th Avenue North and running in a southeasterly direction to the extended northern lines of Certificate of Survey's 10 and 2212;
The south half of 4th Avenue North from the extended westerly lot line of Lot 53, Block 11 of Industrial Subdivision 4TH Filing, Recorded March 25, 1963, under Document Number 703562 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street;
3rd Avenue North from the extended westerly lot line of Lot 14, Block 11 of said Industrial Subdivision 4TH Filing, and running in a southwesterly direction to the east Right-Of-Way line of North 9th Street and from the extended westerly lot line of Lot 18, Block 6 of Industrial Subdivision 2ND Filing, Recorded June 28TH, 1949, under Document Number 451738 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street;
The north half of 2nd Avenue North adjacent to Lots 9 through 13, Block 5 of said Industrial Subdivision 2ND Filing;
The easterly half of North 10th Street from the extended centerline of 4th Avenue North and running in a southeasterly direction to the northerly alley Right-Of-Way line of Block 6 of said Industrial Subdivision 2ND Filing;
Main Street from the extended north line of Certificate of Survey Number 2196, Recorded July 22ND, 1983, under Document Number 1273745 and running in a northerly direction to the extended southerly Right-Of-Way line of 3rd Avenue North.

Containing 5.551 gross acres more or less.

(# 15-01) See Exhibit "A" Attached

EXHIBIT "A" 15-01



FAIRGROUNDS

CITY ANNEXATION 14-08

	R-O-W TO BE ANNEXED WITHIN EBURB AREA NOT ADJACENT TO ANNEXED ISLANDS
	EBURB ANNEXATIONS 14-06 THRU 14-12

CITY ANNEXATION 14-06

CITY ANNEXATION 14-10

CERT. 2213
CITY ANNEXATION 14-07

CERT. 2212
CITY ANNEXATION 14-11

CITY ANNEXATION 14-12

CITY ANNEXATION 14-09

EXISTING CITY LIMITS

EXISTING CITY LIMITS

COS 2124 TR 4 & 5 CERT. #1680

TR 3A & 9 AM

C/S 2196

2ND AM. D

AM. 628 AM. 3RD

CERT. A B

INDUSTRIAL

INDUSTRIAL

INDUSTRIAL

2ND AMENDED AVENUE NORTH

3RD AVENUE NORTH

2ND AVENUE NORTH

AVENUE NORTH

4TH AVENUE NORTH

5TH AVENUE NORTH

6TH AVENUE NORTH

7TH AVENUE NORTH

8TH AVENUE NORTH

9TH AVENUE NORTH

10TH AVENUE NORTH

11TH AVENUE NORTH

12TH AVENUE NORTH

13TH AVENUE NORTH

14TH AVENUE NORTH

15TH AVENUE NORTH

16TH AVENUE NORTH

17TH AVENUE NORTH

18TH AVENUE NORTH

19TH AVENUE NORTH

20TH AVENUE NORTH

21ST AVENUE NORTH

22ND AVENUE NORTH

23RD AVENUE NORTH

24TH AVENUE NORTH

25TH AVENUE NORTH

26TH AVENUE NORTH

27TH AVENUE NORTH

28TH AVENUE NORTH

29TH AVENUE NORTH

30TH AVENUE NORTH

31ST AVENUE NORTH

32ND AVENUE NORTH

33RD AVENUE NORTH

34TH AVENUE NORTH

35TH AVENUE NORTH

36TH AVENUE NORTH

37TH AVENUE NORTH

38TH AVENUE NORTH

39TH AVENUE NORTH

40TH AVENUE NORTH

41ST AVENUE NORTH

42ND AVENUE NORTH

43RD AVENUE NORTH

44TH AVENUE NORTH

45TH AVENUE NORTH

46TH AVENUE NORTH

47TH AVENUE NORTH

48TH AVENUE NORTH

49TH AVENUE NORTH

50TH AVENUE NORTH

51ST AVENUE NORTH

52ND AVENUE NORTH

53RD AVENUE NORTH

54TH AVENUE NORTH

55TH AVENUE NORTH

56TH AVENUE NORTH

57TH AVENUE NORTH

58TH AVENUE NORTH

59TH AVENUE NORTH

60TH AVENUE NORTH

61ST AVENUE NORTH

62ND AVENUE NORTH

63RD AVENUE NORTH

64TH AVENUE NORTH

65TH AVENUE NORTH

66TH AVENUE NORTH

67TH AVENUE NORTH

68TH AVENUE NORTH

69TH AVENUE NORTH

70TH AVENUE NORTH

71ST AVENUE NORTH

72ND AVENUE NORTH

73RD AVENUE NORTH

74TH AVENUE NORTH

75TH AVENUE NORTH

76TH AVENUE NORTH

77TH AVENUE NORTH

78TH AVENUE NORTH

79TH AVENUE NORTH

80TH AVENUE NORTH

81ST AVENUE NORTH

82ND AVENUE NORTH

83RD AVENUE NORTH

84TH AVENUE NORTH

85TH AVENUE NORTH

86TH AVENUE NORTH

87TH AVENUE NORTH

88TH AVENUE NORTH

89TH AVENUE NORTH

90TH AVENUE NORTH

91ST AVENUE NORTH

92ND AVENUE NORTH

93RD AVENUE NORTH

94TH AVENUE NORTH

95TH AVENUE NORTH

96TH AVENUE NORTH

97TH AVENUE NORTH

98TH AVENUE NORTH

99TH AVENUE NORTH

100TH AVENUE NORTH

RESOLUTION NO. 15-

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

WHEREAS, the City Council of the City of Billings has determined that it is in the best interest of the City of Billings to annex the territory hereinafter described; and

WHEREAS, the City of Billings has a beneficial interest in the territory pursuant to Title 7, Chapter 2, Part 4402 of the Montana Code Annotated; and

WHEREAS, Yellowstone County supports the City Council's intent to annex said territory and has expressed its support by executing a quit claim deed to quit claim any interest Yellowstone County has in the property; and

WHEREAS, the City Council has considered annexing said territory pursuant to Title 7, Chapter 2, Part 44 of the Montana Code Annotated.

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

1. TERRITORY ANNEXED. Pursuant to Request filed as provided M.C.A., Title 7, Chapter 2, Part 44, the following territory is hereby annexed to the City of Billings:

Tracts of land being street Right-Of-Way situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tracts of land being street Right-Of-Way situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being 6th Avenue North from the extended easterly Right-Of-Way line of North 7th Street and running in a southwesterly direction to the west section line of said Section 34;

North 7th Street from the southerly Right-Of-Way line of 6th Avenue North and running in a southeasterly direction to the extended northern lines of Certificate of Survey's 10 and 2212;

The south half of 4th Avenue North from the extended westerly lot line of Lot 53, Block 11 of Industrial Subdivision 4TH Filing, Recorded March 25, 1963, under Document Number 703562 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street; 3rd Avenue North from the extended westerly lot line of Lot 14, Block 11 of said Industrial Subdivision 4TH Filing, and running in a southwesterly direction to the east Right-Of-Way line of North 9th Street and from the extended westerly lot line of Lot 18, Block 6 of Industrial Subdivision 2ND Filing, Recorded June 28TH, 1949, under Document Number 451738 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street;

The north half of 2nd Avenue North adjacent to Lots 9 through 13, Block 5 of said Industrial Subdivision 2ND Filing;

The easterly half of North 10th Street from the extended centerline of 4th Avenue North and running in a southeasterly direction to the northerly alley Right-Of-Way line of Block 6 of said Industrial Subdivision 2ND Filing;

Main Street from the extended north line of Certificate of Survey Number 2196, Recorded July 22ND, 1983, under Document Number 1273745 and running in a northerly direction to the extended southerly Right-Of-Way line of 3rd Avenue North.

Containing 5.551 gross acres more or less.

(# 15-01) See Exhibit "A" Attached

2. PROCEDURE. To comply with all procedures as required under M.C.A., Title 7, Chapter 2, Part 44, this resolution shall become effective 30 days after its passage and approval, and thereafter the boundary of the City of Billings shall be as set forth in this resolution.

PASSED by the City Council and APPROVED this 27th day of April, 2015.

THE CITY OF BILLINGS:

BY: _____

Thomas Hanel, MAYOR

ATTEST:

BY: _____

Cari Martin, CITY CLERK

(AN #15-01)

ATTACHMENT A



City of Billings
Attn: City Clerk
P.O. Box 1178
Billings, Montana 59103

Quitclaim Deed

For valuable consideration, Yellowstone County, a political subdivision of the State of Montana, whose address is Post Office Box 35000, Billings, Montana 59103, through its Board of County Commissioners, conveys and quit claims to the City of Billings, a municipal corporation, whose address is Post Office Box 1178, Billings, Montana 59103, all its interest in the property described below that is located in Yellowstone County, Montana:

Tracts of land being street Right-Of-Way situated in the Northwest $\frac{1}{4}$ of Section 34 of Township 1 North of Range 26 East of the Principal Meridian of Montana, Yellowstone County, Montana, more particularly described as:

Being 6th Avenue North from the extended easterly Right-Of-Way line of North 7th Street and running in a southwesterly direction to the west section line of said Section 34;

North 7th Street from the southerly Right-Of-Way line of 6th Avenue North and running in a southeasterly direction to the extended northern lines of Certificate of Survey's 10 and 2212;

The south half of 4th Avenue North from the extended westerly lot line of Lot 53, Block 11 of Industrial Subdivision 4th Filing, Recorded March 25, 1963, under Document Number 703562 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street;

3rd Avenue North from the extended westerly lot line of Lot 14, Block 11 of said Industrial Subdivision 4th Filing, and running in a southwesterly direction to the east Right-Of-Way line of North 9th Street and from the extended westerly lot line of Lot 18, Block 6 of Industrial Subdivision 2nd Filing, Recorded June 28th, 1949, under Document Number 451738 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street;

The north half of 2nd Avenue North adjacent to Lots 9 through 13, Block 5 of said Industrial Subdivision 2nd Filing;

The Board of County Commissioners authorized the conveyance of the property pursuant to Section 7-8-101(1) of the Montana Code Annotated (2013) at its March 10, 2015 meeting.

Dated this 10th day of March 2015.

Bill Kennedy
Bill Kennedy, Chairman
Yellowstone County Commissioner

James E. Reno
James E. Reno, Member
Yellowstone County Commissioner

John Ostlund
John Ostlund, Member
Yellowstone County Commissioner

Attest:

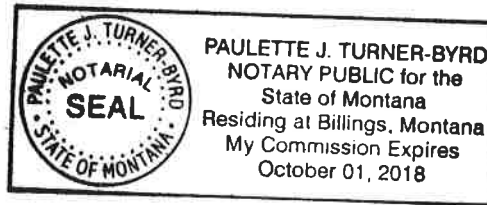
Jeff Martin
Jeff Martin
Yellowstone County Clerk and Recorder

State of Montana }
 ss
County of Yellowstone }

On March 10, 2015, before me, personally appeared Bill Kennedy, James E. Reno and John Ostlund, members of the Board of County Commissioner of Yellowstone County, and Jeff Martin, the Yellowstone County Clerk and Recorder, and acknowledged to me that they executed the attached quitclaim deed on behalf of Yellowstone County in their official capacities as Board Members and the Clerk and Recorder.

Paulette J. Turner-Byrd
Paulette J. Turner-Byrd
Notary Public For the State of Montana
Residing at Billings, Montana.
My commission expires _____

(Notarial Seal)



ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

The Mayor and City Council of the City of Billings acknowledges receipt of this deed and hereby accepts the property interest conveyed through this instrument.

Thomas W. Hanel, Mayor, City of Billings

ATTEST:

By: _____
Cari Martin, City Clerk

State of Montana }
 ss
County of Yellowstone }

On this _____ day of March 2015, before me, a Notary Public in and for the State of Montana, personally appeared Thomas W. Hanel and Cari Martin known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, and acknowledged to me that they executed the foregoing instrument.

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

(Notarial Seal)

Notary Public For the State of Montana
Residing at Billings, Montana.
My commission expires _____

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 15-23

Resolution to Transfer Portions of Roads in Vicinity of Yellowstone County Fairgrounds to the City of Billings

WHEREAS, pursuant to Section 7-8-101(1) of the Montana Code Annotated, if it would be in the best interest of the public, a board of county commissioners may transfer real property to another government entity when the property is no longer needed for county operations. To transfer property to another government entity, a board must pass a resolution of intent to transfer the property, publish notice of intent to transfer the property and pass a resolution to transfer the property.

WHEREAS, the City of Billings intends to annex land in the vicinity of Yellowstone County Fairgrounds. The land contains portions of several roads in which the County may have an interest. The City has requested the County transfer to it any interests it may have in those portions of the roads it intends to annex. Attached is a copy of a map that indicates those portions of the roads the City would like the County to transfer to it. The County believes that it may be in the best interest of the public to transfer to the City any interest in may have in those portions of the roads the City intends to annex.

WHEREAS, on February 24, 2015, the Yellowstone County Board of County Commissioners passed a resolution of intent to transfer any interest it may have in those portions of the roads the City of Billings intends to annex, set a public hearing on the transfer for March 10, 2015 and ordered the Yellowstone County Clerk and Recorder to provide notice of the hearing and to receive written comments on the transfer. The Yellowstone County Clerk and Recorder provided notice of the hearing. On February 27, 2015 and March 6, 2015, the Clerk and Recorder published notice of the hearing in the *Billings Gazette*. On March 10, 2015, the Board held a public hearing on the transfer. The Board received comments on the transfer. The Board considered the comments and determined it would be in the best interest of the public to transfer the road.


NOW THEREFORE, BE IT RESOLVED,

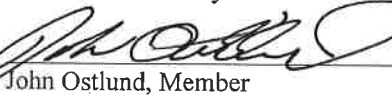
The Yellowstone County Board of County Commissioners transfers any interest it may have in the roads in the area in the vicinity of the Yellowstone County Fairgrounds that the City of Billings intends to annex to the City for the promise that the City will maintain the roads. The Board shall execute a quitclaim deed to transfer the roads to the City.

Passed and Adopted on the 10th day of March 2015.


BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA


Bill Kennedy, Chairman


James E. Reno, Member
Yellowstone County Commissioner


John Ostlund, Member
Yellowstone County Commissioner

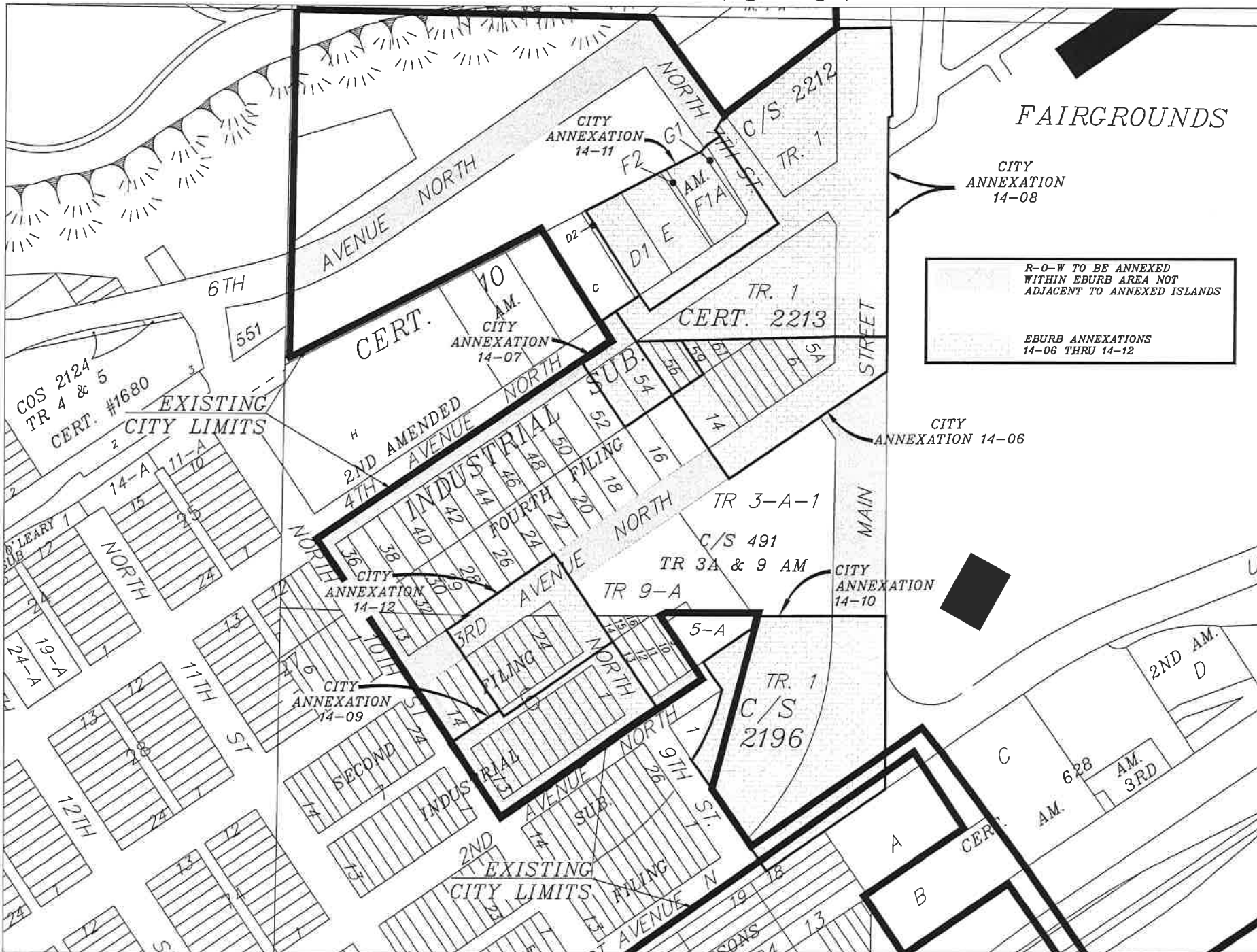
Attest:


Jeff Martik
Yellowstone County Clerk and Recorder

Resolution No. 15-23

Resolution to Transfer Portions of Roads in Vicinity of Yellowstone County Fairgrounds to the City of Billings

EXHIBIT "A" 15-01



Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Second Reading of Ordinance for the Modified East Billings Urban Renewal District and Urban Renewal Plan

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

On March 23, 2015, the Council adopted a resolution of intent (Resolution #15-10438) to modify the East Billings Urban Renewal District (EBURD), which included tax increment authority, a description of the property involved, and a determination of blight. On April 13 the City Council conducted a public hearing and adopted an ordinance on first reading to expand the EBURD. The modifications propose to add 16 properties and road right-of-way to the existing District. The Council must now consider whether to adopt the ordinance on second and final reading.

ALTERNATIVES ANALYZED

City Council may:

- Approve the ordinance to modify the EBURD.
- Not approve the ordinance to modify the EBURD.
- Modify the proposed boundary of the EBURD and adopt the ordinance.

FINANCIAL IMPACT

The exact financial impact of modifying the EBURD is unknown. However, the 2014 taxable market value of the 16 properties to be included in the modified EBURD is approximately \$93,600. The purpose of an urban renewal and tax increment district is for the public to invest in infrastructure and thereby encourage private investment that increases the taxable value. Without the public investment, it is assumed that the private investment would not occur on these properties, thus there is no “loss” of taxes from freezing the taxable value base because all taxing entities continue to collect taxes on the base value as it is today.

BACKGROUND

The EBURD was created on November 16, 2006. The existing urban renewal plan may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. In January 2015, properties encompassing about 18 acres were annexed into the City. In addition, a property owner with property at 620 North 14th and 622 North 14th adjacent to the existing EBURD and already in the City requested that these two properties also be included in the EBURD.

The proposed EBURD Expansion area contains a number of underdeveloped properties and substandard facilities. The Council previously determined that the property included in the EBURD was “blighted” within the meaning of the Act in its adoption of Ordinance #06-5395 that (a) created the East Billings Urban Renewal District (EBURD) and (b) adopted an urban renewal plan for the district (November 16, 2006). As cited in the EBURD Plan Amendment, the area still meets several definitions of blight. Further details of the determinations summarized below are found in Section 5 of the EBURD Plan Amendment attached to this memo: Deficient Structures -

buildings, street infrastructure, water and sewer infrastructure, stormwater infrastructure; Deficient Land Use - surface storage lots, vacant lots, single-story structures; Protecting Public Health and Safety- conditions of blight, crime, vagrancy and potential brownfields, as described above, reduce “social capital” and community connectedness. Flooding promotes mold growth and related health problems. The City desires to improve the quality of land use and economic development potential of these properties by including them in the EBURD.

On March 23, 2015, the City Council passed a Resolution on the East Billings Urban Renewal District Area, declaring blight, the intent to modify the District, and setting a public hearing. At its meeting on April 13, the Council conducted a public hearing and approved the ordinance on first reading to expand the EBURD.

PROCEDURAL HISTORY

- Over the course of a year or more, the Billings Industrial Revitalization District (BIRD) Board and staff, acting as advisory to the City Council in the EBURD, met with all of the owners of County property in the area east of the EBURD, south of 6th Avenue North, North of 1st Avenue South, and west of Exposition Drive. These discussions included and followed the process that led to the adoption by the City Council and Board of County Commissioners of the Exposition Gateway Concept Plan for the subject area. The meetings also led to some of the property owners petitioning for annexation into the City.
- A property owner with property at 620 North 14th and 622 North 14th adjacent to the existing EBURD (620 North 14 is directly adjacent to the EBURD boundary and 622 North 14 is adjacent to 620 North 14th) and already in the City met with BIRD staff and requested that these two properties also be included in the EBURD.
- On January 26, 2015, the City annexed 12 properties in the Exposition Gateway Concept Plan area.
- On March 24, 2015, the Yellowstone County Board of Planning acted on a recommendation to the City Council as to the modified EBURD Plan's consistency with the Growth Policy (See attached letter of conformance from Planning Board).
- The City Council on March 23, 2015, approved a Resolution of Intent to Modify the District, Declare Blight, and set a public hearing date
- The Council conducted a public hearing on April 13, 2015 and approved on first reading an ordinance to expand the EBURD.
- If the City Council approves the ordinance modifying the EBURD, it will take effect 30 days after second reading.

STAKEHOLDERS

The owners of the properties to be included in the modified EBURD area were contacted by the BIRD Board and staff about modifications to the District. The owners were officially notified via letter in accordance with 7-15-4215, MCA, of the public hearing on the modified EBURD held on April 13, 2015. Notification of the public hearing was also properly advertised in the Billings Times.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Conformance with the Yellowstone County and City of Billings 2008 Growth Policy is one requirement for adopting or modifying an urban renewal plan. Growth Policy conformance is outlined in Section 10 of the EBURD Plan Amendment document attached to this memo. Further, the Yellowstone County Board of Planning has provided a recommendation to the City Council on the proposed EBURD Plan Amendment's conformance with the 2008 Growth Policy. That recommendation is attached to this memo for Council consideration.

RECOMMENDATION

Staff recommends that City Council adopt, on second reading, the ordinance modifying the East Billings Urban Renewal District.

APPROVED BY CITY ADMINISTRATOR

Attachments

[EBURD Modification Ordinance](#)

[EBURD Modified Urban Renewal Plan](#)

[EBURD_ExpansionIV.pdf](#)

[Planning Board Growth Policy Conformance](#)

ORDINANCE NO. 15 _____

AN ORDINANCE RELATING TO THE MODIFICATION OF THE EAST BILLINGS URBAN RENEWAL AREA; AND ADOPTING A MODIFIED URBAN RENEWAL PLAN, INCLUDING A TAX INCREMENT PROVISION.

Recitals:

WHEREAS, the City Council on April 13, 2015, conducted a public hearing on a proposal to modify an urban renewal area on specified property (as hereinafter defined, the "Property") to be designated "The East Billings Urban Renewal Area", and to adopt a modified urban renewal plan, as authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act").

WHEREAS, the Property is depicted on the attached Exhibit A and legally described on the attached Exhibit B (each of which is hereby incorporated herein and made a part hereof).

WHEREAS, opportunities have been presented to the City that make it desirable for the City to consider an urban renewal project within the District consisting of the acquisition of certain vacant or blighted properties, demolishing the blighted structures thereon, improving such properties with, landscaping, utilities, and other similar improvements, assembling such properties, and making the properties so improved available for private redevelopment in accordance with the Act.

WHEREAS, an urban renewal plan entitled the East Billings Urban Renewal Plan is attached hereto as Exhibit C (which is hereby incorporated herein and made a part hereof) (the "Plan"). The Plan contains a tax increment provision and will govern the operation and administration of the District.

WHEREAS, the Plan has been reviewed and approved by the Yellowstone County Board of Planning, as evidenced by the Board meeting minutes of March 24, 2015.

Ordinance:

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

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:

- a. The Property presently contains structures and property that are in a state of substantial deterioration, are obsolete or defective, pose unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses, the present condition of the Property substantially impairs the sound functioning of the East Billings area of the City and its environs, is conducive to juvenile delinquency and crime, poses the threat of vandalism or mischief and fire or loss, constitutes an economic and social liability, and is a menace to the public health, safety, and welfare of the residents of the City. Accordingly, the Council finds that the Property is a blighted area within the meaning of Section 7-15-4210 of the Act. This Council finds that the rehabilitation, redevelopment or a combination thereof of the Property is necessary in the interest of the public, health, safety, morals or welfare of the residents of the City. This Council finds that undertaking measures to eradicate or diminish the blight affecting the Property will help to foster a more dynamic, livable, and vibrant area.
- b. No housing element or structure is disturbed by this District making no relocation necessary;
- c. The modified Plan conforms to the Growth Policy or parts thereof of the City for the municipality as a whole;

d. The modified Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise;

2. Plan Adoption. The modified Plan is hereby adopted and approved in all respects, including without limitation, the segregation and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein.

3. Effective Date. This Ordinance shall be in full force and effect from and after the date that is 30 calendar days after the date set forth below.

PASSED by the City Council on first reading April 13, 2015.

PASSED, ADOPTED AND APPROVED on second reading April 27, 2015.

CITY OF BILLINGS:

BY: _____
Thomas Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

EXHIBIT A MAP OF THE MODIFIED URBAN RENEWAL AREA

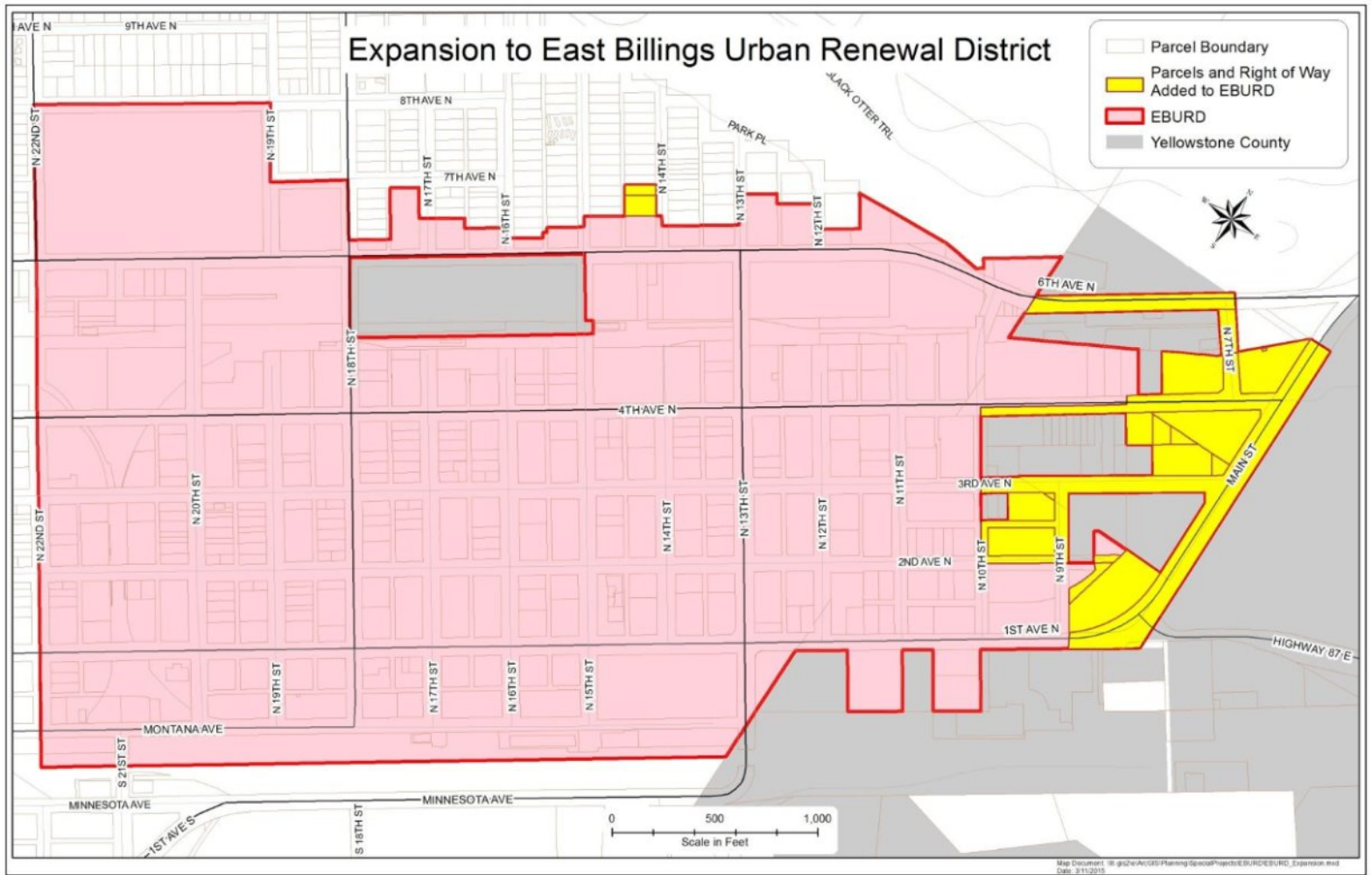


EXHIBIT B
LEGAL DESCRIPTION OF MODIFIED URBAN RENEWAL AREA

The legal description of the proposed 2015 Expanded East Billings Urban Renewal District is as follows:

A tract of land situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tract of land being a portion of Industrial Subdivision 4TH Filing: Being Lots 6 through 14 and 59 through 62, Block 11 of Industrial Subdivision 4TH Filing, Recorded March 25, 1963, under Document Number 703562, along with Vacated alley per Yellowstone County Board of Commissioners Resolution, Document Number 851395, filed November 14, 1969;

Also being Lot 5-A Block 11 of Industrial Subdivision 4TH Filing, Amended Plat of Lots 1, 2, 3, 4 & 5, Block 11, Recorded October 26, 1983, under Document Number 1284720; Including all adjacent Right-Of-Way of Main Street / US-312 / US-87 and 3RD Avenue North.

A tract of land situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tract of land being a portion of Industrial Subdivision 4TH Filing: Being Lots 53 through 58, Block 11 of Industrial Subdivision 4TH Filing, Recorded March 25, 1963, under Document Number 703562, along with Vacated alley per Yellowstone County Board of Commissioners Resolution, Document Number 851395, filed November 14, 1969; Including all adjacent Right-Of-Way 4TH Avenue North.

Tracts of land situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tract 1, Certificate of Survey Number 2212, Recorded October 26, 1983, under Document Number 1284766; Tract 1, Certificate of Survey Number 2213, Recorded October 26, 1983, under Document Number 1284767. Including all adjacent Right-Of-Way of Main Street / US-312 / US-87, 4TH Avenue North & North 7th Street.

A tract of land situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tract of land being a portion of Industrial Subdivision 2ND Filing: Being Lots 1 through 13, Block 6 of Industrial Subdivision 2ND Filing, Recorded June 28TH, 1949, under Document Number 451738. Including all adjacent Right-Of-Way of North 10TH Street, North 9TH Street, 2ND Avenue North and alley Right-Of-Way within said Block 6.

A tract of land situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Being Tract 1, Certificate of Survey Number 2196, Recorded July 22ND, 1983, under Document Number 1273745. Including all adjacent Right-Of-Way of Main Street / US-312 / US-87, 1ST Avenue North, 2ND Avenue North and adjacent alley.

Tracts of land situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tracts D1, E and F2, Second Amended Certificate of Survey Number 10,

Recorded March 26, 1954, under Document Number 521451; Tracts F-1A and G-1, Amended Tracts F-1 and G of the Second Amended Certificate of Survey Number 10, Recorded November 26, 1979, under Document Number 1149504. Including all adjacent Right-Of-Way of 4TH Avenue North & North 7th Street.

Tracts of land situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Being Lots 18 through 26, Block 6 of Industrial Subdivision 2ND Filing, Recorded June 28TH, 1949, under Document Number 451738; Also being Tract 7 of Corrected Plat of Second Amended Plat of Certificate of Survey No. 491 Recorded October 10th, 1961, under Document Number 670519. Including all adjacent Right-Of-Way of North 9TH Street, 3RD Avenue North and alley Right-Of-Way within said Block 6.

Tracts of land situated in Section 33, T.1.N., R.26.E., P.M.M., Yellowstone County, City of Billings, Montana, more particularly described as: Being Lots 7-10 and Lots 11-12, Block 2, North Park Subdivision.

Road Right-of-Way Annexed and to be included in Modified EBURD

Being 6th Avenue North from the extended easterly Right-Of-Way line of North 7th Street and running in a southwesterly direction to the west section line of said Section 34;

North 7th Street from the southerly Right-Of-Way line of 6th Avenue North and running in a southeasterly direction to the extended northern lines of Certificate of Survey's 10 and 2212;

The south half of 4th Avenue North from the extended westerly lot line of Lot 53, Block 11 of Industrial Subdivision 4TH Filing, Recorded March 25, 1963, under Document Number 703562 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street;

3rd Avenue North from the extended westerly lot line of Lot 14, Block 11 of said Industrial Subdivision

4TH Filing, and running in a southwesterly direction to the east Right-Of-Way line of North 9th Street and from the extended westerly lot line of Lot 18, Block 6 of Industrial Subdivision 2ND Filing, Recorded June 28TH, 1949, under Document Number 451738 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street;

The north half of 2nd Avenue North adjacent to Lots 9 through 13, Block 5 of said Industrial Subdivision 2ND Filing;

The easterly half of North 10th Street from the extended centerline of 4th Avenue North and running in a southeasterly direction to the northerly alley Right-Of-Way line of Block 6 of said Industrial Subdivision 2ND Filing;

Main Street from the extended north line of Certificate of Survey Number 2196, Recorded July 22ND, 1983, under Document Number 1273745 and running in a northerly direction to the extended southerly Right-Of-Way line of 3rd Avenue North.

EXHIBIT C

**2015 EXPANSION OF THE BILLINGS, MONTANA
EAST BILLINGS URBAN RENEWAL DISTRICT, WITH TAX
INCREMENT, AND AMENDMENT TO THE URBAN RENEWAL
PLAN**

**FOR CITY OF BILLINGS AND PLANNING REVIEW
February 2015**

Prepared by



Billings Industrial Revitalization District, Inc. (BIRD)
1413 4th Ave. N., Ste. C – Billings, MT 59101
pattynordlund@billingsbird.com kelly@billingsbird.com

SECTION 1 – INTRODUCTION

On November 16, 2006, the City Council adopted Ordinance #06-5395 that (a) created the East Billings Urban Renewal District (EBURD) and (b) adopted an urban renewal plan for the district. For reasons discussed in this Amendment to the East Billings Urban Renewal District Plan (“Plan”), it has been determined that the EBURD should be expanded to include other contiguous blighted properties in need of redevelopment. Further, it has been determined that this area has been and is in need of expanded public parking, enhanced pedestrian connections and experiences, improved public safety, and infrastructure improvements to public and private properties that will alleviate flooding issues and lead to increased taxable values. The existing urban renewal plan may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. The Urban Renewal Plan of the EBURD approved by the City Council on November 16, 2006, is included by reference as part of this amended Plan and shall remain applicable except to the extent the original plan is explicitly or impliedly amended by this Plan. It is recognized as part of this Plan that the basic vision of the document known as EBURD Master Plan, adopted by the Billings City Council on September 14, 2009 (Resolution #09-18878) and by the Yellowstone County Commissioners on September 29, 2009 (Resolution #09-66), remains valid and should be considered a part. In addition, it is recognized that as part of this amended Plan, the basic vision of the document known as the Exposition Gateway Plan, approved by the Yellowstone County Commissioners on May 28, 2013, and adopted by the Billings City Council on June 24, 2013 (Resolution #13-19289) also remains valid and should be considered a part. The terms defined in “Part A.III – DEFINITIONS” of the EBURD Urban Renewal Plan shall have the same meanings in this Plan unless a contrary meaning is expressed. The expanded district proposed in this Plan is hereafter referred to as the 2015 Expanded EBURD.

SECTION 2 – BACKGROUND

The original East Billings Urban Renewal District, a tax increment finance district, was created on November 16, 2006, by a resolution which stated that it was desirable for the City to consider an urban renewal project within the District, and found that the area contains structures and property in states of substantial deterioration, properties that are obsolete or defective, posing unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses, and that the present condition of the area substantially impairs the sound functioning of the area and its environs. The Council found that the area is a blighted area within the meaning of MCA 7-15-4210, and stated that “rehabilitation, redevelopment, or a combination thereof is necessary in the interest of public health, safety and welfare of the residents.” The

Council found that undertaking measures to eradicate or diminish the blight will help to foster a more dynamic, livable, and vibrant neighborhood.

Progress has occurred within the District, as evidenced by: 1) increase in taxable value: base year value of \$1,800,794, increased to a 2014 value of \$2,502,968 (*Montana Department of Revenue Form AB-72T, 8-4-2014*); 2) successful approval of both the EBURD Master Plan and the Exposition Gateway Plan; 3) successful implementation of the recommended Parking Overlay District; 4) accomplishment of the recommended two-way streets conversion; 5) completion of EPA Brownfields Program environmental assessments on 23 parcels; 6) successful adoption of the EBURD Zoning Code; 7) completion of a Hospitality Corridor Study; and 8) approval of a project to address flooding, storm water management, and infrastructure improvements in the eastern-most portion of the District. However, many of the undesirable conditions continue to exist, and several out-of-City properties adjacent to the District have now petitioned and been approved for annexation into the City (City Council meeting, 1-26-2015). Therefore, it would be in the best interest of the City to expand the District to encompass adjacent properties, construct needed public infrastructure improvements, increase growth of the tax base, increase the parking inventory, increase the inventory of residential property, stimulate mixed-use development, and further implement the visions of the EBURD Master Plan and the Exposition Gateway Plan, both of which are consistent with the adopted City-County Growth Policy.

Although there has been improvement in the valuation of property in much of the District, the area defined by this proposed expanded tax increment district still has pockets of neglect and blight. The 2015 Expanded EBURD creates an opportunity to continue redevelopment in the center of Billings with a mixture of public and private investment.

The 2015 expansion of the EBURD is essential to planned development along Exposition Drive/Main Street, across from the MetraPark facilities. Public infrastructure construction within this expanded District will spur private investment consistent with the EBURD Master Plan, and especially pertinent to the vision of the Exposition Gateway Plan. It is expected that the expanded District may help fund the following projects:

I. Business Programs and Projects

- a. Business Retention and Recruitment
 - i. Targeted assistance to existing and potential businesses
 - ii. Development of “The EBURD Advantage” marketing materials

- iii. Collaboration with and referral to Big Sky Economic Development and its business assistance programs

II. Parking and Transportation

- a. Facilitate public transit and bicycle/pedestrian-friendly growth and development
- b. Collaborate with City regarding parking management practices and programs consistent with the Parking Overlay District
- c. Plan for future needs regarding parking lots and/or structures

III. Management, Implementation and Maintenance

- a. Billings Industrial Revitalization District, Inc. or its successor, management agreement
 - i. Project development
 - ii. Public awareness
 - iii. Advocacy and liaison between public and private sectors
- b. Potential future development of Business Improvement District
 - i. Development and promotion of a MetraPark-to-Downtown Corridor through the EBURD
 - ii. Crime prevention and public safety:
Cooperative Security and/or Business Watch Program

IV. Infrastructure Improvements

- a. Public
 - i. Public parking
 - ii. Landscaping and park development
 - iii. Street construction/improvements
 - iv. Streetscapes and traffic calming plans
 - v. Sidewalks, curbs and gutter improvements
 - vi. Storm water management
 - vii. Water and waste-water line construction/improvements
 - viii. Relocation of public and private utility lines

In order to make it possible to move forward with the much-needed infrastructure improvement projects referenced above, the Yellowstone County Board of County Commissioners transferred any interest it had in the public right of way on several streets within the Exposition Gateway area to the City of Billings, with Resolution 15-23, passed on March 10, 2015.

- b. Public infrastructure improvements will support investments in:
 - i. Workforce housing development
 - ii. Parking facilities
 - iii. Lodging facilities
 - iv. Conference facilities
 - v. Entertainment venues
 - vi. Retail and restaurant enterprises

V. Housing Improvements

- a. Increase in workforce housing and live-work mixed-use projects

- b. Revitalization and redevelopment of sub-standard residential housing stock

SECTION 3 – SUMMARY OF BLIGHT FINDINGS

The area in the proposed 2015 expansion of the EBURD contains blight, particularly those parcels directly west of the MetraPark facilities which host events that attract hundreds of thousands of visitors each year. Within the district there is structural deterioration, under-utilized structures and vacant lots, and a railroad spur line that is little used. A major issue that rises to the forefront in every planning discussion is that of inadequate storm water management. Without curb and gutter to direct its flow, water pools in low spots and floods buildings. Several of the commercial buildings in the district are deteriorated and/or vacant and need demolition or renovation. Sidewalks are cracked or non-existent; alleys are deteriorated, and, in general, much of the area is below accepted standards. In contrast to the above, there are certain properties within the district in good repair but included in the district to allow for a contiguous block of land within the district and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without ongoing managed urban renewal, even these success stories could once again decline in taxable value.

SECTION 4 – DESCRIPTION OF BLIGHTED AREA

The 2015 expanded urban renewal area described for this amended Plan incorporates most of the Exposition Gateway area, including those properties annexed in January 2015. Major flooding problems occur with rainstorms, as the infrastructure is inadequate for storm water flow and drainage. The subject properties have been used as car sales lots, truck and truck parts sales, vacant lots partially used for equipment storage, as well as some active business enterprises. Many of these structures are unsuited to their current uses because of age obsolescence and physical deterioration.

Montana's Urban Renewal Law (Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43) provides the authority to declare the existence of blighted areas and to target them for improvements. "Blighted area" is defined in Section 7-15-4206(2), M.C.A., as follows:

[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- (a) *the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;*
- (b) *inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;*
- (c) *inappropriate or mixed uses of land or buildings;*
- (d) *high density of population and overcrowding;*
- (e) *defective or inadequate street layout;*
- (f) *faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- (g) *excessive land coverage;*
- (h) *unsanitary or unsafe conditions;*
- (i) *deterioration of site;*
- (j) *diversity of ownership;*
- (k) *tax or special assessment delinquency exceeding the fair value of the land;*
- (l) *defective or unusual conditions of title;*
- (m) *improper subdivision or obsolete platting;*
- (n) *the existence of conditions that endanger life or property by fire or other causes; or*
- (o) *any combination of the factors listed in this subsection (2).*

The land being added to the Plan area in 2015 includes 14 property tax codes, as listed in Exhibit A, with total assessed value of \$4,871,639. As noted in the 2006 approved Urban Renewal Plan, there are specific “target areas” that should be immediately considered for redevelopment. The properties on Exposition Drive represent an immediate opportunity to capitalize on the traffic generated by MetraPark events.

The EBURD area is part of Census Tract 2, with a population of 3,751. Within the tract, 28.98 percent of residents live below the Federal Poverty Line, with an estimated 2014 median family income of \$30,263. By comparison, in the greater Billings population of 109,059, only 13.1 percent live below the Federal Poverty Line. (www.ffiec.gov/geocode/CensusDemo_07-01-2014 & <http://quickfacts.census.gov>.)

There are 1,995 housing units in Tract 2, with 61.7 percent of the units (1,231) built prior to 1960 (55 years ago or more). Of those 1,231 older units, 546 were built in 1939 or earlier. Of the 446 owner-occupied housing units in the tract, 96 percent (428) are valued at less than \$200,000. In fact, 85 of the 446 units (19.1 percent) are valued at less than \$100,000. Indeed, there are a few occupied housing units (16) that lack complete plumbing and/or kitchen facilities. The tract holds 1,243 units where occupants are paying rent. The majority of renters (52.4 percent) pay between \$500 and \$749 per month. However, 29.2 percent (363 renters) pay between \$200 and \$499 per month. There are even a number of renters (23) living in units at less than \$200 per month. Census Tract 2 has a somewhat transient population. Of the 1,689 households, 83.9 percent, or 1,418 householders, moved into the current unit in 2000 or more recently.

Only 16 percent, or 271 householders, have resided in the current unit since 1999 or prior years. (*U.S. Census Bureau, 2008-2012 American Community Survey 5-year Estimates, Table DP04 10-22-14.*)

Public transit, walking and bicycling facilities are important for the area, as 21.6 percent of households (365) do not have a vehicle available. Moreover, the tract houses 406 students in kindergarten through eighth-grade, along with 25 high school attendees and 248 college students. In commuting to work, although the majority of those age 16 and over drove or carpoled to work (72.6 percent), a significant number - 14.9 percent (285 people) - walked to work, and 11.1 percent (212 people) used public transportation or other means of getting to work. (*U.S. Census Bureau, 2008-2012 American Community Survey 5-year Estimates, Tables DP03 & S1401 10-22-14.*)

The EBURD census tract, along with the nearby Heights-Main Street area, is designated by the Billings Police Department as “Beat 3,” or the “East” patrol beat. The East Beat has experienced, over the past three years, increasing numbers of calls for service. In the year 2011, the East Beat had 7,756 calls. Number of calls increased to 9,804 in 2012, and jumped to 10,507 (third highest beat of the nine in the City) for 2013. (*Billings Police Department 2013 Annual Report, www.ci.billings.mt.us.*) Unfortunately, there have recently been two murder incidents in the area as well. Parks personnel, during the October conference on addressing homeless/transient issues, mentioned that homeless individuals are congregating under the Rims in the EBURD, as well as in North Park.

Brownfields, defined as areas with actual or perceived environmental contamination issues, can contribute to unsafe and dangerous conditions, as well as discourage redevelopment efforts. Big Sky Economic Development, in a cooperative agreement with the U.S. Environmental Protection Agency, has secured funding for environmental assessments of properties in the EBURD. With its first round of funding, Big Sky Economic Development contracted with an environmental engineering firm to assess 23 parcels of land in the EBURD to determine “Phase I” conditions (looking at the historical uses of the property and assessing any observed potential contamination issues). In addition, nine parcels were examined with more in-depth “Phase II” assessments, where soil and water testing took place. While none of the completed Phase II assessments pointed to remediation requirements, there are still a number of sites that are advised for Phase II assessment, and many parcels that have not received any environmental assessment to date. Big Sky Economic Development has secured additional EPA Brownfields Program funding with which to accomplish additional environmental assessments in the EBURD beginning in spring 2015, at no cost to property owners who volunteer for the program.

SECTION 5 – DETERMINATION OF BLIGHT

The proposed EBURD Expansion area contains a number of underdeveloped properties and substandard facilities. The Council previously determined that the property included in the EBURD was “blighted” within the meaning of the Act in its adoption of Ordinance #06-5395 that (a) created the East Billings Urban Renewal District (EBURD) and (b) adopted an urban renewal plan for the district (November 16, 2006). Deficiencies in public and private properties located in the district lead to a determination of blight, as defined by state statute. As cited in the original Urban Renewal Plan, the area still meets several definitions of blight:

Deficient Structures in Area (*the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential; deterioration of site*)

There are several buildings and residential structures that are over 50 years in age and do not qualify as being historically significant. Many are in poor repair and may contain potentially hazardous asbestos and lead paint.

While streets, curbs, gutters and sidewalks in some of the area are in satisfactory repair, there are areas without such improvements. Sewer and water utilities in the area are aging and/or inadequate. Flooding occurs within public right-of-way as well as on private property during heavy rain events. Several parking lots generally do not meet code requirements for paving, striping and landscaping. Many of them are cracked and crumbling. Demand for parking will continue and District managers will collaborate with the City to accommodate commercial growth in alignment with the adopted Parking Overlay District.

Deficient Land Use (*inappropriate or mixed uses of land or buildings; defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness*)

In general, the 2015 expansion area is under-utilized due to the significant amount of surface used as storage or left vacant. Most structures are single-story. There are vacant lots, storage lots, and auto sales lots directly across the street from Montana’s largest indoor entertainment complex and trade-show facilities. The taxable value of this district must be stabilized and encouraged to grow.

Protecting Public Health & Safety (*unsanitary or unsafe conditions; the existence of conditions that endanger life or property by fire or other causes*)

The conditions of blight, crime, vagrancy and potential brownfields, as described above, reduce “social capital” and community connectedness. Flooding promotes mold growth and related health problems.

SECTION 6 – THE SITE AND ITS RELATIONSHIP TO THE CITY

The Expanded EBURD occupies the center of the City of Billings, adjacent to the Downtown Central Business District and the medical corridor to the west; connecting to the Billings Heights area via Main Street to the northeast; welcoming visitors from Lockwood and beyond via 1st Avenue North to the southeast; and meeting up with the Rimrocks to the north.

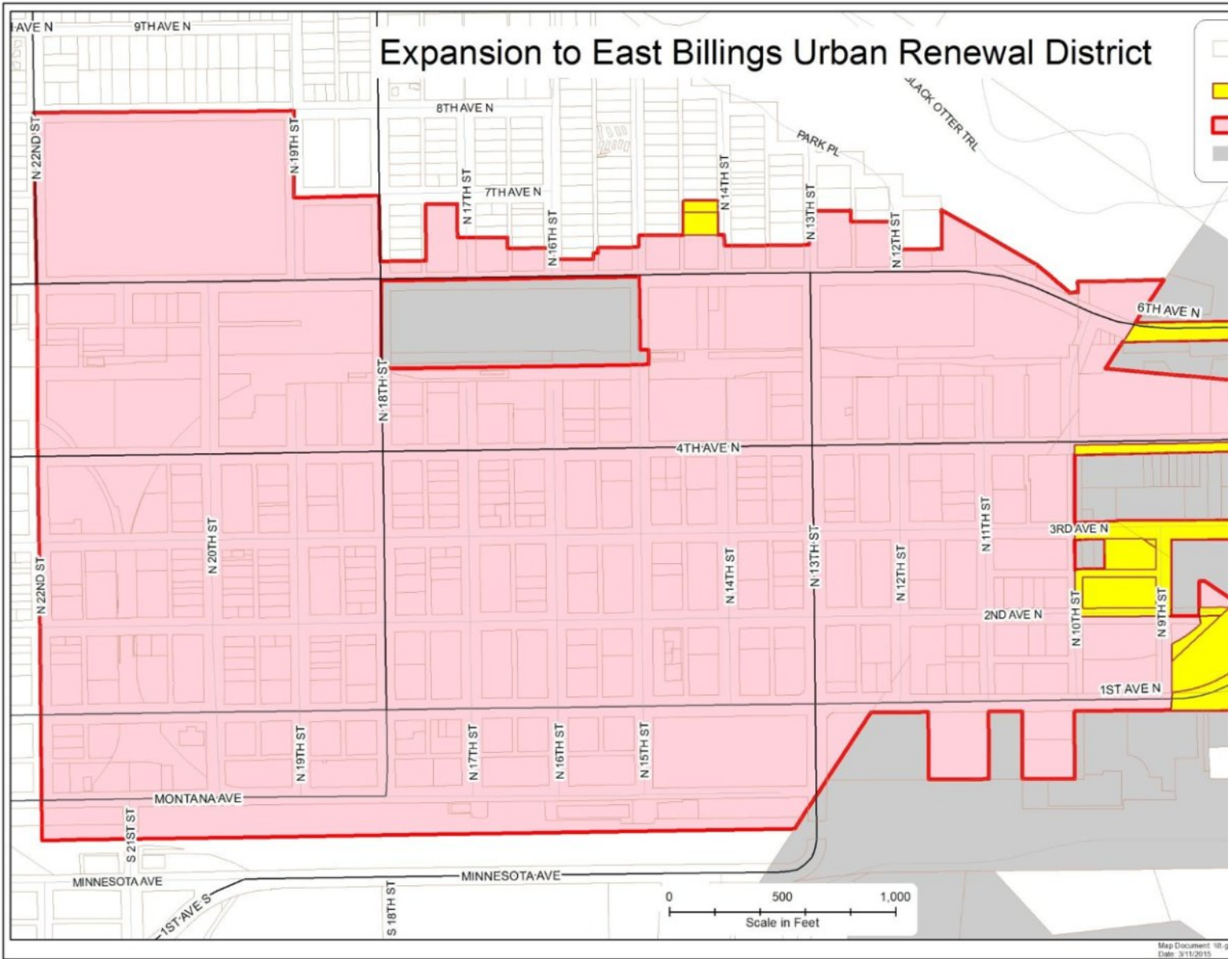
SECTION 7 – LEGAL DESCRIPTION

The legal description of the proposed 2015 Expanded East Billings Urban Renewal District is as follows: Beginning at a point at the centerlines of the intersection of 1st Avenue North and North 10th Street and proceeding east to the centerline of Exposition Drive/Main Street, and proceeding north from the intersection of 1st Avenue North and Exposition Drive/Main Street to the intersection of 6th Avenue North and Exposition Drive/Main Street, and from the intersection of 6th Avenue North and Exposition Drive/Main Street, proceeding west to the intersection of 6th Avenue North and North 10th Street, and proceeding south from the intersection of 6th Avenue North and Exposition Drive/Main Street to the intersection of 1st Avenue North and North 10th Street, encompassing all parcels and tax codes therein.

Please see map on following page.

In addition, we propose to add property designated as Tax Code A12053 (North Park Subd., S33, T01N, R 26E, Block 2, Lot 11-12) and property designated as Tax Code A12052 (North Park Subd., S33, T01 N, R26E, Block 2, Lot 7-10).. These lots, are slated for expansion of the Billings Carpet Cleaning activities.

Expansion to East Billings Urban Renewal District



SECTION 8 – PROPERTY DEVELOPERS

New development and revitalization in the proposed 2015 expanded urban renewal district will be accomplished with private investment and public-private partnerships, through the implementation of the EBURD Master Plan and the Exposition Gateway Plan. As outlined in Section 2 above, improvements in infrastructure will spur investments in workforce housing development, parking facilities, lodging facilities, conference facilities, entertainment venues, as well as retail and restaurant enterprises.

SECTION 9 – PROJECT RELATIONSHIP TO THE EBURD MASTER PLAN & EXPOSITION GATEWAY PLAN

The proposed urban renewal area and expanded tax increment district is located generally in the center of the City and encompasses several “districts” as defined by the EBURD Master Plan and the EBURD Code. The EBURD Master Plan contemplated eventual annexation of County properties adjacent to the original urban renewal district, and this Amended Urban Renewal Plan seeks to accomplish that end.

One goal of the EBURD Plan was to develop a zoning code unique to the vision of the EBURD. The new code was established and adopted in October 2012, following several months of committee work and public meetings, with consultation from a professional firm known for, literally, writing the book on form-based code options. Form-based code considers the look of the facility and its surrounding landscape, rather than basing zoning purely on the use of the facility. The new code allows for increased flexibility in uses, which was desired by landowners and developers in the area.

Generally, the EBURD Master Plan stressed the area’s ability to make a positive impact on the entire city. The Plan also recommended a private non-profit organization to assist the City of Billings with the management of the Tax Increment District through an annual work plan and contract. This expanded EBURD may be managed in a similar manner and could make use of the

redevelopment and facilitation established through that management entity, the Billings Industrial Revitalization District, Inc.

The Plan names housing as an important priority, and recommends that the City continue to work with builders and developers to encourage downtown housing through various methods. Specifically, the plan encourages housing in the Rail Spur Village. However, live-work space is allowed in several EBURD districts, as outlined in the adopted EBURD Code. The formation of an expanded tax increment district will increase funding for construction or rehabilitation of public infrastructure necessary to attract, retain, and improve housing in the area.

The guiding principles developed through the EBURD Master Plan were built upon the goals of the original Urban Renewal Plan, and continue to guide today's efforts: 1) Foster economic growth; 2) Foster distinct mixed-use, industrial, and hospitality centers; 3) Create affordable housing opportunities and choices; 4) Ensure existing industrial uses can continue to operate as desired; 5) Improve the natural beauty of the District by reintroducing trees and other features; 6) Extend pedestrian and bike trail connections to downtown, Heights, MetraPark and the Yellowstone River; 7) Integrate edges of the District with North Park neighborhood, medical corridor, and downtown; 8) Provide a variety of transportation choices and connections; 9) Complete sewer and storm water infrastructure; and 10) Understand and reduce environmental risks.

Guided by the above principles, several critical action plan steps have already been accomplished: successful approval of both the EBURD Master Plan and the Exposition Gateway Plan; successful implementation of the recommended Parking Overlay District; accomplishment of the recommended two-way streets conversion; completion of EPA Brownfields Program environmental assessments on 23 parcels, with more to take place beginning in 2015; successful adoption of the EBURD Zoning Code; completion of a transportation corridor study; and development of a plan to address flooding, storm water management, and infrastructure improvements in the eastern-most portion of the District. This amendment to the Plan and the urban renewal projects that it contemplates will continue to act upon the Plan's guiding principles.

SECTION 10 – CONFORMANCE TO THE GROWTH POLICY

One of the requirements of Montana’s Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43) is that the urban renewal plan must conform to the community’s growth policy. The Yellowstone County and City of Billings 2008 Growth Policy (“Growth Policy”) aligns with EBURD redevelopment in a variety of ways. This amendment to the East Billings Urban Renewal Plan is consistent with the current Growth Policy. Specifically, the expanded EBURD revitalization efforts meet several Community Goals and Objectives outlined on pages 6-16 of the 2008 Growth Policy:

- A. Revitalization in the EBURD meets the goal of contiguous development and of the City’s Infill Policy. Revitalization also helps to address the issue stated in the Growth Policy that urban sprawl threatens the rural character of land surrounding Billings, increases the cost of providing public services and threatens the vitality of the city core and downtown area.
- B. Development in the EBURD, especially in the Rail Spur Village area, works toward the goal of affordable housing for all income levels dispersed throughout the City and County. Development of housing helps to address the Growth Policy issue which stated that there is a serious lack of affordable housing for low to moderate income households.
- C. Adoption of the more-flexible EBURD Code and continued development efforts in the expanded area help achieve the goal of more housing and business choices within each neighborhood. Moreover, continued development in accordance with the new code assists in addressing the stated issue that there is a desire for more mixed-use neighborhoods.
- D. Addition of the Exposition Gateway area to the existing TIF District helps achieve goals to encourage economic development in the neighborhood, encourage new businesses to locate in a prime gateway area, and sets the stage for enhancement of both the functionality and the visual appeal of the entrance to Billings from Lockwood (1st Avenue North & Exposition Drive/Main Street). As noted in the Growth Policy, entryways to our communities should be attractive and not present physical barriers discouraging economic development.
- E. The EBURD is adjacent to downtown Billings, and revitalization of the area, as it continues to develop, will contribute toward the vitality and increased safety for visitors and shoppers. As stated in the Growth Policy, safety is an important element.

F. Expansion of the EBURD TIF District assists in meeting the goal of more visually appealing communities, improving the image of the area across the street from the MetraPark facilities and instilling pride in this area of town. Enhancing visual appeal helps to address the Growth Policy's stated issue that there are areas in the City and County that are unattractive and present a poor image of the community.

G. Improvements to the area as envisioned in the Exposition Gateway Plan can lead to a visually appealing design that incorporates the needs not only of vehicular traffic entering the area from Lockwood and from Main Street, but also improves pedestrian access between the MetraPark facilities and new development in the Expo Gateway. Improvements in the proposed expansion area will aid in addressing the Growth Policy's issue that the design of roads, streets, and pedestrian facilities can be more attractive and functional.

H. Expansion of the EBURD TIF District will contribute toward the goal of a well-maintained network of safe and interconnected sidewalks by addressing the critical need for sidewalks, curb and gutter in the Expo Gateway area. As noted in the Growth Policy, the sidewalk system in the City needs upgrading; many sidewalks are cracked and broken, several critical sections are missing, and important sidewalk routes are not adequately maintained.

I. Expansion of the District to include the Expo Gateway area assists the City toward its goal of sanitary and safe properties, with an improved community image and an increase in property values. Advancing toward this goal helps to address the stated issue that there are dilapidated and unsafe properties in neighborhoods.

J. Expansion of the District allows access to TIF District funding for a long-neglected infrastructure upgrade, moving the City toward its goal of equitable collection and distribution of funding for public services and facilities. Moreover, the expansion assists the City in achieving its objective to ensure that facilities and services are maintained in existing neighborhoods as new neighborhoods are added. The Growth Policy notes that funding for community facilities and infrastructure is very limited; prudent use of TIF District funds assists in solving the limited funding issue.

K. Expansion of the TIF District to include the Expo Gateway area aligns with the City's goal of adaptive reuse of vacant structures, conserving resources, preserving landmarks, preserving neighborhood integrity, and taking advantage of economic development opportunities. Adaptive reuse helps to address the stated issue that there are vacant structures around Billings and in the

County that could be reused.

L. Expansion of the EBURD TIF District, leading to development of live-work enterprises and additional workforce housing options, helps move toward the goal of adequate affordable housing and more options for housing, potentially in an area very near to work opportunities.

Achievement of these goals assists in solving the stated Growth Policy issue that poor housing and lack of living wage jobs puts the health of residents at risk.

The Growth Policy lists Urban Renewal Districts as an implementation strategy to revitalize neighborhoods, and expansion of the EBURD aligns well with that revitalization strategy.

SECTION 11 – CERTAIN PLAN FEATURES AND FINANCIAL MATTERS

Section 7-15-4217, M.C.A., of the Act requires cities to make certain findings when they adopt an urban renewal plan and approve Urban Renewal Projects. These are addressed below:

1. The existing EBURD contains 133 housing units that are home to 305 people (*U.S. Census 2010, per Leslie Zolman, GISP, Montana Dept. of Commerce Census and Information Center, 5-7-2014*). For the entire Census Tract, including the North Park neighborhood, there are 1,995 housing units, of which 1,689 are occupied and 306 are vacant (*U.S. Census Bureau, American Community Survey Table DP04, 10-22-14*). Planned projects would not displace any persons from housing. Accordingly, there is no need to have a workable and feasible plan for substitute housing until and unless such a project is developed in the future.
2. This amended East Billings Urban Renewal Plan conforms to the Growth Policy for the City as a whole, and also to the EBURD Master Plan and the Exposition Gateway Plan.
3. This Modified Plan affords maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the Expanded EBURD by private enterprise. It is unreasonable to expect that the district will be stabilized and/or redeveloped without substantial public support. Some properties within the area are dilapidated. As presently constituted, property in the district is not conducive to any sort of uniform or

integrated development and, as presently existing, cannot compete with other areas of the City for substantial developments, particularly areas at the outskirts of the City. This amended Plan is intended to facilitate the identification and construction of significant Urban Renewal Projects, which would not be possible without this Plan.

4. A sound and adequate financial program exists for financing projects, which include the sale and issuance by the City of tax increment finance bonds. Subsequent approved development projects will require commitments of substantial private financing that will provide the primary means for funding construction of the improvements and revitalization efforts.
5. This 2015 Expanded EBURD may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas, and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may be mailed only to those owners whose properties are situated within the area of expansion of the Urban Renewal District boundaries. Notice will be mailed to those property owners whose properties are within the area of expansion.

SECTION 12 – TAX INCREMENT

Tax increment financing is necessary to encourage private reinvestment within the District, which will further encourage economic growth in the District and the City, create substantial employment opportunities, and increase the tax base of the City and other taxing jurisdictions. The 2015 Expanded EBURD is hereby established as a tax increment financing urban renewal area within the meaning of the Act, and, in particular, Section 7-15-4282 through 7-15-4293 of the Act. This Section constitutes a tax increment provision within the meaning of the Act. In connection with the expansion:

1. For the purpose of calculating the incremental taxable value each year for the life of the district, the base taxable value shall be calculated as base taxable value of the original

district as of [January 1, 2006] plus the base taxable value of all real and personal property added to the district by this amended plan and as shown in Exhibit A as of January 1, 2015.

2. The City is hereby authorized to segregate the tax increment derived in the district and use and deposit such increment into the tax increment fund of the district for use as authorized by the Act and as authorized herein from time to time, including, without limitation, pledging the tax increment to repayment of Bonds.
3. The tax increment received from the district may be used to pay directly costs of an approved Development Project as may from time to time be approved by the Council. The Council also hereby authorizes the use of tax increment in the district to pay debt service on bonds issued to finance a portion of the costs of these development projects, and costs associated with the sale and security of such bonds (including any necessary reserve funds) in compliance with the Act, subject to any limitations imposed by the Montana Constitution and federal law.
4. The tax increment provision of the district will terminate upon the latter of:
 - a. The fifteenth (15th) year following the original creation of the district; or
 - b. The payment or provision for payment in full or discharge of all bonds, and the payment of interest thereon, for which the tax increment has been pledged.

After termination of the tax increment provision, all taxes shall continue to be levied upon the actual taxable value of the taxable property in the district, but shall be paid into funds of the taxing bodies levying taxes within the district.

SECTION 13 – CONCLUSIONS

The creation of this expanded East Billings Urban Renewal District will have a positive impact on central Billings, and is an essential first step in completing what may be a number of urban renewal projects. Estimates calculated by ECO-Northwest in preparation of the Exposition

Gateway Plan indicate that development in the Expo Gateway has a potential new value of nearly \$65 million, with potential TIFD revenues of slightly more than \$1 million (*Financial Analysis, ECO-Northwest, April 8, 2013*). The figures are preliminary estimates; actual values and tax revenue will vary based on type, size and timing of development. Expansion of the district, in addition to further stabilizing the tax base, eliminating blight and providing renaissance to the EBURD, will also bring new employees and residents to the area.

ECO-Northwest states that the Expo Gateway District offers desirable locational attributes:

The Gateway District has several important locational advantages relative to other areas in Billings that make it a prime area for development in the hospitality and retail sectors.

- Proximity to downtown. It is centrally located near employment and commercial uses in the Central Business District, the medical campuses, and the University (directly to the west).
- Proximity to MetraPark. The county-owned multi-function facility has an indoor arena, rodeo grounds, a horse track, open space and other facilities. MetraPark has a long history of successful operation (850,000 to 1 million visitors per year, with 30% coming from over 100 miles away, per Sandra Hawke, MetraPark, February 2009), and provides opportunities for complementary meeting space and catering facilities.
- Proximity to the airport. It is closer to Billings Logan Airport (3 miles) than many areas in the Central Business District as well as areas in south and east Billings.
- Proximity to amenities and commercial areas. It is in close proximity to commercial areas downtown and in Billings Heights, which is a commercial and residential hub to the north.
- Proximity to regional highways. The District lies at the intersection of 212, I-90 and I-94.

The key comparative advantage for the area is its central location *between* downtown and MetraPark (and between the West End and the Heights) on flat land with urban services. It is a good location for urban development. (*ECO-Northwest, Existing Market Conditions Assessment, May 22, 2013*)

As stated in the Exposition Gateway Plan and as stated herein, the Exposition Gateway area requires repair and improvement to streets, curbs, gutters and sidewalks and the water and sewer utilities are inadequate. The City hereby approves, as an urban renewal project for the District, the reconstruction of the streets from Main Street to North 11th Street and between 1st Avenue North to 4th Avenue North in accordance with the Exposition Gateway Concept Plan. The streets included in the construction limits are North 9th Street, North 10th Street, 2nd Avenue North, and 3rd Avenue North. Construction includes full street construction, sidewalk, bulb-outs at the corners, on-street parking, new sanitary sewer, new water mains, and storm drain upgrades. In

order to make it possible to move forward with this much-needed infrastructure improvement project, the Yellowstone County Board of County Commissioners transferred any interest it had in the public right of way on streets within the Exposition Gateway area to the City of Billings, with Resolution 15-23, passed on March 10, 2015.

The Council through adoption of the modified East Billings Urban Renewal District hereby approves financing of the improvement project described above with proceeds of tax increment bonds payable from tax increment generated by the District. Such bonds will be issued in a principal amount such that the debt service thereon can be paid from tax increment generated by the District over a period of 25 years. The City hereby finds that there is a feasible and workable plan for financing the improvements.

Expansion of the East Billings Urban Renewal District to include the property described in this amended Plan will have a positive effect on the area and on the City. Improvements to infrastructure will surely be the catalyst in attracting the desired types of development, and will spur further achievement in reaching the goals of the overall EBURD Master Plan.

Please see Exhibit A on next page.

EXHIBIT A

2015 EBURD Expansion

TAXID	ASSESSED VALUE	TAXID	MARKET VALUE	TAXABLE VALUE	TAXID	LOT SIZE (Approx. Sq. Ft.)
1002286 Total	\$1,720.00	1002286 Total	\$912.00	\$23.00	1002286	0
A09340 Total	\$792,286.00	A09340 Total	\$621,944.00	\$15,362.00	A09340	44344.08
A09343 Total	\$688,400.00	A09343 Total	\$540,394.00	\$13,347.00	A09343	29403
A09355 Total	\$265,451.00	A09355 Total	\$208,379.00	\$5,147.00	A09355	42383.88
A09355B Total	\$45,930.00	A09355B Total	\$36,055.00	\$891.00	A09355B	6403.32
A09373 Total	\$498,600.00	A09373 Total	\$391,401.00	\$9,667.00	A09373	19035.72
A09374 Total	\$71,910.00	A09374 Total	\$56,449.00	\$1,394.00	A09374	10628.64
A09375 Total	\$43,862.00	A09375 Total	\$34,432.00	\$850.00	A09375	6054.84
D05887 Total	\$358,428.00	D05887 Total	\$281,366.00	\$6,949.00	D05887	56628
D05888 Total	\$444,941.00	D05888 Total	\$349,279.00	\$8,628.00	D05888	69260.4
D05893 Total	\$593,800.00	D05893 Total	\$466,133.00	\$11,513.00	D05893	56628
D05897 Total	\$14,973.00	D05897 Total	\$11,754.00	\$290.00	D05897	1306.8
D05898 Total	\$917,363.00	D05898 Total	\$720,129.00	\$17,787.00	D05898	91911.6
I01092A Total	\$19,200.00	I01092A Total	\$15,072.00	\$372.00	I01092A	0
Total	\$4,756,864.00	Total	\$3,733,699.00	\$92,220.00		
A12052 15000	\$92,800.00	A12052	\$49,184.00	\$1,215.00	A12052	
A12053 7500	<u>\$21,975.00</u>	A12053	<u>\$11,647.00</u>	<u>\$ 201.00</u>	A12053	
Grand Total	\$4,871,639.00		\$3,794,530.00	\$93,636.00		

Exhibit A figures provided by Yellowstone County GIS

2015 EXPANSION OF THE BILLINGS, MONTANA EAST BILLINGS URBAN RENEWAL DISTRICT, WITH TAX INCREMENT, AND AMENDMENT TO THE URBAN RENEWAL PLAN

**FOR CITY OF BILLINGS AND PLANNING REVIEW
February 2015**

Prepared by



Billings Industrial Revitalization District, Inc. (BIRD)
1413 4th Ave. N., Ste. C – Billings, MT 59101
pattynordlund@billingsbird.com kelly@billingsbird.com

SECTION 1 – INTRODUCTION

On November 16, 2006, the City Council adopted Ordinance #06-5395 that (a) created the East Billings Urban Renewal District (EBURD) and (b) adopted an urban renewal plan for the district. For reasons discussed in this Amendment to the East Billings Urban Renewal District Plan (“Plan”), it has been determined that the EBURD should be expanded to include other contiguous blighted properties in need of redevelopment. Further, it has been determined that this area has been and is in need of expanded public parking, enhanced pedestrian connections and experiences, improved public safety, and infrastructure improvements to public and private properties that will alleviate flooding issues and lead to increased taxable values. The existing urban renewal plan may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. The Urban Renewal Plan of the EBURD approved by the City Council on November 16, 2006, is included by reference as part of this amended Plan and shall remain applicable except to the extent the original plan is explicitly or impliedly amended by this Plan. It is recognized as part of this Plan that the basic vision of the document known as EBURD Master Plan, adopted by the Billings City Council on September 14, 2009 (Resolution #09-18878) and by the Yellowstone County Commissioners on September 29, 2009 (Resolution #09-66), remains valid and should be considered a part. In addition, it is recognized that as part of this amended Plan, the basic vision of the document known as the Exposition Gateway Plan, approved by the Yellowstone County Commissioners on May 28, 2013, and adopted by the Billings City Council on June 24, 2013 (Resolution #13-19289) also remains valid and should be considered a part. The terms defined in “Part A.III – DEFINITIONS” of the EBURD Urban Renewal Plan shall have the same meanings in this Plan unless a contrary meaning is expressed. The expanded district proposed in this Plan is hereafter referred to as the 2015 Expanded EBURD.

SECTION 2 – BACKGROUND

The original East Billings Urban Renewal District, a tax increment finance district, was created on November 16, 2006, by a resolution which stated that it was desirable for the City to consider an urban renewal project within the District, and found that the area contains structures and property in states of substantial deterioration, properties that are obsolete or defective, posing unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses, and that the present condition of the area substantially impairs the sound functioning of the area and its environs. The Council found that the area is a blighted area within the meaning of MCA 7-15-4210, and stated that “rehabilitation, redevelopment, or a combination thereof is necessary in the interest of public health, safety and welfare of the residents.” The

Council found that undertaking measures to eradicate or diminish the blight will help to foster a more dynamic, livable, and vibrant neighborhood.

Progress has occurred within the District, as evidenced by: 1) increase in taxable value: base year value of \$1,800,794, increased to a 2014 value of \$2,502,968 (*Montana Department of Revenue Form AB-72T, 8-4-2014*); 2) successful approval of both the EBURD Master Plan and the Exposition Gateway Plan; 3) successful implementation of the recommended Parking Overlay District; 4) accomplishment of the recommended two-way streets conversion; 5) completion of EPA Brownfields Program environmental assessments on 23 parcels; 6) successful adoption of the EBURD Zoning Code; 7) completion of a Hospitality Corridor Study; and 8) approval of a project to address flooding, storm water management, and infrastructure improvements in the eastern-most portion of the District. However, many of the undesirable conditions continue to exist, and several out-of-City properties adjacent to the District have now petitioned and been approved for annexation into the City (City Council meeting, 1-26-2015). Therefore, it would be in the best interest of the City to expand the District to encompass adjacent properties, construct needed public infrastructure improvements, increase growth of the tax base, increase the parking inventory, increase the inventory of residential property, stimulate mixed-use development, and further implement the visions of the EBURD Master Plan and the Exposition Gateway Plan, both of which are consistent with the adopted City-County Growth Policy.

Although there has been improvement in the valuation of property in much of the District, the area defined by this proposed expanded tax increment district still has pockets of neglect and blight. The 2015 Expanded EBURD creates an opportunity to continue redevelopment in the center of Billings with a mixture of public and private investment.

The 2015 expansion of the EBURD is essential to planned development along Exposition Drive/Main Street, across from the MetraPark facilities. Public infrastructure construction within this expanded District will spur private investment consistent with the EBURD Master Plan, and especially pertinent to the vision of the Exposition Gateway Plan. It is expected that the expanded District may help fund the following projects:

I. Business Programs and Projects

- a. Business Retention and Recruitment
 - i. Targeted assistance to existing and potential businesses
 - ii. Development of “The EBURD Advantage” marketing materials

- iii. Collaboration with and referral to Big Sky Economic Development and its business assistance programs

II. Parking and Transportation

- a. Facilitate public transit and bicycle/pedestrian-friendly growth and development
- b. Collaborate with City regarding parking management practices and programs consistent with the Parking Overlay District
- c. Plan for future needs regarding parking lots and/or structures

III. Management, Implementation and Maintenance

- a. Billings Industrial Revitalization District, Inc. or its successor, management agreement
 - i. Project development
 - ii. Public awareness
 - iii. Advocacy and liaison between public and private sectors
- b. Potential future development of Business Improvement District
 - i. Development and promotion of a MetraPark-to-Downtown Corridor through the EBURD
 - ii. Crime prevention and public safety:
Cooperative Security and/or Business Watch Program

IV. Infrastructure Improvements

- a. Public
 - i. Public parking
 - ii. Landscaping and park development
 - iii. Street construction/improvements
 - iv. Streetscapes and traffic calming plans
 - v. Sidewalks, curbs and gutter improvements
 - vi. Storm water management
 - vii. Water and waste-water line construction/improvements
 - viii. Relocation of public and private utility lines

In order to make it possible to move forward with the much-needed infrastructure improvement projects referenced above, the Yellowstone County Board of County Commissioners transferred any interest it had in the public right of way on several streets within the Exposition Gateway area to the City of Billings, with Resolution 15-23, passed on March 10, 2015.

- b. Public infrastructure improvements will support investments in:
 - i. Workforce housing development
 - ii. Parking facilities
 - iii. Lodging facilities
 - iv. Conference facilities
 - v. Entertainment venues
 - vi. Retail and restaurant enterprises

V. Housing Improvements

- a. Increase in workforce housing and live-work mixed-use projects

- b. Revitalization and redevelopment of sub-standard residential housing stock

SECTION 3 – SUMMARY OF BLIGHT FINDINGS

The area in the proposed 2015 expansion of the EBURD contains blight, particularly those parcels directly west of the MetraPark facilities which host events that attract hundreds of thousands of visitors each year. Within the district there is structural deterioration, under-utilized structures and vacant lots, and a railroad spur line that is little used. A major issue that rises to the forefront in every planning discussion is that of inadequate storm water management. Without curb and gutter to direct its flow, water pools in low spots and floods buildings. Several of the commercial buildings in the district are deteriorated and/or vacant and need demolition or renovation. Sidewalks are cracked or non-existent; alleys are deteriorated, and, in general, much of the area is below accepted standards. In contrast to the above, there are certain properties within the district in good repair but included in the district to allow for a contiguous block of land within the district and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without ongoing managed urban renewal, even these success stories could once again decline in taxable value.

SECTION 4 – DESCRIPTION OF BLIGHTED AREA

The 2015 expanded urban renewal area described for this amended Plan incorporates most of the Exposition Gateway area, including those properties annexed in January 2015. Major flooding problems occur with rainstorms, as the infrastructure is inadequate for storm water flow and drainage. The subject properties have been used as car sales lots, truck and truck parts sales, vacant lots partially used for equipment storage, as well as some active business enterprises. Many of these structures are unsuited to their current uses because of age obsolescence and physical deterioration.

Montana's Urban Renewal Law (Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43) provides the authority to declare the existence of blighted areas and to target them for improvements. "Blighted area" is defined in Section 7-15-4206(2), M.C.A., as follows:

[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- (a) *the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;*
- (b) *inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;*
- (c) *inappropriate or mixed uses of land or buildings;*
- (d) *high density of population and overcrowding;*
- (e) *defective or inadequate street layout;*
- (f) *faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- (g) *excessive land coverage;*
- (h) *unsanitary or unsafe conditions;*
- (i) *deterioration of site;*
- (j) *diversity of ownership;*
- (k) *tax or special assessment delinquency exceeding the fair value of the land;*
- (l) *defective or unusual conditions of title;*
- (m) *improper subdivision or obsolete platting;*
- (n) *the existence of conditions that endanger life or property by fire or other causes; or*
- (o) *any combination of the factors listed in this subsection (2).*

The land being added to the Plan area in 2015 includes 14 property tax codes, as listed in Exhibit A, with total assessed value of \$4,871,639. As noted in the 2006 approved Urban Renewal Plan, there are specific “target areas” that should be immediately considered for redevelopment. The properties on Exposition Drive represent an immediate opportunity to capitalize on the traffic generated by MetraPark events.

The EBURD area is part of Census Tract 2, with a population of 3,751. Within the tract, 28.98 percent of residents live below the Federal Poverty Line, with an estimated 2014 median family income of \$30,263. By comparison, in the greater Billings population of 109,059, only 13.1 percent live below the Federal Poverty Line. ([www.ffiec.gov/geocode/CensusDemo 07-01-2014](http://www.ffiec.gov/geocode/CensusDemo%2007-01-2014) & <http://quickfacts.census.gov>.)

There are 1,995 housing units in Tract 2, with 61.7 percent of the units (1,231) built prior to 1960 (55 years ago or more). Of those 1,231 older units, 546 were built in 1939 or earlier. Of the 446 owner-occupied housing units in the tract, 96 percent (428) are valued at less than \$200,000. In fact, 85 of the 446 units (19.1 percent) are valued at less than \$100,000. Indeed, there are a few occupied housing units (16) that lack complete plumbing and/or kitchen facilities. The tract holds 1,243 units where occupants are paying rent. The majority of renters (52.4 percent) pay between \$500 and \$749 per month. However, 29.2 percent (363 renters) pay between \$200 and \$499 per month. There are even a number of renters (23) living in units at less than \$200 per month. Census Tract 2 has a somewhat transient population. Of the 1,689 households, 83.9 percent, or 1,418 householders, moved into the current unit in 2000 or more recently.

Only 16 percent, or 271 householders, have resided in the current unit since 1999 or prior years. (*U.S. Census Bureau, 2008-2012 American Community Survey 5-year Estimates, Table DP04 10-22-14.*)

Public transit, walking and bicycling facilities are important for the area, as 21.6 percent of households (365) do not have a vehicle available. Moreover, the tract houses 406 students in kindergarten through eighth-grade, along with 25 high school attendees and 248 college students. In commuting to work, although the majority of those age 16 and over drove or carpoled to work (72.6 percent), a significant number - 14.9 percent (285 people) - walked to work, and 11.1 percent (212 people) used public transportation or other means of getting to work. (*U.S. Census Bureau, 2008-2012 American Community Survey 5-year Estimates, Tables DP03 & S1401 10-22-14.*)

The EBURD census tract, along with the nearby Heights-Main Street area, is designated by the Billings Police Department as “Beat 3,” or the “East” patrol beat. The East Beat has experienced, over the past three years, increasing numbers of calls for service. In the year 2011, the East Beat had 7,756 calls. Number of calls increased to 9,804 in 2012, and jumped to 10,507 (third highest beat of the nine in the City) for 2013. (*Billings Police Department 2013 Annual Report, www.ci.billings.mt.us.*) Unfortunately, there have recently been two murder incidents in the area as well. Parks personnel, during the October conference on addressing homeless/transient issues, mentioned that homeless individuals are congregating under the Rims in the EBURD, as well as in North Park.

Brownfields, defined as areas with actual or perceived environmental contamination issues, can contribute to unsafe and dangerous conditions, as well as discourage redevelopment efforts. Big Sky Economic Development, in a cooperative agreement with the U.S. Environmental Protection Agency, has secured funding for environmental assessments of properties in the EBURD. With its first round of funding, Big Sky Economic Development contracted with an environmental engineering firm to assess 23 parcels of land in the EBURD to determine “Phase I” conditions (looking at the historical uses of the property and assessing any observed potential contamination issues). In addition, nine parcels were examined with more in-depth “Phase II” assessments, where soil and water testing took place. While none of the completed Phase II assessments pointed to remediation requirements, there are still a number of sites that are advised for Phase II assessment, and many parcels that have not received any environmental assessment to date. Big Sky Economic Development has secured additional EPA Brownfields Program funding with which to accomplish additional environmental assessments in the EBURD beginning in spring 2015, at no cost to property owners who volunteer for the program.

SECTION 5 – DETERMINATION OF BLIGHT

The proposed EBURD Expansion area contains a number of underdeveloped properties and substandard facilities. The Council previously determined that the property included in the EBURD was “blighted” within the meaning of the Act in its adoption of Ordinance #06-5395 that (a) created the East Billings Urban Renewal District (EBURD) and (b) adopted an urban renewal plan for the district (November 16, 2006). Deficiencies in public and private properties located in the district lead to a determination of blight, as defined by state statute. As cited in the original Urban Renewal Plan, the area still meets several definitions of blight:

Deficient Structures in Area (*the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential; deterioration of site*)

There are several buildings and residential structures that are over 50 years in age and do not qualify as being historically significant. Many are in poor repair and may contain potentially hazardous asbestos and lead paint.

While streets, curbs, gutters and sidewalks in some of the area are in satisfactory repair, there are areas without such improvements. Sewer and water utilities in the area are aging and/or inadequate. Flooding occurs within public right-of-way as well as on private property during heavy rain events. Several parking lots generally do not meet code requirements for paving, striping and landscaping. Many of them are cracked and crumbling. Demand for parking will continue and District managers will collaborate with the City to accommodate commercial growth in alignment with the adopted Parking Overlay District.

Deficient Land Use (*inappropriate or mixed uses of land or buildings; defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness*)

In general, the 2015 expansion area is under-utilized due to the significant amount of surface used as storage or left vacant. Most structures are single-story. There are vacant lots, storage lots, and auto sales lots directly across the street from Montana’s largest indoor entertainment complex and trade-show facilities. The taxable value of this district must be stabilized and encouraged to grow.

Protecting Public Health & Safety (*unsanitary or unsafe conditions; the existence of conditions that endanger life or property by fire or other causes*)

The conditions of blight, crime, vagrancy and potential brownfields, as described above, reduce “social capital” and community connectedness. Flooding promotes mold growth and related health problems.

SECTION 6 – THE SITE AND ITS RELATIONSHIP TO THE CITY

The Expanded EBURD occupies the center of the City of Billings, adjacent to the Downtown Central Business District and the medical corridor to the west; connecting to the Billings Heights area via Main Street to the northeast; welcoming visitors from Lockwood and beyond via 1st Avenue North to the southeast; and meeting up with the Rimrocks to the north.

SECTION 7 – LEGAL DESCRIPTION

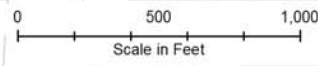
The legal description of the proposed 2015 Expanded East Billings Urban Renewal District is as follows: Beginning at a point at the centerlines of the intersection of 1st Avenue North and North 10th Street and proceeding east to the centerline of Exposition Drive/Main Street, and proceeding north from the intersection of 1st Avenue North and Exposition Drive/Main Street to the intersection of 6th Avenue North and Exposition Drive/Main Street, and from the intersection of 6th Avenue North and Exposition Drive/Main Street, proceeding west to the intersection of 6th Avenue North and North 10th Street, and proceeding south from the intersection of 6th Avenue North and Exposition Drive/Main Street to the intersection of 1st Avenue North and North 10th Street, encompassing all parcels and tax codes therein.

Please see map on following page.

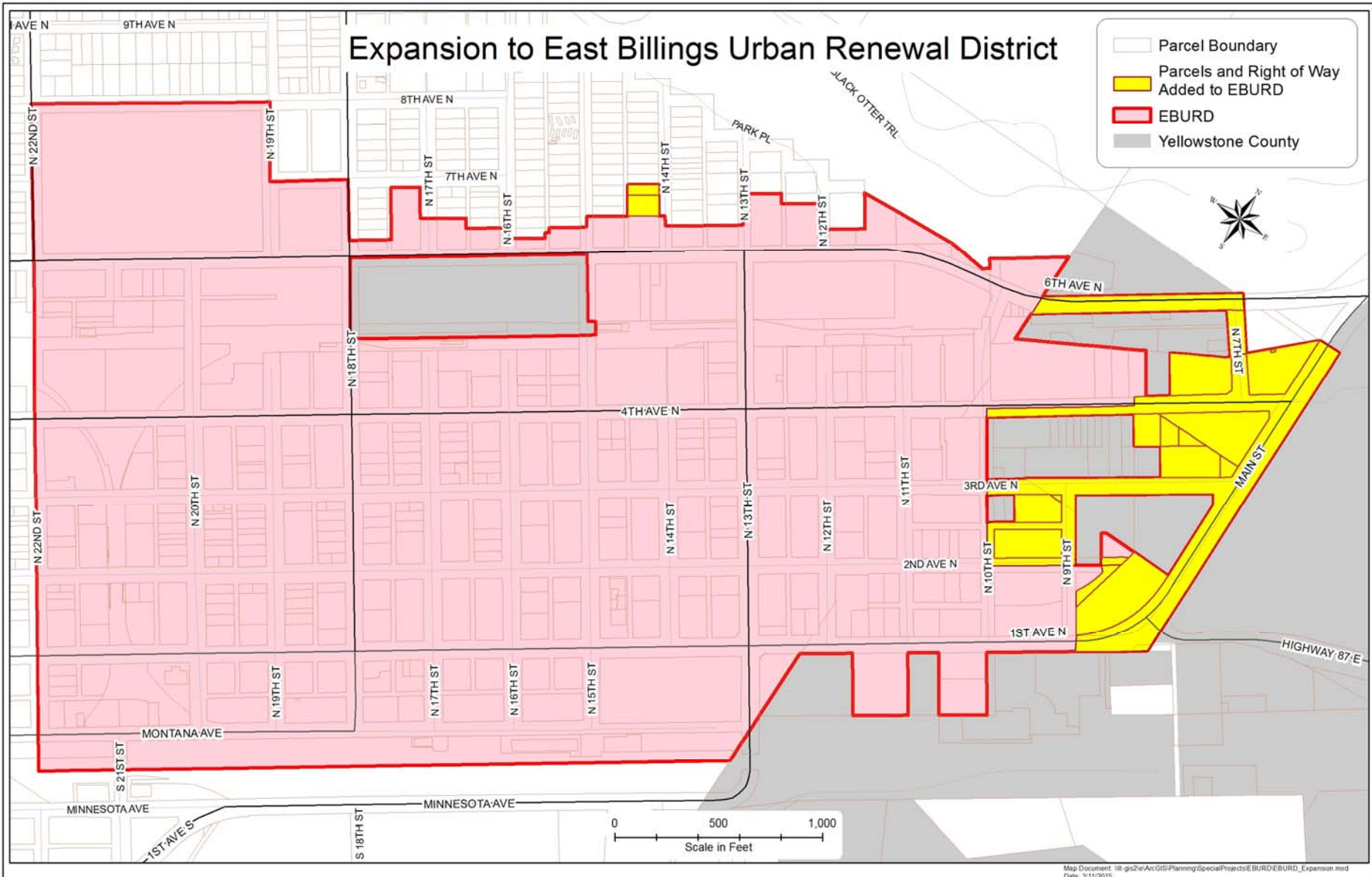
In addition, we propose to add property designated as Tax Code A12053 (North Park Subd., S33, T01N, R 26E, Block 2, Lot 11-12) and property designated as Tax Code A12052 (North Park Subd., S33, T01 N, R26E, Block 2, Lot 7-10).. These lots, are slated for expansion of the Billings Carpet Cleaning activities.

Expansion to East Billings Urban Renewal District

-  Parcel Boundary
-  Parcels and Right of Way Added to EBURD
-  EBURD
-  Yellowstone County



Map Document: I:\GIS\ArcGIS\Planning\SpecialProjects\EBURD\EBURD_Expansion.mxd
Date: 3/11/2015



SECTION 8 – PROPERTY DEVELOPERS

New development and revitalization in the proposed 2015 expanded urban renewal district will be accomplished with private investment and public-private partnerships, through the implementation of the EBURD Master Plan and the Exposition Gateway Plan. As outlined in Section 2 above, improvements in infrastructure will spur investments in workforce housing development, parking facilities, lodging facilities, conference facilities, entertainment venues, as well as retail and restaurant enterprises.

SECTION 9 – PROJECT RELATIONSHIP TO THE EBURD MASTER PLAN & EXPOSITION GATEWAY PLAN

The proposed urban renewal area and expanded tax increment district is located generally in the center of the City and encompasses several “districts” as defined by the EBURD Master Plan and the EBURD Code. The EBURD Master Plan contemplated eventual annexation of County properties adjacent to the original urban renewal district, and this Amended Urban Renewal Plan seeks to accomplish that end.

One goal of the EBURD Plan was to develop a zoning code unique to the vision of the EBURD. The new code was established and adopted in October 2012, following several months of committee work and public meetings, with consultation from a professional firm known for, literally, writing the book on form-based code options. Form-based code considers the look of the facility and its surrounding landscape, rather than basing zoning purely on the use of the facility. The new code allows for increased flexibility in uses, which was desired by landowners and developers in the area.

Generally, the EBURD Master Plan stressed the area’s ability to make a positive impact on the entire city. The Plan also recommended a private non-profit organization to assist the City of Billings with the management of the Tax Increment District through an annual work plan and contract. This expanded EBURD may be managed in a similar manner and could make use of the redevelopment and facilitation established through that management entity, the Billings Industrial Revitalization District, Inc.

The Plan names housing as an important priority, and recommends that the City continue to work with builders and developers to encourage downtown housing through various methods. Specifically, the plan encourages housing in the Rail Spur Village. However, live-work space is allowed in several EBURD districts, as outlined in the adopted EBURD Code. The formation of an expanded tax increment district will

increase funding for construction or rehabilitation of public infrastructure necessary to attract, retain, and improve housing in the area.

The guiding principles developed through the EBURD Master Plan were built upon the goals of the original Urban Renewal Plan, and continue to guide today's efforts: 1) Foster economic growth; 2) Foster distinct mixed-use, industrial, and hospitality centers; 3) Create affordable housing opportunities and choices; 4) Ensure existing industrial uses can continue to operate as desired; 5) Improve the natural beauty of the District by reintroducing trees and other features; 6) Extend pedestrian and bike trail connections to downtown, Heights, MetraPark and the Yellowstone River; 7) Integrate edges of the District with North Park neighborhood, medical corridor, and downtown; 8) Provide a variety of transportation choices and connections; 9) Complete sewer and storm water infrastructure; and 10) Understand and reduce environmental risks.

Guided by the above principles, several critical action plan steps have already been accomplished: successful approval of both the EBURD Master Plan and the Exposition Gateway Plan; successful implementation of the recommended Parking Overlay District; accomplishment of the recommended two-way streets conversion; completion of EPA Brownfields Program environmental assessments on 23 parcels, with more to take place beginning in 2015; successful adoption of the EBURD Zoning Code; completion of a transportation corridor study; and development of a plan to address flooding, storm water management, and infrastructure improvements in the eastern-most portion of the District. This amendment to the Plan and the urban renewal projects that it contemplates will continue to act upon the Plan's guiding principles.

SECTION 10 – CONFORMANCE TO THE GROWTH POLICY

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43) is that the urban renewal plan must conform to the community's growth policy. The Yellowstone County and City of Billings 2008 Growth Policy ("Growth Policy") aligns with EBURD redevelopment in a variety of ways. This amendment to the East Billings Urban Renewal Plan is consistent with the current Growth Policy. Specifically, the expanded EBURD revitalization efforts meet several Community Goals and Objectives outlined on pages 6-16 of the 2008 Growth Policy:

A. Revitalization in the EBURD meets the goal of contiguous development and of the City's Infill Policy. Revitalization also helps to address the issue stated in the Growth Policy that urban sprawl threatens the rural character of land surrounding Billings, increases the cost of providing public services and threatens the

vitality of the city core and downtown area.

B. Development in the EBURD, especially in the Rail Spur Village area, works toward the goal of affordable housing for all income levels dispersed throughout the City and County. Development of housing helps to address the Growth Policy issue which stated that there is a serious lack of affordable housing for low to moderate income households.

C. Adoption of the more-flexible EBURD Code and continued development efforts in the expanded area help achieve the goal of more housing and business choices within each neighborhood. Moreover, continued development in accordance with the new code assists in addressing the stated issue that there is a desire for more mixed-use neighborhoods.

D. Addition of the Exposition Gateway area to the existing TIF District helps achieve goals to encourage economic development in the neighborhood, encourage new businesses to locate in a prime gateway area, and sets the stage for enhancement of both the functionality and the visual appeal of the entrance to Billings from Lockwood (1st Avenue North & Exposition Drive/Main Street). As noted in the Growth Policy, entryways to our communities should be attractive and not present physical barriers discouraging economic development.

E. The EBURD is adjacent to downtown Billings, and revitalization of the area, as it continues to develop, will contribute toward the vitality and increased safety for visitors and shoppers. As stated in the Growth Policy, safety is an important element.

F. Expansion of the EBURD TIF District assists in meeting the goal of more visually appealing communities, improving the image of the area across the street from the MetraPark facilities and instilling pride in this area of town. Enhancing visual appeal helps to address the Growth Policy's stated issue that there are areas in the City and County that are unattractive and present a poor image of the community.

G. Improvements to the area as envisioned in the Exposition Gateway Plan can lead to a visually appealing design that incorporates the needs not only of vehicular traffic entering the area from Lockwood and from Main Street, but also improves pedestrian access between the MetraPark facilities and new development in the Expo Gateway. Improvements in the proposed expansion area will aid in addressing the Growth Policy's issue that the design of roads, streets, and pedestrian facilities can be more attractive and functional.

H. Expansion of the EBURD TIF District will contribute toward the goal of a well-maintained network of safe and interconnected sidewalks by addressing the critical need for sidewalks, curb and gutter in the Expo Gateway area. As noted in the Growth Policy, the sidewalk system in the City needs upgrading; many sidewalks are cracked and broken, several critical sections are missing, and important sidewalk routes are not adequately maintained.

I. Expansion of the District to include the Expo Gateway area assists the City toward its goal of sanitary and

safe properties, with an improved community image and an increase in property values. Advancing toward this goal helps to address the stated issue that there are dilapidated and unsafe properties in neighborhoods.

J. Expansion of the District allows access to TIF District funding for a long-neglected infrastructure upgrade, moving the City toward its goal of equitable collection and distribution of funding for public services and facilities. Moreover, the expansion assists the City in achieving its objective to ensure that facilities and services are maintained in existing neighborhoods as new neighborhoods are added. The Growth Policy notes that funding for community facilities and infrastructure is very limited; prudent use of TIF District funds assists in solving the limited funding issue.

K. Expansion of the TIF District to include the Expo Gateway area aligns with the City's goal of adaptive reuse of vacant structures, conserving resources, preserving landmarks, preserving neighborhood integrity, and taking advantage of economic development opportunities. Adaptive reuse helps to address the stated issue that there are vacant structures around Billings and in the County that could be reused.

L. Expansion of the EBURD TIF District, leading to development of live-work enterprises and additional workforce housing options, helps move toward the goal of adequate affordable housing and more options for housing, potentially in an area very near to work opportunities. Achievement of these goals assists in solving the stated Growth Policy issue that poor housing and lack of living wage jobs puts the health of residents at risk.

The Growth Policy lists Urban Renewal Districts as an implementation strategy to revitalize neighborhoods, and expansion of the EBURD aligns well with that revitalization strategy.

SECTION 11 – CERTAIN PLAN FEATURES AND FINANCIAL MATTERS

Section 7-15-4217, M.C.A., of the Act requires cities to make certain findings when they adopt an urban renewal plan and approve Urban Renewal Projects. These are addressed below:

1. The existing EBURD contains 133 housing units that are home to 305 people (*U.S. Census 2010, per Leslie Zolman, GISP, Montana Dept. of Commerce Census and Information Center, 5-7-2014*). For the entire Census Tract, including the North Park neighborhood, there are 1,995 housing units, of which 1,689 are occupied and 306 are vacant (*U.S. Census Bureau, American Community Survey Table DP04, 10-22-14*). Planned projects would not displace any persons from housing. Accordingly, there is no need to have a workable and feasible plan for substitute housing until and unless such a project is developed in the future.

2. This amended East Billings Urban Renewal Plan conforms to the Growth Policy for the City as a whole, and also to the EBURD Master Plan and the Exposition Gateway Plan.
3. This Modified Plan affords maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the Expanded EBURD by private enterprise. It is unreasonable to expect that the district will be stabilized and/or redeveloped without substantial public support. Some properties within the area are dilapidated. As presently constituted, property in the district is not conducive to any sort of uniform or integrated development and, as presently existing, cannot compete with other areas of the City for substantial developments, particularly areas at the outskirts of the City. This amended Plan is intended to facilitate the identification and construction of significant Urban Renewal Projects, which would not be possible without this Plan.
4. A sound and adequate financial program exists for financing projects, which include the sale and issuance by the City of tax increment finance bonds. Subsequent approved development projects will require commitments of substantial private financing that will provide the primary means for funding construction of the improvements and revitalization efforts.
5. This 2015 Expanded EBURD may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas, and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may be mailed only to those owners whose properties are situated within the area of expansion of the Urban Renewal District boundaries. Notice will be mailed to those property owners whose properties are within the area of expansion.

SECTION 12 – TAX INCREMENT

Tax increment financing is necessary to encourage private reinvestment within the District, which will further encourage economic growth in the District and the City, create substantial employment opportunities, and increase the tax base of the City and other taxing jurisdictions. The 2015 Expanded EBURD is hereby established as a tax increment financing urban renewal area within the meaning of the

Act, and, in particular, Section 7-15-4282 through 7-15-4293 of the Act. This Section constitutes a tax increment provision within the meaning of the Act. In connection with the expansion:

1. For the purpose of calculating the incremental taxable value each year for the life of the district, the base taxable value shall be calculated as base taxable value of the original district as of [January 1, 2006] plus the base taxable value of all real and personal property added to the district by this amended plan and as shown in Exhibit A as of January 1, 2015.
2. The City is hereby authorized to segregate the tax increment derived in the district and use and deposit such increment into the tax increment fund of the district for use as authorized by the Act and as authorized herein from time to time, including, without limitation, pledging the tax increment to repayment of Bonds.
3. The tax increment received from the district may be used to pay directly costs of an approved Development Project as may from time to time be approved by the Council. The Council also hereby authorizes the use of tax increment in the district to pay debt service on bonds issued to finance a portion of the costs of these development projects, and costs associated with the sale and security of such bonds (including any necessary reserve funds) in compliance with the Act, subject to any limitations imposed by the Montana Constitution and federal law.
4. The tax increment provision of the district will terminate upon the latter of:
 - a. The fifteenth (15th) year following the original creation of the district; or
 - b. The payment or provision for payment in full or discharge of all bonds, and the payment of interest thereon, for which the tax increment has been pledged.

After termination of the tax increment provision, all taxes shall continue to be levied upon the actual taxable value of the taxable property in the district, but shall be paid into funds of the taxing bodies levying taxes within the district.

SECTION 13 – CONCLUSIONS

The creation of this expanded East Billings Urban Renewal District will have a positive impact on central Billings, and is an essential first step in completing what may be a number of urban renewal projects.

Estimates calculated by ECO-Northwest in preparation of the Exposition Gateway Plan indicate that development in the Expo Gateway has a potential new value of nearly \$65 million, with potential TIFD revenues of slightly more than \$1 million (*Financial Analysis, ECO-Northwest, April 8, 2013*). The figures are preliminary estimates; actual values and tax revenue will vary based on type, size and timing of development. Expansion of the district, in addition to further stabilizing the tax base, eliminating blight and providing renaissance to the EBURD, will also bring new employees and residents to the area.

ECO-Northwest states that the Expo Gateway District offers desirable locational attributes:

The Gateway District has several important locational advantages relative to other areas in Billings that make it a prime area for development in the hospitality and retail sectors.

- Proximity to downtown. It is centrally located near employment and commercial uses in the Central Business District, the medical campuses, and the University (directly to the west).
- Proximity to MetraPark. The county-owned multi-function facility has an indoor arena, rodeo grounds, a horse track, open space and other facilities. MetraPark has a long history of successful operation (850,000 to 1 million visitors per year, with 30% coming from over 100 miles away, per Sandra Hawke, MetraPark, February 2009), and provides opportunities for complementary meeting space and catering facilities.
- Proximity to the airport. It is closer to Billings Logan Airport (3 miles) than many areas in the Central Business District as well as areas in south and east Billings.
- Proximity to amenities and commercial areas. It is in close proximity to commercial areas downtown and in Billings Heights, which is a commercial and residential hub to the north.
- Proximity to regional highways. The District lies at the intersection of 212, I-90 and I-94.

The key comparative advantage for the area is its central location *between* downtown and MetraPark (and between the West End and the Heights) on flat land with urban services. It is a good location for urban development. (*ECO-Northwest, Existing Market Conditions Assessment, May 22, 2013*)

As stated in the Exposition Gateway Plan and as stated herein, the Exposition Gateway area requires repair and improvement to streets, curbs, gutters and sidewalks and the water and sewer utilities are inadequate. The City hereby approves, as an urban renewal project for the District, the reconstruction of the streets from Main Street to North 11th Street and between 1st Avenue North to 4th Avenue North in accordance with the Exposition Gateway Concept Plan. The streets included in the construction limits are North 9th Street, North 10th Street, 2nd Avenue North, and 3rd Avenue North. Construction includes full street construction, sidewalk, bulb-outs at the corners, on-street parking, new sanitary sewer, new water mains, and storm drain upgrades. In order to make it possible to move forward with this much-needed infrastructure improvement project, the Yellowstone County Board of County Commissioners transferred any interest it had in the public right of way on streets within the Exposition Gateway area to the City of Billings, with Resolution 15-23, passed on March 10, 2015.

The Council through adoption of the modified East Billings Urban Renewal District hereby approves financing of the improvement project described above with proceeds of tax increment bonds payable from tax increment generated by the District. Such bonds will be issued in a principal amount such that the debt service thereon can be paid from tax increment generated by the District over a period of 25 years. The City hereby finds that there is a feasible and workable plan for financing the improvements.

Expansion of the East Billings Urban Renewal District to include the property described in this amended Plan will have a positive effect on the area and on the City. Improvements to infrastructure will surely be the catalyst in attracting the desired types of development, and will spur further achievement in reaching the goals of the overall EBURD Master Plan.

Please see Exhibit A on next page.

EXHIBIT A

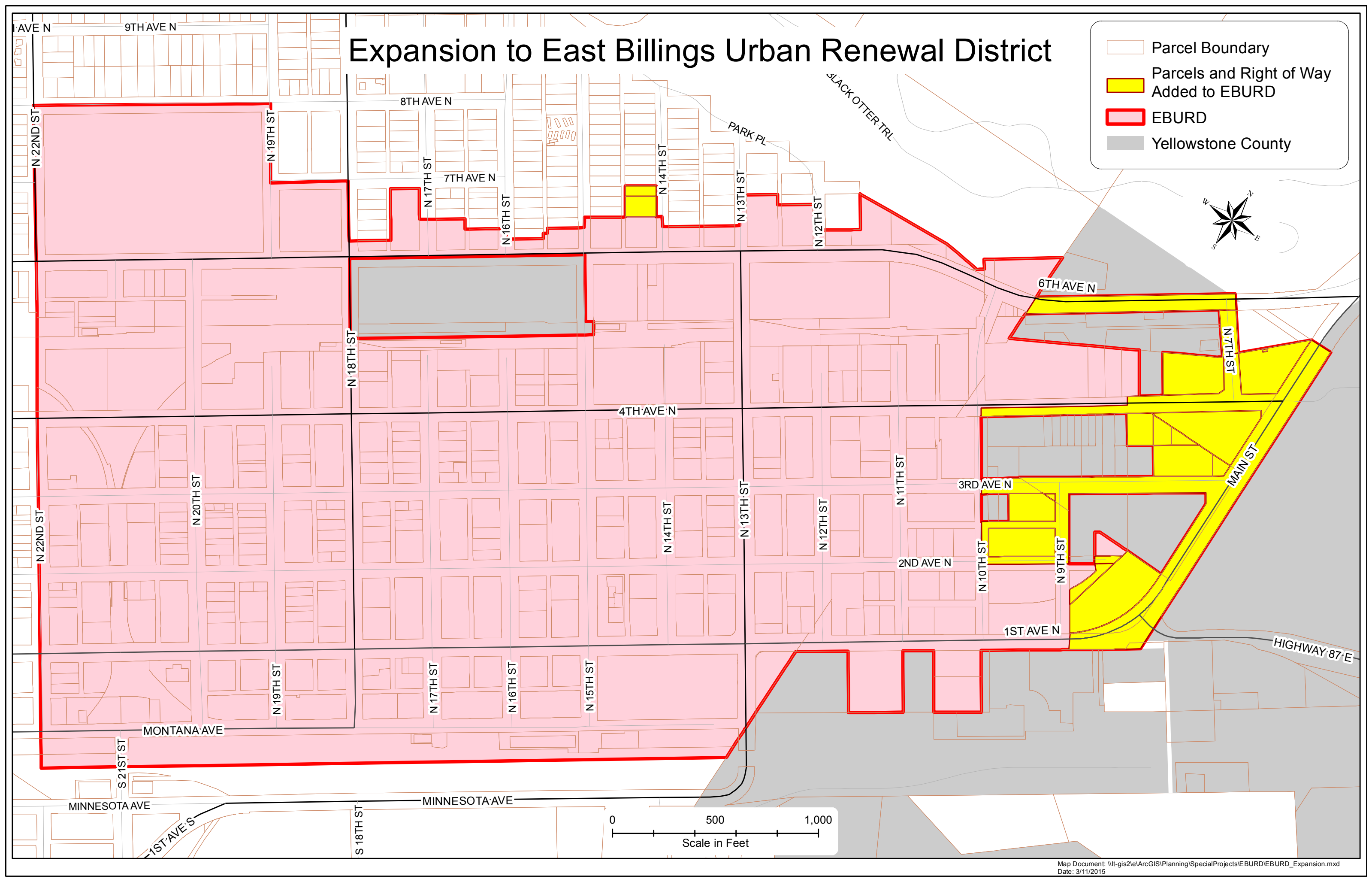
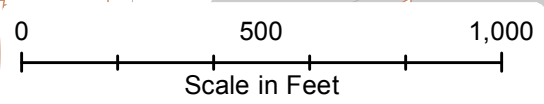
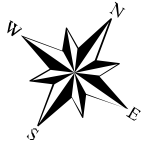
2015 EBURD Expansion

TAXID	ASSESSED VALUE	TAXID	MARKET VALUE	TAXABLE VALUE	TAXID	LOT SIZE (Approx. Sq. Ft.)
1002286 Total	\$1,720.00	1002286 Total	\$912.00	\$23.00	1002286	0
A09340 Total	\$792,286.00	A09340 Total	\$621,944.00	\$15,362.00	A09340	44344.08
A09343 Total	\$688,400.00	A09343 Total	\$540,394.00	\$13,347.00	A09343	29403
A09355 Total	\$265,451.00	A09355 Total	\$208,379.00	\$5,147.00	A09355	42383.88
A09355B Total	\$45,930.00	A09355B Total	\$36,055.00	\$891.00	A09355B	6403.32
A09373 Total	\$498,600.00	A09373 Total	\$391,401.00	\$9,667.00	A09373	19035.72
A09374 Total	\$71,910.00	A09374 Total	\$56,449.00	\$1,394.00	A09374	10628.64
A09375 Total	\$43,862.00	A09375 Total	\$34,432.00	\$850.00	A09375	6054.84
D05887 Total	\$358,428.00	D05887 Total	\$281,366.00	\$6,949.00	D05887	56628
D05888 Total	\$444,941.00	D05888 Total	\$349,279.00	\$8,628.00	D05888	69260.4
D05893 Total	\$593,800.00	D05893 Total	\$466,133.00	\$11,513.00	D05893	56628
D05897 Total	\$14,973.00	D05897 Total	\$11,754.00	\$290.00	D05897	1306.8
D05898 Total	\$917,363.00	D05898 Total	\$720,129.00	\$17,787.00	D05898	91911.6
I01092A Total	\$19,200.00	I01092A Total	\$15,072.00	\$372.00	I01092A	0
Total	\$4,756,864.00	Total	\$3,733,699.00	\$92,220.00		
A12052	\$92,800.00	A12052	\$49,184.00	\$1,215.00	A12052	15000
A12053	<u>\$21,975.00</u>	A12053	<u>\$11,647.00</u>	<u>\$ 201.00</u>	A12053	7500
Grand Total	\$4,871,639.00		\$3,794,530.00	\$93,636.00		

Exhibit A figures provided by Yellowstone County GIS

Expansion to East Billings Urban Renewal District

- Parcel Boundary
- Parcels and Right of Way Added to EBURD
- EBURD
- Yellowstone County



YELLOWSTONE COUNTY BOARD OF PLANNING

Serving Yellowstone County, the City of Billings, and the Town of Broadview

2825, 3rd Avenue North
4th Floor

Billings, MT 59102

406-247-8676

www.ci.billings.mt.us/planning



March 24, 2015

Mayor and City Council
City of Billings, Montana

RE: Expansion of the East Billings Urban Renewal District

Honorable Mayor and City Council:

As President of the Yellowstone County Board of Planning, I am forwarding the Board's recommendation for the expansion of the East Billings Tax Increment Finance District area and modification to the Urban Renewal Plan. On March 24, 2015, the Planning Board reviewed the proposed East Billings Urban Renewal Plan as to its conformity with the Growth Policy. The Planning Board voted to forward a recommendation to City Council of approval of the modified Plan and its conformity with the 2008 Yellowstone County and City of Billings Growth Policy.

This item was duly posted on the Planning Board agenda for its regular meeting held March 10, 2015 and March 24, 2015, as per the Board's two-step process for consideration of action items. The Yellowstone County Board of Planning reviewed the expanded District area, approved the modified East Billings Urban Renewal Plan, and found it to be in conformance with the 2008 Growth Policy. A few specific examples of how the expanded EBURD revitalization efforts meet several Community Goals and Objectives outlined in the 2008 Growth Policy include:

- Land Use Goal #4, "Contiguous development focused in and around existing population centers separated by open space."
- Economic Development Goal #1, "Coordinated economic development efforts that target business recruitment, retention, and expansion."
- Land Use Goal #5, "Affordable housing for all income levels dispersed throughout the City and County."
- Land Use Goal #6, "More housing and business choices within each neighborhood."
- Aesthetics Goal #1, "Visually appealing communities."

The Board respectfully submits this recommendation to the City of Billings Mayor and City Council for consideration.

Respectfully Yours,

A handwritten signature in blue ink that reads "Richard Clark".

Richard Clark, President

Yellowstone County Board of Planning

Regular City Council Meeting

Meeting Date: 04/27/2015

TITLE: Public Hearing & Action on Consolidated Plan, Annual Action Plan and Budget Allocations

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

The City Council is scheduled to hold a public hearing on the FY2015-2019 five-year Consolidated Plan, the FY2015-2016 Annual Action Plan and the allocation of Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) program funding. 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 Consolidated / Annual Action Plans and budget recommendations in preparation for HUD's submission deadline for the Consolidated Plan on May 15 (see Attachment A). A preliminary informational presentation was made during the April 20, City Council Work Session.

ALTERNATIVES ANALYZED

City Council will hold a public hearing and may:

- Approve the FY2015-2019 Consolidated Plan, FY2015-2016 Annual Action Plan and budget allocations; or,
- Not Approve the FY2015-2019 Consolidated Plan, FY2015-2016 Annual Action Plan and budget allocations.

FINANCIAL IMPACT

HUD has awarded \$562,741 in new CDBG and \$263,688 in HOME funding to the City of Billings for use in affordable housing and other projects benefiting low income residents. Additional CDBG and HOME funding is anticipated through loan repayments in programs such as First Time Home Buyer and Housing Rehabilitation. The Corporation for National and Community Service has awarded the City of Billings over \$460,000 in federal funds to support the Billings Metro VISTA Project contingent on the City's CDBG allocation supporting the program.

Federal revenues allocated for the CDBG and HOME programs are provided through HUD (Attachment B). Staff and Community Development Board recommendations are attached (see Attachment C) and comply with funding limitations. Any program income received will be allocated on a close / shovel-ready basis in previously approved programs, such as First Time Home Buyer, Housing Rehabilitation, Foreclosure Acquisition / Rehabilitation, Manufactured Home Repair, Affordable Housing Development, etc.

Priority-Based Budgeting: Recommendations reflect the results of the City's 2012 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.

BACKGROUND

Introduction

The Community Development Board has completed the recommendations and public input process for the FY2015-2019 Consolidated Plan, the FY2015-2016 Annual Action Plan and the allocation of CDBG and HOME funding for FY2015-2016. The Consolidated Plan addresses current housing needs and the priorities identified in the 2013 Analysis of Impediments to Fair Housing Choice. The documents can be viewed online at www.ci.billings.mt.us/CDreports.

The five-year Consolidated Plan for FY2015-2019 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 Annual Action Plans 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 7.

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 27 and extending to April 27. The City Council is also scheduled to act on the CDBG and HOME programs during the April 27 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 respectively); 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 status 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 proposed housing, neighborhood and public service activities are consistent with this focus. The Community Development Board reviewed the proposed projects and analyzed various alternatives for funding.

The City is required to provide no more than 20% of its CDBG funding for administration and planning type activities, and no more than 10% of HOME funding for administrative purposes. The City must also provide at least 15% of its annual HOME allocation for activities carried out by Community Housing Development Organizations (CHDOs). The City may allocate up to 15% of CDBG resources to other projects classified as public service activities such as the Billings Metro VISTA Project. Public service cap calculations include 15% of the new CDBG allocation and 15% of the current year's program income, considered the *previous year's* program income for FY2015-2016.

Funding Recommendations

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. All loan products do not contain forgiveness features.
- The likelihood of continuing Community Development activities would substantially diminish if the City chose to fund grant programs generating no program income.

Funding recommendations include the following for CDBG:

- Administration set at the maximum cap for the program; 20% of new allocation and eligible program income; \$112,548.
- Foreclosure Acquisition / Rehabilitation support totaling \$65,000.
- VISTA program administrative support set at \$75,000 to assist with implementation costs as a public service activity.
- Remaining CDBG funds to be allocated to the Housing Rehabilitation Loan Program; \$310,193.

Funding recommendations include the following for HOME:

- Administration set at the maximum cap for the program; 10% of new allocation and eligible program income; \$26,369.
- Allocation of 15% of new HOME program funding set aside for Community Housing Development Organizations - as per federal regulation; \$39,553.
- Allocation of \$35,000 to augment required financial commitments for Community Housing Development Organizations for the Affordable Housing Development program totaling \$84,810; includes \$39,553 as noted above in addition to the FY2014-2015 allocation of \$45,257.
- Remaining HOME funds to be allocated to the First Time Homebuyer Loan Program; \$162,766.

Additional program income received will be allocated on a close / shovel-ready basis in previously approved programs. Program income must be allocated, committed and expended prior to drawing CDBG and HOME entitlement funds as per federal requirement.

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 FY2015-2019 Consolidated Plan and Annual Action Plan for FY2015-2016.

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, home buyer, 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 identified 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 home buyer programs.
3. **The Community Development Board** - As an advisory body to the City Council, the Community Development Board 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. Six of nine total Community Development Board members are representatives of low-income neighborhoods either by residence or Task Force delegation, ensuring low-income citizen involvement of planning and allocation processes.
4. **Non-Profit Organizations** - Community organizations serving those experiencing poverty are supported by the Billings Metro VISTA Project. VISTA members build capacity in order to complete assessments, expand or create new services to meet data-verified needs, build volunteer management programs and to generate cash and in-kind resources.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Consolidated Plan: Projects proposed for consideration are consistent with the goals and objectives of the drafted FY2015-2019 Consolidated Plan and the drafted FY2015-2016 Action Plan for the use of CDBG & HOME resources in Billings. The following strategies have been proposed to the City Council in the five-year Consolidated Plan to address Billings' housing and community development needs:

Strategy A. Preserve existing affordable housing supply, particularly in older neighborhoods, to support the stability of the current affordable housing stock.

Strategy B. Create affordable housing opportunities to further improve access to and quality of the affordable housing stock.

Strategy C. Expand housing choice options for existing and potential new residents to foster stable, socio-economically diverse neighborhoods citywide.

Strategy D. Support housing and community development specific to lower income and special needs households through poverty-impact initiatives.

Additional information regarding each strategy is located in the drafted Consolidated Plan; Attachment A. The drafted FY2015-2019 Consolidated Plan, the drafted FY2015-2016 Action Plan and 2013 Analysis of Impediments to Fair Housing Choice can be found online: www.ci.billings.mt.us/CDreports.

Welcome Home Billings: The City's ten-year plan to impact homelessness was adopted by the City Council in October 2009. Allocations supporting the Billings Metro VISTA Project as the City's anti-poverty strategy meet CDBG regulations and provide an avenue for human resources to build the capacity of non-profit organizations serving those experiencing poverty.

City Council Strategic Plan: Projects align with the proposed Strategic Plan in the following strategies and objectives:

Comprehensive, Orderly Growth: Develop, preserve and revitalize residential neighborhoods that are safe, attractive and provide diverse, affordable housing.

- Dedicate resources to rehabilitate substandard housing via the provision of loan financing to lower income household in order to preserve and revitalize neighborhoods city-wide.
- Dedicate resources to develop new affordable housing in all neighborhoods to promote inclusion, diversity, equal opportunity and access.
- Dedicate resources to acquire and rehabilitate vacant and/or foreclosed properties in order to promote infill, stabilize neighborhoods, and prevent decline.

Sustainable Economic Development: Provide a safe, healthy and attractive place to live and work; offer quality housing choices, accessible amenities and an environment that provides a desirable quality of life.

- Dedicate resources to support homeownership opportunities through loan financing to low income households.
- Determine the feasibility of creating a housing center to support potential and existing residents in their quest to obtain, retain and maintain stable housing. If feasible, create a strategic plan for implementation.
- Support initiatives to alleviate poverty and promote economic opportunity through Welcome Home Billings, the city's ten-year plan to impact homelessness and the AmeriCorps Volunteers in Service to America (VISTA) program.

Involved, United Community: Expand citizen participation in boards, commissions and other volunteer capacities to improve public understanding of and involvement in government functions.

- Provide volunteer opportunities through the AmeriCorps VISTA and the Billings Metro VISTA Project.

SUMMARY

City staff and the Community Development Board have made recommendations for CDBG and HOME budget allocations for FY2015-2016. The FY2015-2019 five-year Consolidated Plan and FY2015-2016 Annual Action Plan have both been drafted and are ready for Council adoption. The City Council is asked to consider public input received and make a final decision on the FY2015-2019 Consolidated Plan, FY2015-2016 Annual Action Plan and accompanying budget allocations.

RECOMMENDATION

Staff recommends the City Council hold a public hearing to gather input on the FY2015-2019 Consolidated Plan, the FY2015-2016 Annual Action Plan and accompanying budget allocations; and approve the Consolidated Plan, Annual Action Plan and budget allocations as recommended and prioritized by the Community Development Board.

APPROVED BY CITY ADMINISTRATOR

Attachments

Consolidated Plan - Executive Summary

B - FY2015-2016 Revenues

C - Staff & CD Board Recommendations

D - Task Force Priorities



CITY OF BILLINGS

Five Year Consolidated Plan

FY2015-2019

The City's plan for Community Development Block Grant and
HOME Investment Partnerships Programs

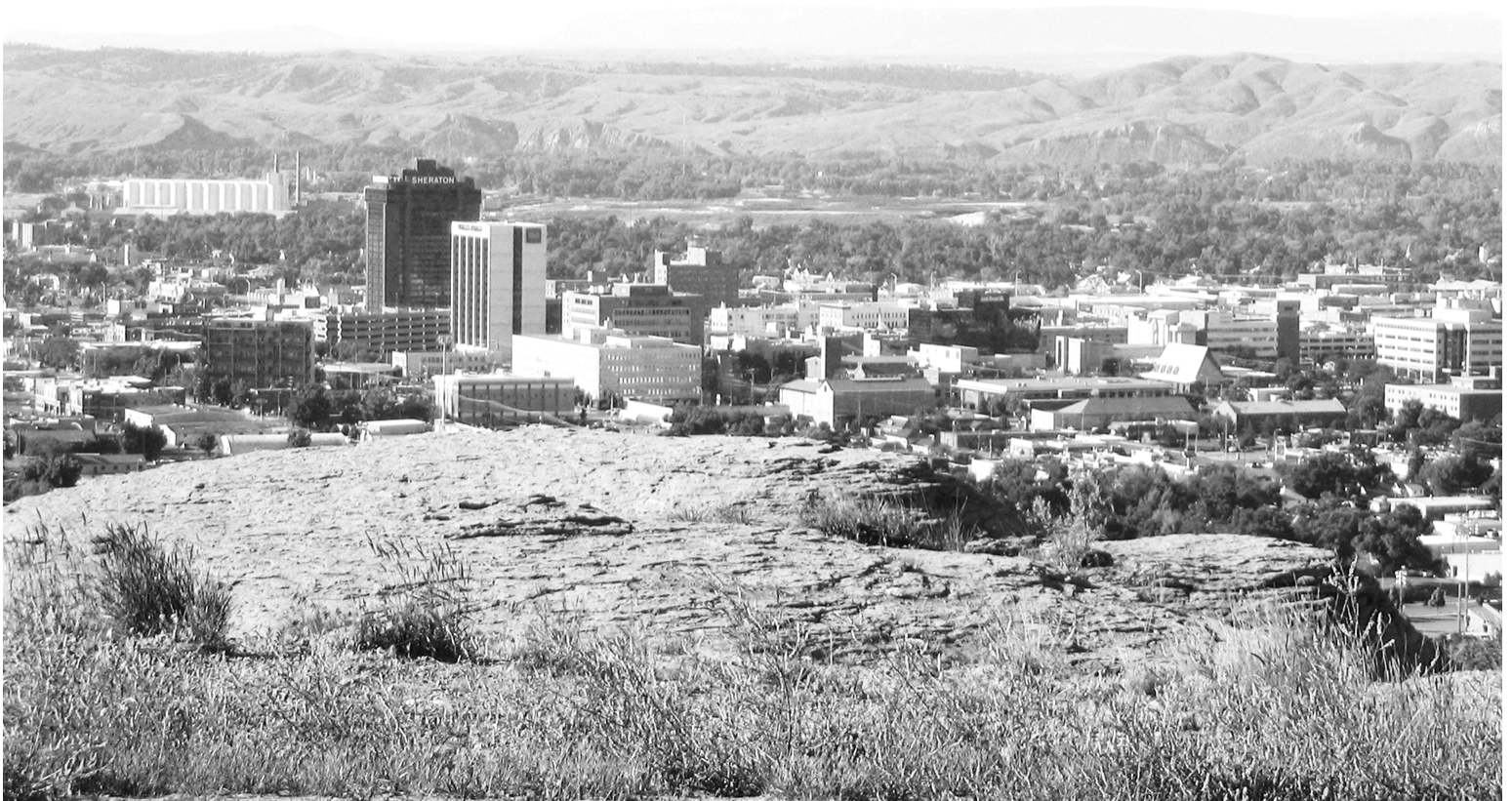
Community Development Division

2825 Third Avenue North

Billings, Montana 59101

406.657.8281

www.ci.billings.mt.us/comdev



Introduction

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:

- **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.
- **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.
- **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 herein.

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 FY2015-2019 identifies activities to be carried out from July 1, 2015 through June 30, 2020 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.

The City is also required to submit one year Annual Action Plans identifying goals and strategies to be undertaken from July 1 through June 30. 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 FY2015-2019 Consolidated Plan followed a development process which integrated priorities identified via Housing Needs Assessment and the most current 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 FY2015-2019 Consolidated Plan was open for public comment extending from March 27, 2015 through April 27, 2015. A public hearing was held on April 27, 2015 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 27, 2015.

Summary of the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

Key Findings of the Needs Assessment: The City of Billings has been experiencing a rapid increase in population over the past several years. Historically, the City's population grew at a 1.5% annual rate and over the past four years, the population has grown by two percent each year.

The two largest low income groups in the City are:

- Small family households (two to four members) with incomes from zero to 80% of the Area Median Income (AMI). For reference, the 2014 HOME income limits for a two person household at 80% AMI is \$38,800 and for a four person household the limit is \$48,500. A complete chart is included in this section on page four.
- Households with members aged 75 years and older with incomes from 30% to 80% AMI.

The most severe housing problem the City’s residents experience is paying over 30% of their household income for housing expenses. This is a particularly acute issue for extremely low income households who are either small family or elderly households.

The City’s Consolidated Plan priorities have been distilled into the following strategies and objectives:

- A: Preserve existing affordable housing supply, particularly in older neighborhoods, to support the stability of the current affordable housing stock.
 - A1: Provide direct, affordable financing and assistance to low income homeowners for the completion of needed repairs citywide.
 - A2: Revitalize low income neighborhoods through foreclosure remediation, redevelopment and infill development.
- B: Create affordable housing opportunities to further improve access to and quality of the affordable housing stock.
 - B1: Provide affordable financing and support to promote homeownership opportunities citywide.
 - B2: Provide homebuyer education to all households utilizing acquisition programs.
 - B3: Encourage the citywide development of new affordable single-family, multi-family and special needs housing in the community through private developers and nonprofit organizations.
- C: Expand housing choice options for existing and potential new residents to foster stable, socio-economically diverse neighborhoods citywide.
 - C1: Ensure equal opportunity and housing choice with all programs and activities citywide.
 - C2: Ensure core programs are implemented citywide to promote desegregation and inclusive neighborhoods.
- D: Support housing and community development specific to lower income and special needs households through poverty-impact initiatives.
 - D1: Encourage collaboration to better address needs and to respond to opportunities for special needs populations.

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 Objectives

- **Suitable Living Environment:** Activity benefits communities, families, or individuals by addressing issues in their living environment.

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

- **Decent Affordable Housing:** Housing activity that meets individual or community needs. This objective should not be used for activities where housing is an element of a larger effort.
- **Creating Economic Opportunity:** Activity relates to economic development, commercial revitalization, and job creation.

HUD Outcomes

- **Availability / Accessibility:** Activity makes services, infrastructure, or shelter available and accessible. Note: accessibility does not refer only to physical barriers.
- **Affordability:** Activity provides affordability in a variety of ways including: creation / maintenance of affordable housing; infrastructure hookups; services such as transportation / daycare.
- **Sustainability:** Activity provides livable / viable communities / neighborhoods by providing services or by removing slums / blight.

Regulatory Citations

Throughout the Consolidated Plan, staff 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.

2014 HOME Income Limits

Household Size	30%	50%	60%	80%
1	\$12,750	\$21,250	\$25,500	\$33,950
2	\$14,600	\$24,250	\$29,100	\$38,800
3	\$16,400	\$27,300	\$32,760	\$43,650
4	\$18,200	\$30,300	\$36,360	\$48,500
5	\$19,700	\$32,750	\$39,300	\$52,400
6	\$21,150	\$35,150	\$42,180	\$56,300
7	\$22,600	\$37,600	\$45,120	\$60,150
8	\$24,050	\$40,000	\$48,000	\$64,050

The following chart illustrates the relationship between identified strategies, objectives, planned programs / activities, outcomes and funding sources.

FIVE-YEAR CONSOLIDATED PLAN GOALS

Strategy	Objective	Activity	Outcome Type	Five-Year Goal	HUD Objective	HUD Outcome	Funding Source*
A: Preserve existing affordable housing supply, particularly in older neighborhoods, to support the stability of the current affordable housing stock.	A1: Provide direct, affordable financing and assistance to low income homeowners for the completion of needed repairs citywide.	Housing Rehabilitation	Housing Units	50	Suitable Living Environment	Affordability	CDBG
		Manufactured Home Repair		25			
	A2: Revitalize low income neighborhoods through foreclosure remediation, redevelopment and infill development.	Foreclosure Acquisition / Rehabilitation		5			CDBG NSP
		Affordable Housing Development		10			
B: Create affordable housing opportunities to further improve access to and quality of the affordable housing stock.	B1: Provide affordable financing and support to promote homeownership opportunities citywide.	First Time Homebuyer	Housing Units	175	Decent Housing	Affordability	CDBG HOME
	B2: Provide homebuyer education to all households utilizing acquisition programs.		Households	175			
	B3: Encourage the citywide development of new affordable single-family, multi-family and special needs housing in the community through private developers and nonprofit organizations.	Affordable Housing Development Program	Housing Units	See Above			
C: Expand housing choice options for existing and potential new residents to foster stable, socio-economically diverse neighborhoods citywide.	C1: Ensure equal opportunity and housing choice with all programs and activities citywide.	All Programs	-	-	Suitable Living Environment	Availability / Accessibility	Admin
		Billings Home Center	Clients	250			
	C2: Ensure core programs are implemented citywide to promote desegregation and inclusive neighborhoods.	All Programs	-	-			
D: Support housing and community development specific to lower income and special needs households through poverty-impact initiatives.	D1: Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Billings Metro VISTA Project	Clients	1,000	Suitable Living Environment	Affordability	CDBG CNCS
		Billings Home Center	Clients	See Above		Availability / Accessibility	Admin
<small>*Community Development Block Grant (CDBG) Neighborhood Stabilization Program (NSP) HOME Investment Partnerships Program (HOME) CDBG or HOME Administration (Admin) AmeriCorps Volunteers in Service to America (VISTA) Corporation for National and Community Service (CNCS)</small>							

Evaluation of past performance

An evaluation of past performance that help the City choose goals or projects.

The City of Billings has been receiving CDBG funds since the 1970s and began receiving HOME funds in the mid-1990s. Performance on past goals and projects has been adequate, given greatly declining federal resources. In 2001, the City received over \$1.4 million in new CDBG and HOME allocations. In FY2015-2016, the City's allocation decreased to \$826,429. This represents a significant 42% decline in entitlement resources (approximately \$600,000).

As a result, City staff have consolidated smaller programs into a few initiatives focusing on affordable housing preservation and new housing opportunities. In 2012, stakeholders recommended prioritizing loan programs to maximize the possibility of program income receipts to continue funding programs in the future. This greatly reduced the number of funding applications submitted by non-profit organizations. In 2001, the City received over 60 funding applications compared to the 18 applications processed in 2012.

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.

Summary of citizen participation process and consultation process

91.200(b)

Summary from citizen participation section of plan.

The City of Billings has adopted a Citizen Participation Plan which is implemented during Consolidated Plan processes in order to ensure active participation by residents and affiliate organizations. The City has also adopted a Language Assistance Plan to ensure meaningful access to program information and equal opportunity for persons with hearing impairment and limited English proficiency. The Citizen Participation and Language Assistance Plans can be found online at www.ci.billings.mt.us/cdreports.

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.

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 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.

Public Hearings: The City holds two public hearings each year regarding housing and community development activities. The first 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 Plan and the allocation of CDBG and HOME funds in the community. The second public hearing is held by the City 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. Each public hearing is 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/CDreports 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. 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.

Public Comments: The City must provide opportunities for public comment at least 30 days prior to Consolidated Plan submission, as required by HUD. The City considers 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.

Criteria for amending the Consolidated Plan: 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. 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 program or project to be funded under the City's HOME and CDBG programs.* Program and recaptured income will be utilized for existing and previously approved programs as it is received during each fiscal year, which does not require a substantial amendment to the Consolidated Plan.

We will grow, but where?



Summary of comments or views not accepted and the reasons for not accepting them

All comments are taken into consideration during the development of the Consolidated Plan.

The most recent version of the Consolidated Plan can be viewed online: www.ci.billings.mt.us/CDreports.

COMMUNITY DEVELOPMENT DIVISION

FINAL Revenue FY 2015-2016

CDBG REVENUE

New Funding Sources - Eligible for use in Admin Cap

HUD CDBG Grant \$562,741 **HUD Allocation FINAL**

Reallocated Funding Sources - Not Eligible for use in Admin Cap

Total Reallocated Funding: \$0

CDBG Revenue Total: \$562,741

20% CDBG Administration Cap: \$112,548 Budget 20% HUD Allocation Only

Public Service Cap Calculation

Program Income FY2014-2015 to Date \$36,908 July 1 to December 31, 2014
Considered 'Prior Year' for FY15-16 Planning

15% of Prior Year Program Income \$5,536

15% of New CDBG Allocation \$84,411

15% Public Services Cap: \$89,947

Housing Rehabilitation Revolving Loan Fund - Minimum Allocation Calculation

FY2014-2015 New CDBG Allocation \$556,352
Considered 'Prior Year' for FY15-16 Planning

1/12 of Prior Year's New CDBG Allocation Calculation \$46,363 *Program income over 1/12 of last year's new CDBG allocation allowed for reallocation if part of revolving loan fund.*
Maximum Program Income Allowed

Total New Program Income on CAPER: \$57,637

\$ Over Maximum to be Re-Allocated to Housing Rehab: \$11,274

HOME REVENUE

New Funding Sources - Eligible for use in Admin Cap

HUD HOME Grant \$263,688 **HUD Allocation FINAL**
 FTHB Loans Program Income \$0 Repayments post affordability period

Total New Funding: \$263,688

10% Cap on HOME Administration: \$26,369

15% CHDO Allocation Minimum: \$39,553

Reallocated Funding Sources - Not Eligible for use in Admin Cap

Nada...yet

Total Reallocated Funding: \$0

HOME Revenue Total: \$263,688

Total Available in CDBG & HOME: \$826,429

Recommendations

Administration: Maximum cap allowed

CDBG:

- Foreclosure Acquisition / Rehabilitation: \$65,000
- Billings Metro VISTA Project: \$75,000
- Housing Rehabilitation: Remaining CDBG

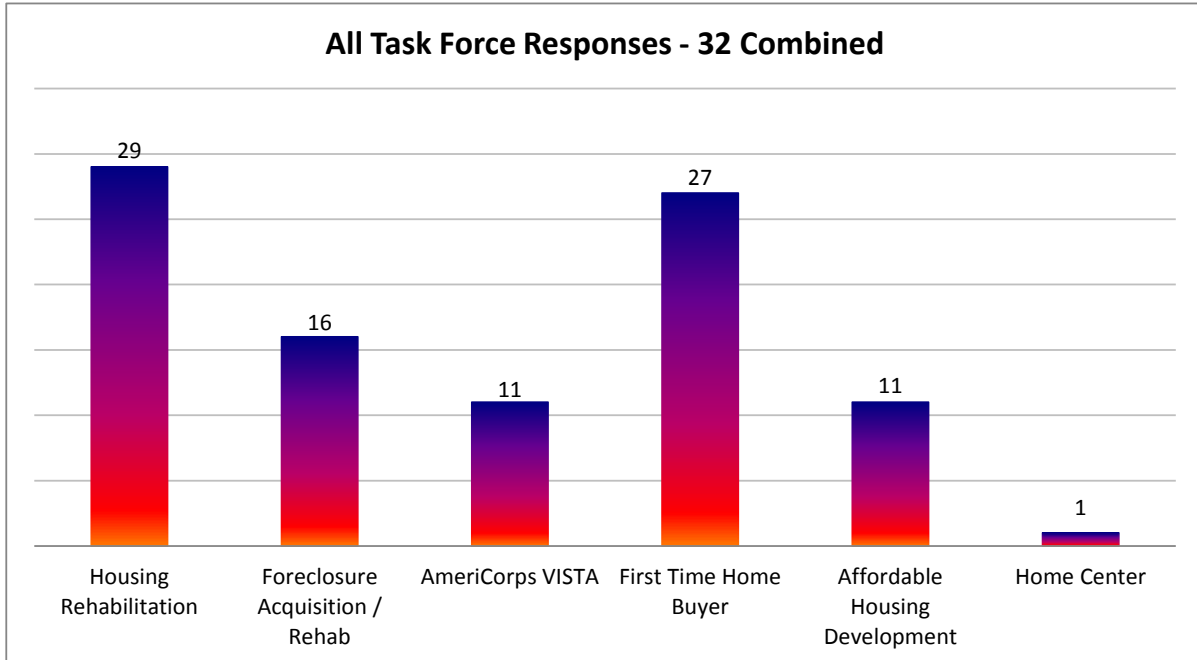
HOME:

- CHDOs: Minimum required amount
- Affordable Housing Development: \$35,000
- First Time Home Buyer: Remaining HOME

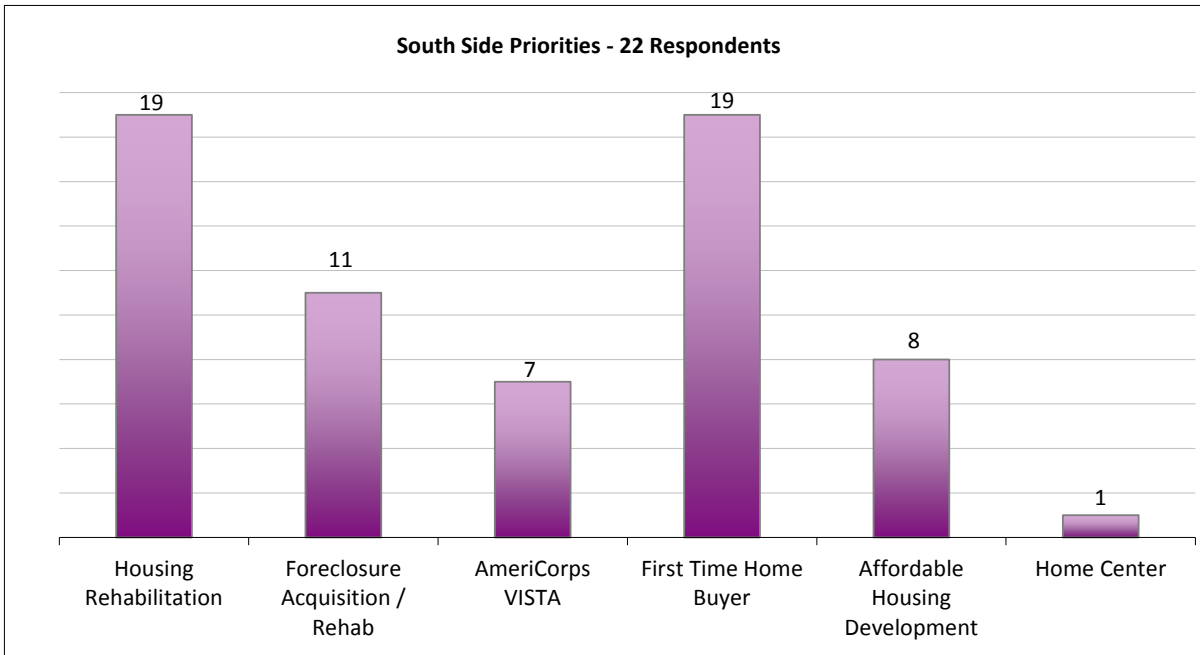
CDBG & HOME PROJECTS			Recommendations	
			Purple \$ set by Formulas	
			CDBG	HOME
Admin / Planning	HN-1	CDBG Administration - CAP: 20% of new CDBG \$	\$112,548	-
	HN-2	HOME Administration - CAP: 15% of new HOME \$	-	\$26,369
Affordable Housing	HN-3	Set-Aside for CHDOs - Min: 15% of new HOME \$	-	\$39,553
	HN-4	Affordable Housing Development		\$35,000
	HN-5	First Time Home Buyer Program	\$0	\$162,766
	HN-6	Housing Rehabilitation Loan Program	\$310,193	-
	HN-7	Minor / Manufactured Home Repair	\$0	-
	HN-8	Foreclosure Acquisition Rehab	\$65,000	-
	HN-9	Community Innovations Project	\$0	
CDBG PUBLIC SERVICES			Staff Recommendations	
Public Services	PS-1	VISTA Administration	\$75,000	-
Total Funded:			\$562,741	\$263,688
			\$826,429	

COMMUNITY DEVELOPMENT DIVISION TASK FORCE RANKINGS

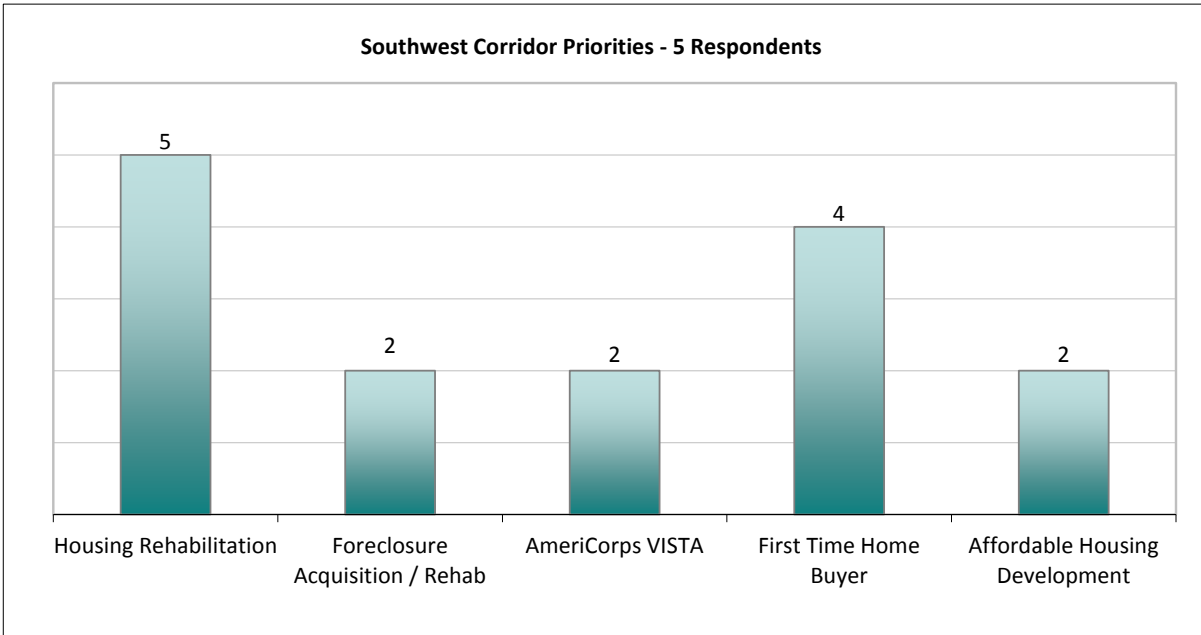
All respondents were asked to choose the top five activities preferred for funding. The top three responses were tallied below.



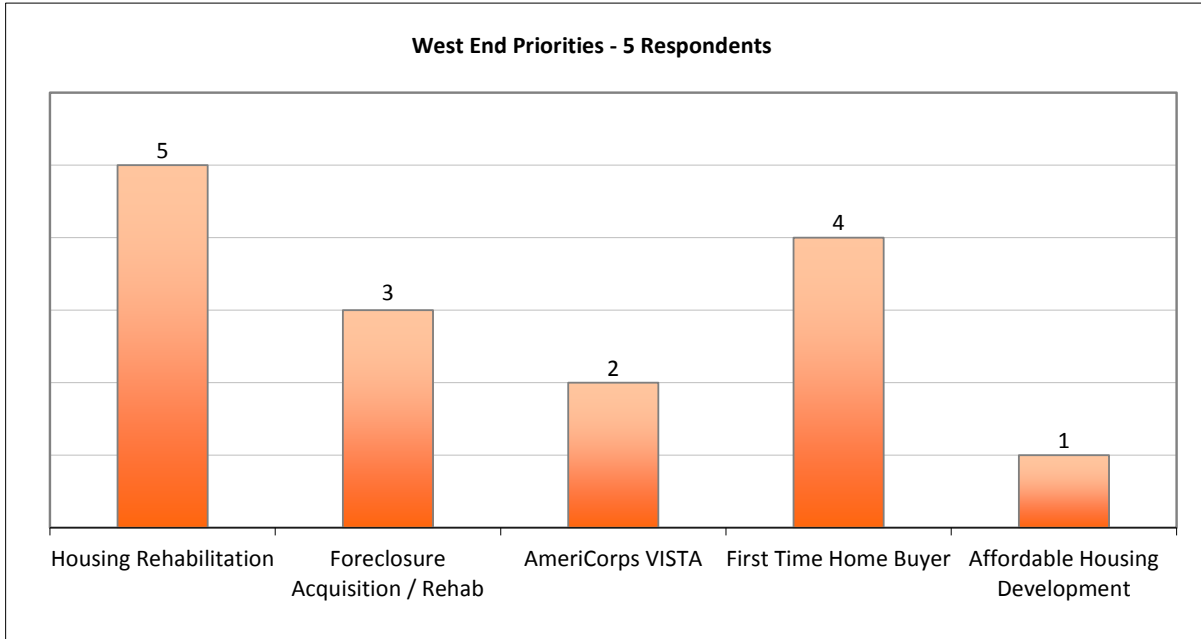
A total of 32 surveys were received. Nineteen were from voting members of a Neighborhood Task Force and the remaining 13 surveys were from community members.



A total of 22 surveys were received from the South Side Task Force meeting in March 2015. Ten were from voting members of the South Side Task Force, one was from a member of the North Elevation Task Force, and the remaining 11 surveys were from non-voting members. One respondent indicated \$20,000 (or whatever CDBG suggests) in support for the Home Center and did not rank the other programs. One respondent ranked four programs in their top three priorities.



A total of five surveys were received. Three were from voting members of the Southwest Corridor Task Force.



A total of five surveys were received. All were from voting members of the West End Task Force.