

# CITY OF BILLINGS

## CITY OF BILLINGS VISION STATEMENT:

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

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## AGENDA

**COUNCIL CHAMBERS**

**September 14, 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:** August 24, 2015

**COURTESIES:**

**PROCLAMATIONS:** Constitution Week

**ADMINISTRATOR REPORTS - TINA VOLEK**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #1 ONLY. Speaker sign-in required.** (Comments offered here are limited to one (1) minute. Please sign 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. **Airport Improvement Program (AIP) Storm Drain Tunnel Boring Project.**  
(Opened 9/1/2015) Recommend Brannan Construction Company, \$1,567,227.20.
  
  2. **W.O. 15-38, Solid Waste CNG Short-Term Fueling Station Procurement.**  
(Opened 8/25/2015). Recommend rejecting sole bid from EFS West, \$395,055.
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- B. **Approval** of the revised Assignment on Lot 9 Lease, assigning to Yellowstone Bank; and **approval** of Amendment One to Lot 8 Lease revising Lesse's name to EBH, LLC.
  
  - C. **Approval** of one-year Commercial Aviation Ground Lease with United Parcel Service (2/1/2015-1/31/2016); first year revenue - \$14,791.20; revenue subsequent years adjusted by Consumer Price Index for All Urban Consumers (CPI-U).
  
  - D. **Approval** of the purchase of eight (8) replacement police vehicles from Bison Ford Motor Company of Great Falls for \$27,488.08 each, or a total cost of \$219,904.64, budgeted in the 2016 Equipment Replacement Plan.
  
  - E. **Approval** to initiate a street name change for Cortez Avenue and set a public hearing date for October 13, 2015.
  
  - F. **Adult Resource Alliance of Yellowstone County (formerly Yellowstone County Council on Aging) Funding Agreement Renewal** for FY2015-2016; \$26,780.
  
  - G. **Recommendation of approval** to the Policy Coordinating Committee for Draft 2016 Unified Planning Work Program.
  
  - H. **Confirmation of Probationary Police Officers** - Brandon Lange and Nicholas Lam.
  
  - I. **Storm Drain Easement** on Lot 31A, Panoramic Heights Subdivision Amended.
  
  - J. **Revolving Loan Fund** to Art House Cinema & Pub; \$30,000.
  
  - K. **Acceptance of Donation** to Police Department for School Resource Officer Training, Downtown Exchange Club of Billings, \$2,400.

- L. **Resolution** authorizing the sale of Special Improvement District bonds (SID 1398), \$51,000.
  
- M. **Second/Final Reading Ordinance for Zone Change #938:** A zone change from Residential 9,600 to Residential 7,000 on a 7.8 acre parcel of land described as: Lot 1, Block 5, and Lot 5, Block 2, Grand Peaks Subdivision, and generally located at 54th Street West and Grand Peaks Drive. Grand Peaks, LLC, owner; Sanderson Stewart, agent. Approval of the zone change and adoption of the determinations of the ten criteria.
  
- N. **Bills and Payroll:**
  - 1. August 10, 2015
  
  - 2. August 17, 2015

**REGULAR AGENDA:**

- 2. **PUBLIC HEARING AND RESOLUTION** approving and adopting Budget Amendments for FY15. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
  
- 3. **PUBLIC HEARING AND RESOLUTIONS SPREADING ASSESSMENTS** on the following Special Improvement Districts:
  - A. **SID 1382** - curb and gutter, water, storm drain, and multi-use path on Colton Boulevard between 38th Street West and Zimmerman Trail.
  
  - B. **SID 1397** - paving Treasure Drive from Donna Drive to City High Ditch.
  
  - C. **SID 2907** - development and miscellaneous public improvements in various locations around the City.
  
  - D. **SID 2908** - sidewalks along Poly Drive between 32nd Street West and 38th Street West.  
  
Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
  
- 4. **PUBLIC HEARING AND RESOLUTIONS SPREADING ASSESSMENTS** on the following:

**A. Park District 1**

**B. Park Maintenance Districts**

Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

5. **PUBLIC HEARING AND RESOLUTION** adopting annual Special Improvement Light Maintenance District assessments for FY16. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND RESOLUTION** assessing the annual fee for encumbrances, obstructions, or encroachments on, over, across, or above the streets, avenues, sidewalks, or alleys of the City of Billings. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** setting Road Maintenance District 6 assessments for FY16. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
8. **PUBLIC HEARING AND RESOLUTION** setting General Obligation (GO) Debt and Public Safety (PS) 2 mill levy rates for FY16. Staff recommends approval. (Action: Approval or disapproval of staff recommendation.)
9. **PUBLIC HEARING** to receive input on the City's FY14-15 Draft Comprehensive Annual Performance Evaluation Report (CAPER) for Community Development Block Grant (CDBG) and HOME Programs. No action is necessary.
10. **PUBLIC HEARING AND RESOLUTION** setting mills for General Fund, Library, Transit, and Public Safety 1. Staff recommends holding the public hearing, indefinitely tabling the resolution, and directing staff to prepare the FY17 budget to include hiring additional public safety personnel. (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 Billie Guenther, City Clerk, at 657-8210.*

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Award of the Airport Improvement Program (AIP) Funded Storm Drain Tunnel Boring Project for Billings Logan International Airport

**PRESENTED BY:** Kevin Ploehn, Acting Director of Aviation and Transit

**Department:** Airport

**PROBLEM/ISSUE STATEMENT**

Included in the Airport's capital program is the Storm Drain Tunnel Boring project. This is the first phase of a three phase, multi-year construction program to enhance the Airport's ability to collect and convey storm water from the middle of the airfield during heavy rainfall events. This year's project will tunnel bore under Runway 10L/28R in two locations, and includes the installation of approximately 1,300 feet of 48 inch diameter culvert piping. Once the new piping has been installed and the other two phases of the project completed (Phase II piping to Alkali Creek, Phase III Pond D expansion), the airfield areas between Taxiway A and the main runway will drain much quicker. This will subsequently prevent temporary runway and taxiway closures due to the storm water accumulating to the point the infield overflows across the taxiways and main runway. Once the new culverts have been installed, they will be capped on both ends until they can be connected to next year's new storm drainage system improvements on the north side. This project was advertised in the *Billings Times* on August 13, 20, and 27, and was posted on the City's Website. On Tuesday, September 1, 2015 the following bids were received:

<b>CONTRACTOR</b>	<b>BID</b>
Brannan Construction Company	\$1,567,227.20
BT Construction, Inc.	\$1,720,470.00
Horizontal Boring and Tunneling Company	\$1,852,155.00
Claude H Nix Construction	\$2,586,451.40
S.J. Louis Construction of Texas, Ltd.	\$2,700,190.00
Super Excavators, Inc.	\$3,243,450.00
Iowa Trenchless	\$3,522,650.00
Estimated Cost	\$2,042,565.00

**ALTERNATIVES ANALYZED**

City Council may:

- Approve the low bid for the Storm Drain Tunnel Boring; or
- Decline the bid award, reject all bids, and delay the project.

**FINANCIAL IMPACT**

The total cost of this project is \$1,567,227.20. These costs are funded 90% with AIP Entitlement grant funds and 10% local match funds. The FAA's portion will be \$1,410,504.48 and the City's local match will be \$156,722.72. This project is included in the current capital budget, and local match funds are budgeted and available in the Airport's capital account.

**RECOMMENDATION**

Staff recommends the City Council approve the award of this project to the low bidder, Brannan Construction Company, for the amount of \$1,567,227.20.

**APPROVED BY CITY ADMINISTRATOR**



**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** W.O. 15-38--Solid Waste CNG Short-Term Fueling Station, Procurement Bid Award

**PRESENTED BY:** David Mumford, Public Works Director

**Department:** Public Works

**PROBLEM/ISSUE STATEMENT**

The City of Billings Solid Waste Division has begun to replace its fleet of diesel-engine garbage trucks with trucks powered by compressed natural gas (CNG). There are currently two CNG trucks in service, and six more are scheduled for delivery this fall. There is a single CNG fueling station in Billings, operated by MDU, that Solid Waste currently uses. However, MDU has plans to close its fueling station, so the City must construct one to provide fuel for the expanding fleet of CNG trucks. Having a City-owned CNG fueling station will not only be more convenient for drivers, it should also result in lower overall fueling costs.

Due to needing this fueling station operational soon after the delivery of the new vehicles, and that there is no land available for a station that would ultimately service a full fleet of 34-40 trucks, a smaller station will be constructed for the short-term (estimated 3-5 years) on the east side of the Billings Operations Center (BOC) parking lot. The equipment used for the short-term station will be capable of servicing up to 16 vehicles, and will have the ability to be relocated to a permanent site and expanded to service more vehicles in the future.

This contract was intended to procure a CNG packaged fueling system to be used for the short-term fueling station. The installation of the equipment and the site work will be bid under a separate contract.

This contract was advertised July 30, August 6, August 13, and August 20, 2015, in The Billings Times and on the City's website. Bids were opened August 25, 2015, and Council is asked to take action on the bids.

**ALTERNATIVES ANALYZED**

The Council may:

- Award a contract to the low bidder, EFS West, in the amount of \$395,055.00, which greatly exceeds the preliminary budget for the CNG equipment; or
- Reject all bids. In lieu of re-bidding this package, Staff will add the equipment procurement to the installation contract that will bid later in September. In discussions with various suppliers after the procurement bid opening, Staff believes much better pricing will be received as part of an installation package.

**FINANCIAL IMPACT**

The following bids were received and evaluated.

CNG Equipment Supplier (Bidder)	Lump Sum Base Bid Amount
EFS West	\$ 395,055.00

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The project is being funded by Solid Waste funds, as approved in the FY 2016 budget. The amount of this bid greatly exceeds the preliminary budget established for the equipment.

**RECOMMENDATION**

Staff recommends Council reject the bid received from EFS West for W.O. 15-38--Solid Waste CNG Short-Term Fueling Station Procurement in the amount of \$395,055.00.

**APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Revised Assignment of Security Interest in Lot 9 Commercial Aviation Ground Lease with Edwards Jet Center and Revised Amendment One to the Lot 8 Lease

**PRESENTED BY:** Kevin Ploehn, Acting Director of Aviation and Transit

**Department:** Airport

**PROBLEM/ISSUE STATEMENT**

On July 27, 2015, the City Council approved a new Lease with Edwards Jet Center (EJC) on a vacant 64,927 square foot parcel known as Commercial Lot 9 located at the east end of the Airport. EJC will be constructing a new large aircraft hangar on this parcel that formerly housed the rental car wash facilities. At the July 27 meeting, the City Council also approved an Assignment of EJC's interest in the Lot 9 Lease to secure EJC's financing arrangements. At that time, EJC intended to obtain financing from First Interstate Bank, and the Assignment document was prepared for that purpose. EJC has since decided to obtain its financing from Yellowstone Bank instead of First Interstate Bank, which necessitates revising the Assignment document to assign the security interest to Yellowstone Bank instead of First Interstate Bank. A new Lessor's Consent to Assignment has been prepared for Yellowstone Bank that will replace the previous document prepared for First Interstate Bank.

Additionally, the implementation of the new Lot 9 Lease required adjusting the boundaries of the adjacent Commercial Lot 8 Lease, also with EJC. Amendment One to the Commercial Aviation Ground Lease on Lot 8 reduced the leasehold by 709 square feet, and also updated some of the standard lease language. This Amendment was also approved by the City Council at its July 27, 2015 meeting. An error in the name of the Lessee was discovered, thereby also requiring a revision to the Amendment document. With City Council approval, EJC had previously assigned its interest in the Lot 8 Lease to another entity in its family of companies, EBH, LLC.

Amendment One is revised to reflect the current Lessee as EBH, LLC, instead of Lynch Flying Service, Inc., DBA Edwards Jet Center. Copies of the new Lessor's Consent to Assignment, and revised Amendment One are on file in the City Clerk's Office.

**ALTERNATIVES ANALYZED**

City Council may:

- Approve a new Lessor's Consent to Assignment to Yellowstone Bank for the Lot 9 Lease, and a revised Amendment One for the Lot 8 Lease; or
- Disapprove a new Lessor's Consent to Assignment to Yellowstone Bank for the Lot 9 Lease, and a revised Amendment One for the Lot 8 Lease.

**FINANCIAL IMPACT**

There is no financial impact from either the revised Lessor's Consent to Assignment or the revised Amendment One. These revised documents will merely replace the previous documents approved on July 27.

## **RECOMMENDATION**

Staff recommends that City Council authorize the Mayor to execute (1) a new Lessor's Consent to Assignment to Yellowstone Bank, to secure the bank's financing to EJC for EJC's new Lot 9 hangar construction at the Airport, and (2) a revised Amendment One to the Lot 8 Lease to revise the Lessee's name to EBH, LLC.

## **APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Commercial Aviation Ground Lease with United Parcel Service, Inc.

**PRESENTED BY:** Kevin Ploehn, Acting Director of Aviation and Transit

**Department:** Airport

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**PROBLEM/ISSUE STATEMENT**

United Parcel Service, Inc. (UPS) has been a tenant of the Airport since 1993. UPS has recently expanded its cargo operation west of the Terminal Building, and desires to renew its Lease with the Airport. This new Lease reflects the total ground area utilized by UPS' expanded operation. This Lease commenced on February 1, 2015 and ends on January 31, 2016. The Lease has a one-year automatically renewable term with the ability of either party to cancel the Lease on 90 days written notice. UPS is responsible for all site improvements and maintenance on the 60,619.79 square foot parcel it is leasing. Standard insurance and indemnification language has also been included. A copy of the Lease is available in the City Clerk's Office.

**ALTERNATIVES ANALYZED**

City Council may:

- Approve the new Commercial Aviation Ground Lease with UPS; or
- Disapprove the new Commercial Aviation Ground Lease with UPS.

**FINANCIAL IMPACT**

This Lease will generate \$14,791.20 in rental income for the first year. Future lease rentals will be adjusted annually by the Consumer Price Index for All Urban Consumers (CPI-U), published by the Department of Labor, Bureau of Labor Statistics. Additionally, UPS provides the Airport approximately \$130,000 annually in landing fees.

**RECOMMENDATION**

Staff recommends the City Council approve a new Commercial Aviation Ground Lease with UPS on a 60,619.79 square foot parcel west of the Terminal Building.

**APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Purchase Eight (8) Police Vehicles

**PRESENTED BY:** Rich St. John, Police Chief

**Department:** Police

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**PROBLEM/ISSUE STATEMENT**

The Police Department has eight (8) patrol vehicles to replace in the FY16 Equipment Replacement Plan (ERP). The State of Montana conducts an annual competitive bidding process for law enforcement vehicles. Local government agencies are allowed to use the same vendor that the State chooses. Bison Ford Motor Company, Great Falls, Montana, was selected as the vendor to provide the State of Montana with Ford Sedan Police Interceptors in 2015. Local car dealers usually will not submit bids if requested because they cannot compete on price due to the volume purchased through the State contract. Therefore, staff is requesting that the City Council approve purchasing 8 patrol vehicles from Bison Ford Motor Company of Great Falls for the price of \$27,488.08 each, or a total cost of \$219,904.64.

**ALTERNATIVES ANALYZED**

The City Council may:

- Approve purchase of the 8 patrol vehicles from Bison Ford, or
- Not approve the purchase of the 8 patrol vehicles. Present patrol units will be retained and operated beyond their recommended replacement life, which will result in more down-time and higher repair costs.

**FINANCIAL IMPACT**

The 8 replacement patrol vehicles are budgeted in the 2016 Equipment Replacement Fund budget.

**RECOMMENDATION**

Staff recommends that the City Council approve purchasing 8 patrol vehicles from Bison Ford Motor Company of Great Falls for the price of \$27,488.08 each, or a total cost of \$219,904.64.

**APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Acknowledge Request for Street Name Change Cortez Avenue to Topanga Avenue and Set a Public Hearing for October 13, 2015

**PRESENTED BY:** David Mumford, Public Works Director

**Department:** Public Works

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**PROBLEM/ISSUE STATEMENT**

The Billings Fire Department requests a street name change in the High Sierra Subdivision, from Cortez Avenue to Topanga Avenue, north of Benjamin Boulevard. High Sierra Subdivision 7th Filing named this street Cortez Avenue. If it retains that name and extends into the 8th filing, it would create addresses that conflict with ones in the 7th filing. There is currently no one addressed from this short section of Cortez Avenue. Attached is an exhibit of High Sierra Sub 8th Filing which shows Topanga Avenue and the small section of Cortez Avenue that needs to be re-named.

**ALTERNATIVES ANALYZED**

The Council may:

- Acknowledge the name change request and set a public hearing for October 13, 2015. There is no alternative as there will be double addresses if kept as Cortez Avenue.

**FINANCIAL IMPACT**

The City will incur nominal costs in advertising and sending notices for the public hearing.

**RECOMMENDATION**

Staff recommends City Council acknowledge the request for a street name change from Cortez Avenue to Topanga Avenue, north of Benjamin Blvd. and set a public hearing for October 13, 2015.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Exhibit

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CERTIFICATE OF INDENTURE  
STATE OF MONTANA  
County of Yellowstone

BEING LOT 2A, BLOCK 1 OF AMENDED PLAT OF LOT 2, BLOCK 1 AND  
LOTS 1, 2, & 3, BLOCK 2 OF MARSELA SUBDIVISION  
SITUATED IN N1/2 OF SECTION 17, T. 1 N., R. 26 E., P.M.M.,  
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA  
PREPARED FOR : HIGH SIERRA II, INC.  
OCTOBER, 2014  
PREPARED BY : SANDERSON STEWART  
BILLINGS, MONTANA

CERTIFICATE OF SUBDIVISION  
STATE OF MONTANA  
County of Yellowstone

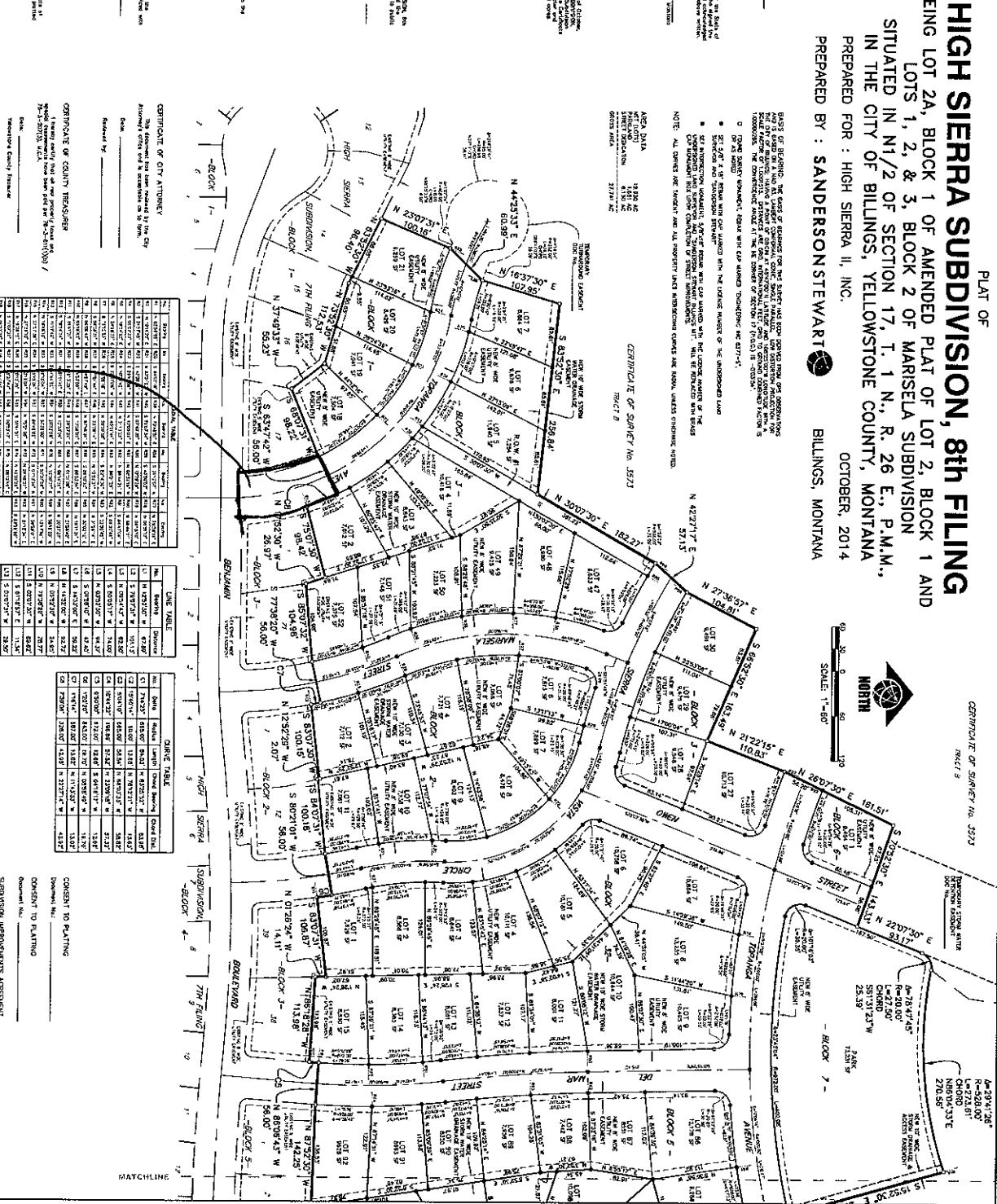
CERTIFICATE OF CITY COUNCIL APPROVAL  
CITY OF BILLINGS, MONTANA

NOTICE OF APPROVAL  
STATE OF MONTANA  
County of Yellowstone

CERTIFICATE OF COUNTY TREASURER  
STATE OF MONTANA  
County of Yellowstone

CERTIFICATE OF CITY ATTORNEY  
STATE OF MONTANA  
County of Yellowstone

CERTIFICATE OF COUNTY ENGINEER  
STATE OF MONTANA  
County of Yellowstone



AREA DATA

PER LOT AREA	1932 AC
TOTAL AREA	630 AC
NET AREA	630 AC
PERCENTAGE	27.74%
ACROSS SECTION	2774 FT

LOT DATA

LOT NO.	AREA (AC)	PERCENTAGE
1	1932	27.74%
2	1932	27.74%
3	1932	27.74%
4	1932	27.74%
5	1932	27.74%
6	1932	27.74%
7	1932	27.74%
8	1932	27.74%
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99	1932	27.74%
100	1932	27.74%

CURTAIN TABLE

NO.	DATE	DESCRIPTION	AMOUNT	CHECK NO.	DATE PAID
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CONSENT TO PLATING

Document No. \_\_\_\_\_

Request No. \_\_\_\_\_

CONSENT TO PLATING

Document No. \_\_\_\_\_

Request No. \_\_\_\_\_

SUBDIVISION IMPROVEMENT AGREEMENT

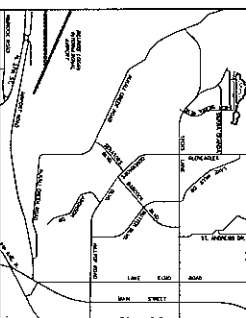
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SHEET 1 OF 2  
DATE: 10/1/14  
DRAWN BY: J. STEWART

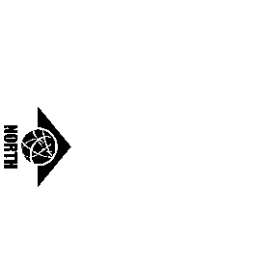
*Context Avenue  
to re-named*

Block	Lot	Area	Acres	Block	Lot	Area	Acres
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1	2	0.12	0.28	1	2	0.12	0.28
1	3	0.12	0.28	1	3	0.12	0.28
1	4	0.12	0.28	1	4	0.12	0.28
1	5	0.12	0.28	1	5	0.12	0.28
1	6	0.12	0.28	1	6	0.12	0.28
1	7	0.12	0.28	1	7	0.12	0.28
1	8	0.12	0.28	1	8	0.12	0.28
1	9	0.12	0.28	1	9	0.12	0.28
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1	27	0.12	0.28	1	27	0.12	0.28
1	28	0.12	0.28	1	28	0.12	0.28

**PLAT OF**  
**HIGH SIERRA SUBDIVISION, 8th FILING**  
 BEING LOT 2A, BLOCK 1 OF AMENDED PLAT OF LOT 2, BLOCK 1 AND  
 LOTS 1, 2, & 3, BLOCK 2 OF MARSELA SUBDIVISION  
 SITUATED IN N1/2 OF SECTION 17, T. 1 N., R. 26 E., P.M.M.,  
 IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA  
 PREPARED FOR : HIGH SIERRA II, INC.  
 OCTOBER, 2014  
 PREPARED BY : SANDERSON STEWART  
 BILLINGS, MONTANA

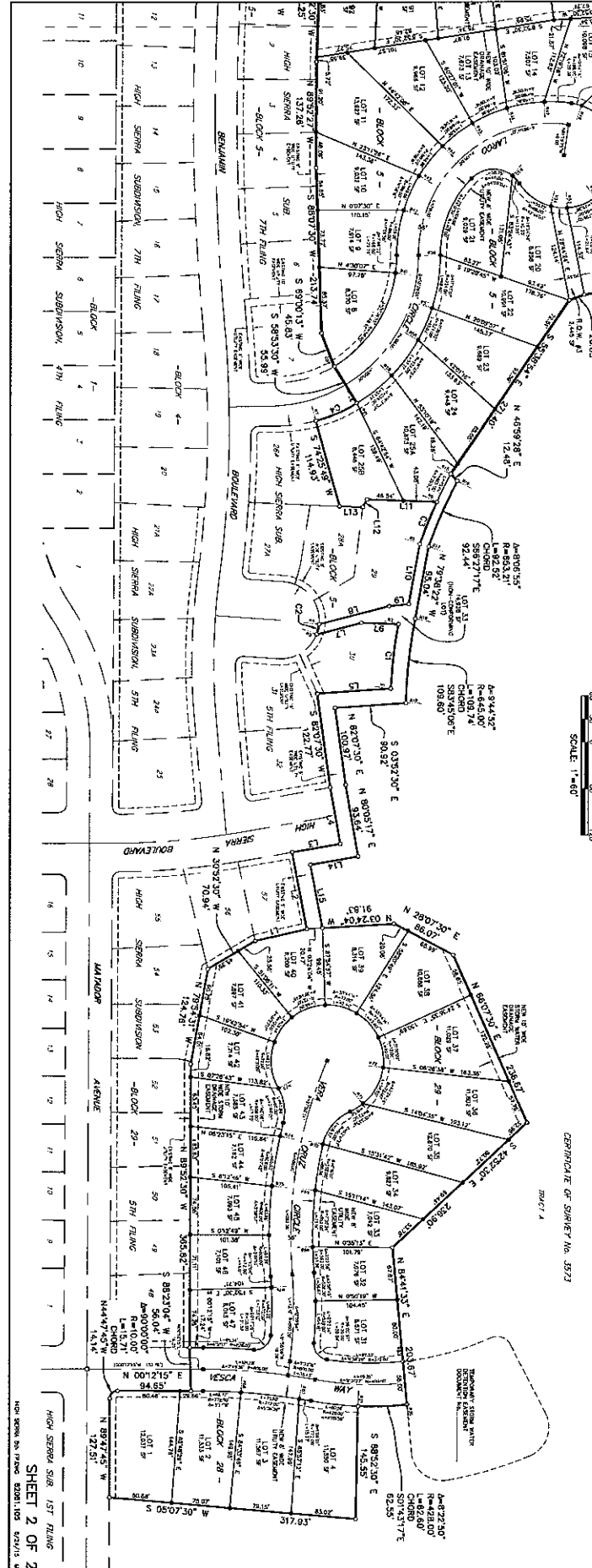


LINE TABLE	LINE TABLE
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**AREA DATA**  
 TOTAL AREA: 188.42 ACRES  
 PLANNED DEVELOPMENT: 188.42 ACRES  
 EXISTING DEVELOPMENT: 21.14 ACRES

**NOTE:** ALL DIMENSIONS ARE IN FEET AND ALL DIMENSIONS ARE APPROXIMATE DIMENSIONS AND SHOULD BE CONSIDERED AS SUCH.



**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Alliance Mill Levy Funding Agreement for the Billings Community Center

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

**Department:** Parks/Rec/Public Lands

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**PROBLEM/ISSUE STATEMENT**

The City of Billings receives county mill levy funding annually through the Adult Resource Alliance of Yellowstone County (ARAYC), (formerly the Yellowstone County Council on Aging) in support of the senior programs at the Billings Community and Senior Center. This funding agreement is renewed each year and establishes the terms under which the City will receive the funding. The funding allocation for 2015-2016 from the ARAYC will be \$26,780.

**ALTERNATIVES ANALYZED**

City Council may:

- Approve the funding agreement, or
- Disapprove the agreement.

**FINANCIAL IMPACT**

This funding source comprises about 11.3 % of the Community and Senior Center's total budget.

**RECOMMENDATION**

Staff recommends the the City Council approve the funding agreement with ARAYC for FY 2015-2016.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Alliance Agreement

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## AGREEMENT

This AGREEMENT between the Adult Resource Alliance of Yellowstone County (ARAYC) and the City of Billings, is for the provision of the services for persons 60 years of age or older and their spouses according to the following terms.

### SECTION 1 GENERAL TERMS

- 1.1 This agreement will be effective from July 1, 2015 through June 30, 2016. Prior to the completion date, the contract will be reviewed for renewal by ARAYC upon submission of a budget and funding request to ARAYC for the upcoming year by the City of Billings.
- 1.2 This agreement is for Yellowstone County Senior Mil Levy funding which comes to the Adult Resource Alliance of Yellowstone County and is distributed to senior service providers by the ARAYC with approval by the County Commissioners. As such, these funds are available to match Federal funds or other grants.
- 1.3 The allocation for this time period will be \$26,780. Payments will be made in four equal amounts. This amount includes \$2,400 that is considered rent for the kitchen and dining room space for the Senior Dinner Program meal site. The remainder of the funds will be used to support the Senior Center program expenses. It is understood that ARAYC will pay for 1/2 of the repairs to the kitchen equipment owned by the city, which we use provided there is notification of necessary repairs before they are made.
- 1.4 This agreement may be modified by a written amendment signed by an authorized representative of both parties, and attached to the original of this contract.
- 1.5 Either party, without cause, may terminate this agreement by written notice sixty (60) days in advance.

### SECTION 2 REPORTS AND RECORDS

- 2.1 All financial and supporting documents regarding the use of these funds shall be available at anytime to the ARAYC upon request from the ARAYC auditor.
- 2.2 A monthly report of individual participants at the senior center will be submitted to the ARAYC office no later than 10 working days into the next month. This will include name and birthdate of each participant.

### SECTION 3 REPRESENTATIVE

- 3.1 The ARAYC representative shall be Bea Ann Melichar, Executive Director or her representative. The City of Billings representative shall be the Parks, Recreation and Public Lands Director or his representative.

SECTION 4 SENIOR NEWS

4.1 The monthly ARAYC publication, "Senior News", shall be available to all participants of the center and is not subject to their membership in any organization. News specific to the Billings Community Center shall be included in the publication each month and will follow guidelines established by ARAYC for setup, font size and content with upcoming events, activities and speakers featured. News is subject to review and editing by the ARAYC Executive Director and or her designee. Refer to the schedule sent out the first of each year for the date of submittal of the information. There will be a charge for additional space in the Senior News.

SECTION 5 TRAINING/PLANNING MEETINGS

5.1 A representative of the Billings Community Center will attend planning or training meetings as necessary in relationship to these funds, provided there is adequate notification of such meetings.

SECTION 6 IDENTIFICATION ON PUBLICATIONS

6.1 Any written materials the Billings Community Center produces that lists the sources of funding for their program shall also include the Adult Resource Alliance of Yellowstone County.

This AGREEMENT is hereby signed and entered into by both parties:

\_\_\_\_\_  
Bea Melichar, Executive Director

Date \_\_\_\_\_

\_\_\_\_\_  
City of Billings Representative

Date \_\_\_\_\_

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** 2016 Unified Planning Work Program (UPWP)

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

**Department:** Planning & Community Services

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**PROBLEM/ISSUE STATEMENT**

The City-County Planning Division is presenting the 2016 Unified Planning Work Program (UPWP) for the Billings Metropolitan Planning Organization for City Council review and recommendation to the Billings Policy Coordinating Committee (PCC). The UPWP is primarily for the purpose of programming the federal dollars Billings receives from the Federal Highway Administration (FHWA) for transportation planning. These funds are passed through the Montana Department of Transportation (MDT). All transportation planning activities are included in the UPWP so that it represents a comprehensive document for the urban transportation planning program. This UPWP proposes planning activities for Federal Fiscal Year 2016, which runs from October 1, 2015, through September 30, 2016.

This UPWP corresponds directly with the Planning Division's annual work plan. The significant changes in this year's program include completing the 2016 Growth Policy, updating the Billings Area Bikeway and Trail Master Plan, a 5th Avenue Corridor Study, and a complete Streets Progress Report. The Transit section is Chapter II of the UPWP. The document is consistent with past programs in its content and format.

**ALTERNATIVES ANALYZED**

The City Council may:

- Accept the program (recommended) and instruct Mayor Hanel, or a designee, to give a positive recommendation to PCC; or
- Reject the plan and instruct Mayor Hanel, or a designee, to give a negative recommendation to PCC. Rejection of the UPWP would mean a significant reduction in funding to complete planning activities in Billings and Yellowstone County; or
- Make amendments to the program document and instruct Mayor Hanel, or a designee, to give a positive recommendation with amendments to PCC

The PCC meeting is scheduled for September 15th.

**FINANCIAL IMPACT**

Approval of the 2016 UPWP allows the City to access Federal funds for transportation planning in the community. Federal and local funds are combined to provide most of the planning work done by the Planning Division for the City and the County. If the UPWP is not approved, there would be a significant loss of resources for community planning. The breakdown of funding sources for FY2016 is estimated below:

- \$236,138 Planning Dept. Fee Revenue (City of Billings)
- \$54,250 Planning Dept. Fee Revenue (Yellowstone County)
- \$420,000 Yellowstone County Planning Levy

- \$1,185,317 Federal Planning (PL) Allocation

\$1,895,705 Total Program Funding (UPWP)

**RECOMMENDATION**

Staff recommends that the City Council approve the 2016 UPWP and instruct Mayor Hanel, or his designee, to carry the recommendation to the PCC meeting on September 15th.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Draft 2016 UPWP

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# **Billings Urban Area**

## **Unified Planning Work Program**

**(UPWP)**

**Federal Fiscal Year**

# **2016**

## **DRAFT**

Prepared By:

Billings/Yellowstone County Planning Division  
2825 3rd Avenue North, 4th Floor  
Billings, Montana 59101

In Cooperation With:

Montana Department of Transportation  
Federal Highway Administration  
Federal Transit Administration



# UNIFIED PLANNING WORK PROGRAM

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## INTRODUCTION

The Billings Urban Area planning process is organized and conducted in a cooperative, coordinated, and comprehensive manner. The Yellowstone County Board of Planning, as the designated Metropolitan Planning Organization (MPO), is charged with the responsibility of administering the planning process. Under federal regulations, an MPO must be established for urban areas with populations greater than 50,000 in order to receive federal funds for construction projects and transportation planning. This document, the Billings Urban Area Unified Planning Work Program (UPWP), and a companion document, the Prospectus, is the foundation upon which the planning process is based.

The UPWP is developed each year, and once adopted and approved by FHWA and FTA, is in effect from October 1 to September 30. The UPWP contains a task by task discussion of projects, which are to be undertaken during the program year. It also contains appropriate funding information, staffing information, and a schedule for each project. The UPWP undergoes a comprehensive review at the local, state, and federal levels each year.

This year, Federal Fiscal Year 2016, the format for work program activities conforms to Federal Transit Administration (FTA) Circular 8100.1C, specifically Chapter IV. The Montana Department of Transportation and the Yellowstone County Board of Planning have mutually agreed upon use of this format.

The UPWP is a detailed description of projects, which occur on a routine basis. Once adopted, the document is only amended if there is a change in the planning process. The UPWP also contains information pertaining to the organization of the planning process, agencies involved, and agreements between agencies involved in the process.

Cost overrun guidelines have been established by the Montana Department of Transportation, and agreed to by the Yellowstone County Board of Planning. Those guidelines will determine the allowable overruns for any work program element. Overruns that surpass those outlined in the guidelines will require a UPWP amendment.

This document includes two chapters, Highway and Transit. Each chapter contains individual work elements. These work elements describe work the planning and transit staff will undertake in the program year as well as work accomplished in the past year. Also included is a breakdown of funding sources which include, Planning (PL) funds and Local (City & County) funds which are used to provide funding for non PL eligible activities. Priorities this year include, completing The Rims to Valley Planning Study and the West End Traffic Study. Updating the Billings Bikeway and Pedestrian Plan and undertaking a Downtown 5<sup>th</sup> Avenue Corridor Study.

### **DATES OF LOCAL APPROVAL**

TAC –8/6/15

PLANNING BOARD –8/25/15

COUNTY COMMISSION –8/25/15

CITY COUNCIL –9/14/15

PCC –9/15/15

# CHAPTER I

## YELLOWSTONE COUNTY BOARD OF PLANNING

### SECTION I UNIFIED PLANNING WORK PROGRAM

#### 41.11.100 PROGRAM SUPPORT & ADMINISTRATION

#### **100 PROGRAM ADMINISTRATION (4301)**

##### OBJECTIVE

- To administer the area-wide planning process.
- To support the Board of Planning and other Boards, Commissions, and the City Council and County Commissioners in their decision-making activities in the planning process.
- To engage in administrative and financial actions related to identified planning activities and to prioritize those activities.
- To enhance staff skills and maintain staff exposure to the "state-of-the-art" in planning methodology and computer software.
- To maintain contact with, provide input to, and receive feedback from various local, state and federal agencies, committees and groups during the planning process.

##### ACCOMPLISHMENTS - FISCAL YEAR 2015

Ensured conformance with federal, state, and local administrative and regulatory requirements, as well as maintenance of planning operations.

Members of the planning staff attended various professional meetings, workshops, and conferences at which planning, transportation, transit, bicycle/pedestrian and related topics were presented and discussed.

Specifically, the City-County Planning Division (Planning Division) and members of other local, state and federal departments and agencies actively participated in a diverse set of local meetings, including the Billings Technical Advisory Committee (TAC), Policy Coordinating Committee (PCC), Billings & Yellowstone County Zoning Commissions and Boards of Adjustment, Board of Planning, City Annexation Committee, City Development Process Review Committee, Community Development Board, Traffic Control Board, Bicycle and Pedestrian Advisory Committee, Historic Preservation Board, Billings Livability Partnership and others. Grant writing for the Division was completed under this work element. The CTEP program was administered from this work element by Planning Division staff and coordination of TA Program applications and local approvals will be administered through this work element going forward.

Planning staff received updates in computer software programs for the geographic information system and its application to mapping data layers such as streets, land use, address, ownerships and environmental data. Staff regularly utilizes an application tracking and project management software system that integrates the existing City building permit, finance and land management software, as well as coordinated subdivision and development project reviews across City and County departments. The aerial photography coverage was updated in fall 2014. Staff also updated the City Annexation Policy and Limits of Annexation Map, and assisted in updates to the City's Capital Improvement Program. Implementation of the City's Complete Streets Policy is ongoing with the development of a Complete Streets Benchmark Report to be published every three years.

## **PROPOSED ACTIVITIES - FISCAL YEAR 2016**

All administrative functions of the Planning Division will be performed under this work element. Program management activities will include, but not be limited to the following:

1. Correspondence
2. Public Relations
3. Employee Guidance, Supervision, and Training
4. Program Organization and Management
5. Consultant Liaison Activities
6. Staff Meetings
7. Negotiations
8. Preparation of Contracts
9. Staff Training
10. Performance Monitoring
11. Office equipment acquisition
12. Budget Management and Administration

New federal regulations require that performance measures and goals be established to monitor the performance of the region's transportation system.

The MPO will work with federal, state and local agencies to improve current performance tracking methods. Performance measures will be tracked on the MPO website and regular reporting will be provided to the Transportation Policy Coordinating Committee, MPO committees and the general public depending on the availability of related data.

### **PL Eligible Activities**

- As per the MPO's public participation plan and ongoing public outreach efforts, the planning staff will make available the documents and guidelines for transportation planning activities to the community, as well as keep abreast of federal and state requirements as they relate to the overall planning processes. These activities may include distribution of the Billings Area Bikeway and Trail Master Plan to community organizations or individuals, distribution of the current Billings Area Tour Map for bicycle and pedestrian users and visitors, distribution and explanation of the latest Billings Urbanized Area Traffic Count Map, explanation and distribution of the MPO's public participation plan to groups involved or interested in transportation planning processes in the community, and explanation and information dissemination of the TA program to possible project applicants in the community.
- Staff will update the PL & Memorandum of Agreement as necessary to meet the requirements of MAP 21.
- Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation (MDT) in order to maintain federal funding support.
- The FY 2016 UPWP will be continually appraised and monitored in terms of content and budget allocations and will be revised when deemed necessary.
- The Fiscal Year 2017 UPWP will be developed under this work element.
- The Board of Planning, Board of County Commissioners and City Council will be kept informed of the activities of the staff and its progress in completing the approved UPWP.
- All planning staff will participate in recognized and approved training programs in order to improve staff skills and capabilities. Planning expertise will be maintained through enrollment in appropriate planning and transportation-related courses at area colleges, workshops, seminars, webinars and conferences.
- Staff will adapt software programs to effectively utilize traffic data and continue computer-training programs.

- The use of PL funds for out-of-state travel and/or registration fees for the above or other purposes will continue to be subject to prior approval of MDT.
- The TA Program administration will be funded through this work element.
- Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) legislation will be reviewed to become familiar with changes affecting the metropolitan planning process as well as any continuing resolutions extending MAP-21 or new introduced legislation.
- Bicycle-Pedestrian duties were reestablished as a City staff position and is being proposed to move to full time status. This planning position will be funded out of several work elements (100, 200 and 300).
- The Transportation Planning Coordinator (Planner II) and Zoning Coordinator (Planner II) positions have been moved to Senior Planner status in the Man Month Table.
- Grant writing services will continue to be incorporated within the department. Planning activities pertaining to Bicycle-Pedestrian in this work element will include:
  - Work field inspections, handle complaints and investigate problem areas of the trail system.
  - Presentations as needed.

### **Locally Funded Activities**

- General administrative activities will include maintenance of files, library documents, daily correspondence and preparation of necessary periodic reports.
- Interagency committee participation is included in this work element.
- All staff members will continue to participate in and encourage increased cooperation between state and local agencies, departments and governing bodies.
- The Planning Division will serve both as a coordinator of and a participant in meetings and committees.
- Planning Division involvement will include participation with such agencies as the Housing Authority, Big Sky Economic Development Authority (BSEDA), Air Pollution Control Board, RiverStone Health (formerly the City-County Health Department), legislative study committees, and other agencies.
- Staff will also continue a summer intern program as interest and needs arise; oversight of these individual(s) will take place in this work element.

### **STAFFING**

26 Staff Months – City/County Planning

### **FUNCTIONAL AGENCY RESPONSIBILITY**

The Planning Division will be responsible for administering the area-wide planning process for the City and County.

### **PRODUCT**

- An ongoing administrative program focused primarily at effective and expeditious implementation of this UPWP.
- The continual enhancement of the Planning Division staff skills and knowledge.
- Maintenance of a coordinated, comprehensive, and cooperative planning process that is endorsed and supported by the local community.
- The development of the FY17 UPWP.

### **FUNDING SCHEDULE - ADMINISTRATION**

**FUNDS PROGRAMMED - FISCAL YEAR 2015**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$161,150	\$131,850	\$293,000
<b>TOTAL</b>	\$161,150	\$131,850	\$293,000

**DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	55	45	100

**FUNDS PROGRAMMED - FISCAL YEAR 2016**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$170,500	\$139,500	\$310,000
<b>TOTAL</b>	\$170,500	\$139,500	\$310,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## **OBJECTIVE**

- To coordinate the dissemination of information and exchange of ideas between planning agencies and the interested public, decision-makers, and other departments, agencies, and organizations as related to the Billings MPO.

## **ACCOMPLISHMENTS - FISCAL YEAR 2015**

Members of the planning staff were involved in a wide range of service tasks. Planning services included presentations related to roadways and alternative transportation, responding to citizen inquiry and complaints regarding streets, subdivision layout, site distance, zoning request, conformance with the 2014 Transportation Plan Update and the Billings Area Bikeway and Trail Master Plan, Yellowstone County and City of Billings 2008 Growth Policy, West Billings Plan, and various neighborhood and community plans.

Staff presented transportation planning information to its organization and agency partners as needed for educational and decision making purposes. Planning staff also shared information with the community and stakeholders throughout the development of several planning efforts including the ZooMT to Riverfront Park Trail Feasibility Study, Highway 3 Corridor Study, and the Billings North Bypass Record of Decision. The Billings MPO hosted 13 webinars covering a variety of topics including transportation and mobility related topics.

## **PROPOSED ACTIVITIES - FISCAL YEAR 2016**

### **PL Eligible Activities**

- Staff will continue to organize a very successful series of webinars and “brown bag lunch” seminars on a wide range of planning topics, including multi-modal transportation planning and funding, collaborative community planning techniques and planning for sustainability as well as various Institute of Transportation Engineers, Pro Bike/Pro Walk, Sustainable Communities, and Federal Highway Administration webinars.
- Staff is also targeting webinars which educate the public on the transportation planning process and funding as related to the operation of the MPO.

### **Locally Funded Activities**

- Staff will continue to develop and use website tools to enable citizens to access information on upcoming planning activities, board and commission meetings, and recent land use applications, as well as interact with various planning processes through email notification and online comment programs. Staff will look at implementing citizen access to the ImageSilo software for access to historical data related to transportation, zoning and other planning applications.
- Continue increasing community awareness of the interrelationships between land use development and transportation needs through dissemination of information and drafting of planning documents that incorporate both elements together.

**STAFFING**

3.5 Staff Months – City/County Planning

**FUNCTIONAL AGENCY RESPONSIBILITY**

As Assigned.

**PRODUCT**

- A responsive and flexible planning process utilizing staff capable of providing short-term findings and recommendations, as well as ongoing customer service to the public on all levels of planning projects and regulations.
- Provide approximately 15 transportation related webinars to staff, local officials and general public to educate on current transportation issues. These webinars are scheduled on a monthly basis and anticipate 5-10 person viewings per showing. This number can fluctuate depending on the topic. Staff participation is anticipated to be 4-5 persons at these viewings.
- In addition to the transportation specific webinars, staff also provides generally planning webinars that are advertised to all city staff, local officials and the general public. These webinars are scheduled routinely and can include up to 3 webinars a month. Participation anticipated at these webinars is 5-10 person per viewing. This number can fluctuate depending on the topic. Staff participation is between 3-5 per viewing contingent on scheduling.

**FUNDING SCHEDULE - SERVICE**

**FUNDS PROGRAMMED - FISCAL YEAR 2015**

**FUNDING SOURCE**

AGENCY	PL	LOCAL	TOTAL
MPO	\$17,000	\$17,000	\$34,000
TOTAL	\$17,000	\$17,000	\$34,000

**DISBURSEMENT PERCENTAGE**

AGENCY	PL	LOCAL	TOTAL
MPO	50	50	100

**FUNDS PROGRAMMED - FISCAL YEAR 2016**

**FUNDING SOURCE**

AGENCY	PL*	LOCAL	TOTAL
MPO	\$18,000	\$18,000	\$36,000
TOTAL	\$18,000	\$18,000	\$36,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## **102 CITIZEN INVOLVEMENT (4303)**

### **OBJECTIVE**

- To solicit information concerning community values and goals and to receive community input into the development of plans and projects.

### **ACCOMPLISHMENTS - FISCAL YEAR 2015**

Numerous meetings with service clubs, civic groups, and professional organizations were attended by staff members to discuss all facets of local planning. The Planning Board used extensive public input to review and receive comments on a wide range of planning issues throughout the City and County. Meetings of neighborhood task force organizations and neighborhood advisory committees were also attended as requested to answer questions and review long-range planning issues, particularly related to transportation planning and projects, as well as code enforcement complaints. Projects specifically related to citizens and citizen boards included the 2014 Long Range Transportation Plan, the Highway 3 Corridor Study and the ZooMT to Riverfront Park Non-Motorized Access Planning Study. Staff, in coordination with other agencies participated in the implementation of the EBURD Master Plan which included converting 1-way streets to 2-ways with multi-modal amenities, and implementing a form-based code for the EBURD. Projects identified in the South Billings Master Plan were prioritized and scheduled through a series of public meetings. Three of the top four projects focus on improved roadways and bicycle and pedestrian facilities. Staff is in the continuing process of updating the 2008 Growth Policy, the initial citizen involvement included 34 group meetings and 1 public meeting. These meetings produced over 1,200 public comments.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2016**

#### **PL Eligible Activities**

- Outreach to the public and all affected jurisdictions for ongoing transportation projects, including but not limited to Bench Boulevard North, North Billings Bypass, Zimmerman Trail reconstruction, short-term rail traffic mitigation projects in downtown Billings, the 2014 Long Range Transportation Plan, West End Multi-Modal Traffic Modeling Project and the Rimrocks to Valley Bike/Ped Study.
- The staff will continue to support the Bicycle and Pedestrian Advisory Committee. The Committee is responsible for forwarding recommendations to the Planning Board and governing bodies on bicycle safety, trails, bike lanes, pedestrian safety and access, and other matters. The group will be involved in the nomination and review of TA Program eligible project, bicycle and pedestrian signing and safety projects, grant applications for non-motorized transportation projects, and community education and outreach on bicycle and pedestrian safety within the MPO.
- TAC and PCC meetings will be held and meeting information disseminated as necessary.
- Staff will continue to update and maintain the MPO's website to provide the most current up to date information to the community.
- Staff will implement web-based GIS and web mapping software for assistance in transportation and land use planning in conjunction with the update of the Growth Policy.

**Locally Funded Activities**

- Meetings with various citizen groups will be coordinated and attended for the purpose of soliciting information and ideas on a broad range of planning issues within the Billings Urban Area and throughout Yellowstone County.
- Some of the specific projects that will include community participation include the West End Multi-Modal Traffic Modeling Study, the Rimrocks to Valley Bike/Ped Study, the North Billings By-Pass, the 2014 Long Range Transportation Plan and the Growth Policy Update.
- Community participation using new tools and techniques will also be included in all planning studies proposed within this document.

**STAFFING**

4.0 Staff Months – City/County Planning

**FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

**PRODUCT**

- A comprehensive and coordinated solicitation and collection of public opinions in order to accurately reflect the preferences and priorities of the citizens within the Billings Urban Area.
- An enhanced integrated web-based public participation software that includes MPO and generally planning projects and procedures and other pertinent information.

**FUNDING SCHEDULE - CITIZEN INVOLVEMENT**

**FUNDS PROGRAMMED - FISCAL YEAR 2015**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$28,000	\$28,000	\$56,000
<b>TOTAL</b>	<b>\$28,000</b>	<b>\$28,000</b>	<b>\$56,000</b>

**DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	50	50	100

**FUNDS PROGRAMMED - FISCAL YEAR 2016**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$30,000	\$30,000	\$60,000
<b>TOTAL</b>	<b>\$30,000</b>	<b>\$30,000</b>	<b>\$60,000</b>

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## 41.12.200 GENERAL DEVELOPMENT & COMPREHENSIVE PLANNING

### 200 Community Planning (4304)

#### OBJECTIVE

- To maintain records and make projections of population and dwelling unit data, land use information, employment data, and to maintain adequate financial records, files and reports.
- To provide current, accurate information pertaining to the quantity of residential, commercial, industrial, and public land in the MPO and across the County.
- To summarize and analyze development trends and to provide visual information to the City Council, County Commission, Planning Board and the public during the public input process for transportation and land-use decision making.
- To recommend implementation of the goals, policies, and strategies of the adopted 2008 Yellowstone County/City of Billings Growth Policy.
- Implementation of the 2014 Billings Urban Area Transportation Plan.

#### ACCOMPLISHMENTS - FISCAL YEAR 2015

The 2010 Census and most recent American Community Survey (ACS) data has been updated and placed in various databases as it has become available. Data gathered and updated included annual information related to population estimates for city and counties within the State of Montana. This annual information is used by the public and public agencies for planning purposes. The ACS is accessed for review and dissemination, and updated information released by the US Census Bureau in regards to commuting patterns. Other data gathered includes:

- Building Permits, Demolition Permits, Electrical Permits, Subdivision Applications, Zoning Applications, Special Reviews, Variances, temporary use permits, sign permits, zoning compliance permits and zoning clarification documents, annexation data, population trends, land use trends, school enrollment, employment data and general economic indicators.

The planning staff continues to review the 2010 Census data and the 2013 ACS figures and estimates for population and demographic data. Census information is made available to various local agencies and organizations and to the general public. The data is used for developing reports, grant applications and planning documents such as the 2014 Long Range Transportation Plan, the 2015 Recreational Trails Grant Application, and the Billings Area Bikeway and Trail Master and the Growth Policy Update.

Several datasets, including the general land use map of the County were updated so as to maintain an inventory of existing conditions. This information was utilized in various planning studies and provided to other departments and the general public. Zoning data developed in element 204 for the entire City and County zoning jurisdictions was provided to neighborhood task force groups and others as requested. Numerous other special purpose maps were prepared for meeting purposes including bicycle trail maps, annexation maps, estimated development density maps and tables for the Limits of Annexation Map area, and other project influence areas. Natural resource, 2010 Census, and jurisdictional boundary information was updated or developed. Traffic count station locations were geo-positioned and linked with the City-County traffic count matrix. The City also completed new aerial imagery of the land inside the City limits and along the fringe areas and it will be loaded into the City's GIS base map for use in application reviews, transportation planning efforts, and general customer inquiries.

Ongoing review and implementation of sub-area neighborhood and transportation plans, and other planning documents was carried out by staff.

## PROPOSED ACTIVITIES - FISCAL YEAR 2016

### PL Eligible Activities

- The web-based GIS software will be upgraded and expanded to ensure compatibility with available datasets and utilize the existing data sets more effectively. Since the City is in the process of converting to a new electronic project tracking and management system, staff is researching the future connection between this system and GIS. The GIS will be utilized to develop a series of maps, including existing and proposed pedestrian trail routes and projects in the community, maps to implement the 2014 Long Range Transportation Plan, the West End Multi-Modal Traffic Modeling Project and the Rimrocks to Valley Bike/Ped Study, updates to a preferred growth area map in conjunction with the City's Limits of Annexation Map, mapping of focus areas for implementation of the City's Infill Development Policy, and others.
- The planning staff, under the direction of the Board of Planning, will continue to work on long-range planning projects according to the priorities established by both the City of Billings and Yellowstone County. In particular, the continuing implementation of the South Billings Master Plan, and completion of the West End Multi-Modal Traffic Modeling Project and the Rimrocks to Valley Bike/Ped Study. Staff will also continue with the update of the 2008 Growth Policy. Estimated date of completion is summer of 2016.
- The City-County Planning Division, on behalf of the Billings MPO, is responsible for preparing a Complete Streets Progress Report every three years. This direction was outlined in the City of Billings Complete Streets Policy, adopted in 2011, stating: "The City will periodically collect, review and report performance data and benchmark measurements to demonstrate the effectiveness of the policy." This effort was completed with the first-ever Billings Complete Streets Benchmark Report prepared in 2013. A workgroup selected performance measures, or benchmarks, to monitor going forward. The full report displays the baseline data for these performance measures. Future progress reports, as described to be included in the 2016 UPWP, will display the shift in data from this baseline. It was understood from the original adoption of the Billings Complete Streets Policy that the City-County Planning Division staff as Billings MPO staff would oversee the Progress Reporting for the Complete Streets Policy as the information is vital to the Billings MPO to both continue to improve non-motorized safety as well as track the success of transportation planning and infrastructure projects in the Urban Planning Area.

The information to be checked against the benchmark data to prepare a 2016 Complete Streets Progress Report will include, but not be limited to: the number of projects completed, the number of projects incorporating complete streets infrastructure, the actual infrastructure added, data updates on the number of non-motorized users at six intersection locations in the community first measured by the Benchmark Report (See Figure 3.1 in the Benchmark Report), identification and improvements to data collection for current non-motorized infrastructure conditions (i.e. City sidewalk and ADA facility condition inventory), review of recent surveys of community attitudes and perceptions as well as additional surveying if needed, and safety and health indicators.

It is anticipated that to update some of the data and information for the 2016 Progress Report, the City-County Planning Division may have to contract for data analysis or collection. This may include pedestrian and bicycle counting, GIS mapping and updating to improve the community's sidewalk condition inventory, and count data analysis using video technology to count county pedestrians and bicyclists

- Work related to Bicycle-Pedestrian activities in this work element will include:
- Work with staff to insure a bike/pedestrian friendly community.
- Review of proposed subdivision trail easements.

## **Locally Funded Activities**

- Staff also will continue to work with the Big Sky Economic Development Authority (BSEDA) to implement the Master Plan for the East Billings Urban Renewal District (EBURD), the Hospitality Corridor Planning Study the Exposition Gateway Concept Plan and the South Billings Boulevard Renewal District (SBBURD) Master Plan. The plans include detailed analysis of the transportation and land use connections in the area and promoting sustainable development projects.
- Staff plans to work with the City, County, BSEDA, and neighborhood groups to identify planning needs in various parts of the urbanized area.
- Continued maintenance and update of socio-economic and land use data for both transportation and comprehensive planning activities will continue in 2015, with 2010 Census information and the newly released 2013 American Community Survey data.
- Various GIS databases and layers will continue to be developed and centrally maintained, including information on neighborhoods, community assets, route planning, trail systems and transportation plans.

## **STAFFING**

21 Staff Months – City/County Planning

## **FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

### **PRODUCT**

- Various reports, files, and projections of socio-economic data necessary for current transportation and comprehensive planning activities, as well as support of City/County economic development activities.
- An ongoing GIS database/mapping system for the City of Billings and Yellowstone County.
- Ongoing updates to the preferred growth areas mapping and analysis for the City, implementation of the City Infill Development Policy, SBBURD Master Plan, and the completion of the West End Multi-Modal Traffic Modeling Project and the Rimrocks to Valley Bike/Ped Study.

## **FUNDING SCHEDULE - COMMUNITY PLANNING**

### **FUNDS PROGRAMMED - FISCAL YEAR 2015**

#### **FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$57,900	\$135,100	\$193,000
<b>TOTAL</b>	<b>\$57,900</b>	<b>\$135,100</b>	<b>\$193,000</b>

#### **DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	30	70	100

**FUNDS PROGRAMMED - FISCAL YEAR 2016**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$63,900	\$149,100	\$213,000
<b>TOTAL</b>	\$63,900	\$149,100	\$213,000**

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

\*\*Includes \$12,000 for the Complete Street Progress Report

**OBJECTIVE**

- To oversee, interpret and enforce current City and County zoning regulations.
- To effectively administer the regulations and provide efficient service to the elected officials and the public.
- To maintain current zoning and land use information for all zoned property within the jurisdiction of the Billings Metropolitan Planning Organization to use in long-range transportation planning studies, traffic analysis, and transportation projects.

**ACCOMPLISHMENTS - FISCAL YEAR 2015**

During the past year, all applications for zone changes, special reviews, variances, and planned developments were reviewed and processed by the planning staff. Reports and recommendations were prepared on each case to the various boards, commissions, and governing bodies. Digital photos are now incorporated into all zoning reports and Microsoft Power Point presentations are given to all boards and commissions. Staff is in the process of ongoing scanning of historic zoning files to the ImageSilo in preparation of future citizen access. All applications for building permits were also reviewed for compliance with City and County zoning regulations. Special zoning studies and ordinance updates were prepared as requested by the governing bodies. These included making a series of zoning code amendments to bring the regulations into compliance with changes in State Law and changes driven by community interests.

Staff coordinated with the County GIS Department to ensure that all zone changes within the Billings MPO area were reflected on GIS online and printed maps to ensure land use information was current.

A significant amount of time was also spent assisting the public with general zoning questions. The status of all active zoning applications is now posted on the City/County Planning websites.

**PROPOSED ACTIVITIES - FISCAL YEAR 2016****PL Eligible Activities**

- Zoning, Special Review, and Variance applications will be reviewed for land use compatibility, traffic, access, and overall site design. Traffic accessibility studies will be reviewed when required as part of certain zoning applications that include drive-thru services, high-traffic volume developments, projects that may be adjacent to arterial streets with limited access like Shiloh Road, Grand Avenue or King Avenue West, or may otherwise cause significant impacts to the local transportation system.
- Staff will continue to maintain its zoning maps and land use information so that it is applicable to long-range transportation planning efforts in the Billings MPO. This information is regularly applied to a variety of MPO functions, including corridor analysis efforts like those involved in the Billings Bypass project, specific road projects, TA program applications and non-motorized grant applications.

**Locally Funded Activities**

- Carrying out the day to day activities required to effectively administer the zoning regulations as well as ensure that land use information is current and available for all long-range transportation planning efforts, including Transportation Plan updates, specific road projects, corridor studies and the North Bypass project.
- Activity in 2016 will include ordinance updates as required by State law including language addressing Home Occupation licensing, or requested by the public or governing bodies.
- All zone change applications will be reviewed for compliance with local plans.
- Staff is preparing for an update to the existing Unified Zoning Code based on fulfilling policy goals set by the local governing body including Growth Policy, Neighborhood Plans, Complete Streets and Infill Policies.

**STAFFING**

10 Staff Months – City/County Planning

**FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

**PRODUCT**

- Effective zoning regulations and administration for the City of Billings and Yellowstone County. Effective enforcement of the zoning regulations for Yellowstone County.
- On-line submittal capability for certain zoning permits, i.e. sign and fence will increase efficiency and convenience for applicants.

**FUNDING SCHEDULE - ZONING ADMINISTRATION**

**FUNDS PROGRAMMED - FISCAL YEAR 2015**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$23,000	\$92,000	\$115,000
<b>TOTAL</b>	\$23,000	\$92,000	\$115,000

**DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	20	80	100

**FUNDS PROGRAMMED - FISCAL YEAR 2016**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$26,400	\$105,600	\$132,000
<b>TOTAL</b>	\$26,400	\$105,600	\$132,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

**OBJECTIVE**

- To maintain the current City and County subdivision regulations and ensure that they are updated when changes in State law occur.
- To effectively administer the regulations and provide efficient service to developers, engineers and surveyors, elected officials, and the community.
- To ensure that development is occurring with minimal negative impacts to the community and that subdivisions are designed to be safe and long lasting in the community.
- To evaluate traffic accessibility studies, general circulation data, and ensure conformity with the Functional Classification Map and associated elements of the Long Range Transportation Plan when a subdivision application is submitted.
- To collect, manage, and apply subdivision development information for long-range transportation planning activities for the MPO – including but not limited to updates to the transportation plan and maintenance of inputs for traffic modeling.

**ACCOMPLISHMENTS - FISCAL YEAR 2015**

The Board of Planning and the planning staff reviewed all preliminary major and minor plat applications. Numerous conceptual and pre-application meetings were coordinated and attended by staff. All final plats were reviewed and processed. Also, a significant amount of time was spent assisting the public with general subdivision questions. Updates to the City and County Subdivision Regulations due to legislative changes were drafted and approved.

Staff collected and compiled information on the details of each new subdivision in terms of numbers of lots and land area slated for development. This information is integral to any transportation plan updates or long-range transportation planning efforts undertaken by the MPO in the community to determine population growth and location of residents and commercial services that affect the transportation system. This involved monthly subdivision activity reporting and periodic reviews of new development locations (which were recently needed for the revised EIS process for the North Bypass project here in Billings). This is also considered in relation to the CTEP/TA programs and when the MPO pursues grants for non-motorized transportation projects in the community.

**PROPOSED ACTIVITIES - FISCAL YEAR 2016****PL Eligible Activities**

- Staff will review all subdivisions for compliance with the Billings Area Long Range Transportation Plan, and for conformity with the Billings Area Bikeway and Trail Master Plan, Lockwood Transportation Plan, Blue Creek Transportation Plan, and other neighborhood and community transportation plans as applicable.
- Staff also will continue to collect information on the details of each new subdivision as an integral data source for long-range transportation planning efforts undertaken by the MPO. The MPO expects to use this data in 2016 for a variety of projects, including the West End Multi-Modal Traffic Modeling Project, the Rimrocks to Valley Bike/Ped Study, the continued alignment analysis for the Inner Belt Loop Phase II, and continued analysis for the North Bypass.

**Locally Funded Activities**

- All subdivision applications will be reviewed for compliance with local and state subdivision law.
- To carry out the day to day activities required to effectively administer the subdivision regulations, and to keep the regulations current.

**STAFFING**

11.5 Staff Months – City/County Planning

**FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

**PRODUCT**

- An effective subdivision review process with regard to local and state law, the Growth Policy, and the Billings Area Transportation Plan.
- Correctly identified street segments in alignment with the 2014 Transportation Plan Functional Classification Map.

**FUNDING SCHEDULE - SUBDIVISION ADMINISTRATION**

**FUNDS PROGRAMMED - FISCAL YEAR 2015**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$33,300	\$77,700	\$111,000
<b>TOTAL</b>	\$33,300	\$77,700	\$111,000

**DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	30	70	100

**FUNDS PROGRAMMED - FISCAL YEAR 2016**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$37,500	\$87,500	\$125,000
<b>TOTAL</b>	\$37,500	\$87,500	\$125,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## 41.13.300 LONG RANGE TRANSPORTATION PLANNING

### 300 TRANSPORTATION SYSTEM DATA (4310)

#### OBJECTIVE

- To develop and maintain current transportation system data files and records.
- To provide transportation planning and data information to City and County staff, elected officials, developers, engineering firms, and the general public.

#### ACCOMPLISHMENTS - FISCAL YEAR 2015

The traffic count program for FY 2015 was completed. Travel times/delay/speed studies were completed, calculations computed, and level-of-service values determined. Staff participated in the update of the City of Billings Capital Improvement Program (CIP). Accident information was compiled and analyzed. Some the accident data was used in the drafting of the 2014 Long Range Transportation Plan. The staff also continued to utilize the trail scanners that were purchased and found new and better ways to both use the scanners in more trail locations in the community and display the data for various applications. Rails to Trails Conservancy chose Billings as a pilot city for two EcoCounters, these counters were placed on commuter trails within the City and are continuously transmitting real time data. Also, the City has modified two traffic signals so they have the capability of detecting bicycle traffic at intersections. The Seasonal Traffic Intern has been combined into the City Engineering (Contract Position). This was done as a cost saving measure and will allow more flexibility with MPO related duties as they are presented. A silo based data retention system was put into place. This system allows for digital data storage of all the traffic count information and will enable better staff, agency and public access to the information in 2016.

Staff completed the Highway 3 Corridor Study and the ZooMT to Riverfront Park Non-Motorized Feasibility Study. Staff initiated the West End Multi-Modal Traffic Modeling Project and the Rimrocks to Valley Bike/Ped Study, these studies are anticipated to be complete by spring of 2016. In addition to the planning studies, staff participated in the Lockwood Pedestrian Safety Committee in the development of a Lockwood Non-Motorized Transportation Study to implement funds raised through the Lockwood Pathway and Lighting District.

#### PROPOSED ACTIVITIES - FISCAL YEAR 2016

##### PL Eligible Activities

- The traffic count program for the Billings Urban Area as well as the Yellowstone County influence area will be conducted and the appropriate data recorded during FY2016. All traffic count data will be submitted to the MDT by February 1, 2017.
- Accident data will be compiled and analyzed to determine high hazard locations.
- Staff will update, where appropriate, the City's Capital Improvement Program.
- The Contract Position with City Engineering will take on expanded duties of traffic modeling and traffic model upkeep and maintenance.
- Staff will collect and maintain bike/pedestrian information through the trail census and use of the trail-bike/pedestrian scanner. This activity is in conjunction with MPO region wide planning.
- Additional integration of the Transportation Planner II position into the Division's transportation project work and familiarity with transportation planning issues will continue under the direction of the Transportation Planning Coordinator. This individual continues to be responsible for managing traffic data for studies and reference, administering the TA Program, training for future modeling traffic conditions related to new developments and transportation system changes.

- The traffic count data silo will be maintained and access for other agencies and the public will be coordinated with the system.
- Complete Street Progress Report as documented in Work Element 200.
- The MPO is will integrate new traffic count equipment. Staff will work with MDT on coordinating this.
- The Bicycle-Pedestrian activities will continue. Duties will include but not limited to:
  - Maintain Bike/pedestrian data bases in conjunction with MPO region wide planning purposes.
  - Maintain data base for easement acquisition.

**STAFFING**

13.5 Staff Months – City/County Planning

11.0 Staff Months - City Engineering (Contract Position)

**FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning/MDT

**PRODUCT**

- Documentation as necessary, support of transportation grant programs, transportation system modeling, updated Traffic Count Program, and research and integration of traffic information into planning projects and development review activities.
- Current traffic count data.
- Current bike/pedestrian counts.

**FUNDING SCHEDULE - TRANSPORTATION SYSTEM DATA**

**FUNDS PROGRAMMED - FISCAL YEAR 2015**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$175,000	0	\$175,000
<b>TOTAL</b>	\$175,000	0	\$175,000

<b>DISBURSEMENT PERCENTAGE</b>			
<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	100	0	100

**FUNDS PROGRAMMED - FISCAL YEAR 2016**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$198,000	0	\$198,000
<b>TOTAL</b>	\$198,000	0	\$198,000**

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

\*\*Includes \$8,000 for the Complete Streets Progress Report

## **301 TRANSPORTATION PLAN (4311)**

### **OBJECTIVE**

- Implement the Goals and Objectives in the 2014 Billings Long Range Transportation Plan.
- Develop (where necessary) and maintain data for the urban area in order to effectively monitor and evaluate the validity of the Transportation Plan.

### **ACCOMPLISHMENTS - FISCAL YEAR 2015**

Staff continues to implement elements of the 2014 Long Range Transportation Plan. Elements in the Plan include Goals and Objectives, an expanded Transit section, an analysis of the railroad interface with the community, and a review of current projects listed in the 2009 Study.

Development projects were reviewed for compliance and alignment with the Transportation Plan as well as the Billings Area Bikeway and Trail Master Plan. Staff worked with TAC and PCC to develop new projects and establish timelines for existing projects identified in the Transportation and the Bikeway and Trail Master Plan.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2016**

#### **PL Eligible Activities**

- Staff will begin the process of completing an update to the Billings Area Bikeway and Trail Master Plan. This will be a major update to the Plan and will include a Request for Proposals for consultant selection. This Plan is transportation only and no recreational trails will be included. Staff anticipates the plan to be completed within 1-year of consultant selection. This work is being completed for MPO region-wide planning purposes.
- Staff will implement components of the 2014 Transportation Plan.
- Staff will also integrate the 2014 Transportation Plan with the City's Capital Improvement Program to ensure consistency.
- Projects will continue to be reviewed for future implementation in the City's CIP and the MPO's TIP.
- Update of the MPO Bike/Pedestrian Maps.

### **STAFFING**

9.0 Staff Months – City/County Planning

### **FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

### **PRODUCT**

- Implementation of transportation projects identified in the Billings Area Bikeway and Trail Master Plan, the Transportation Improvements Program, Transportation Plan and the Capital Improvements Program.

## FUNDING SCHEDULE - TRANSPORTATION PLAN

### FUNDS PROGRAMMED - FISCAL YEAR 2015

FUNDING SOURCE			
AGENCY	PL	LOCAL	TOTAL
MPO	\$120,000	0	\$120,000
TOTAL	\$120,000	0	\$120,000

DISBURSEMENT PERCENTAGE			
AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

### FUNDS PROGRAMMED - FISCAL YEAR 2016

FUNDING SOURCE			
AGENCY	PL*	LOCAL	TOTAL
MPO	\$206,000	0	\$206,000
TOTAL	\$206,000	0	\$206,000**

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

\*\*Update the Billings Bike/Pedestrian Plan - \$105,000 and Update of the MPO Bike/Pedestrian Map - \$9,000

**OBJECTIVE**

- To update and develop site-specific plans and transportation studies where appropriate.

**ACCOMPLISHMENTS - FISCAL YEAR 2015**

- The Highway 3 Corridor Study was completed in FY2015. This study looked at the corridor between the intersection of 27<sup>th</sup> Street and Highway 3 and Apache Trail at Indian Cliffs Subdivision and Highway 3 northwest of Billings. The study researched the ability to improve the area with bike/pedestrian amenities along the rim-face which would include a parking plan and a detailed corridor storm water management plan. This study addresses current vehicle and non-motorized traffic circulation and access along the corridor and plan for future changes to the corridor from traffic patterns and development activity.
- Staff assisted the East Billings Urban Renewal District (EBURD) management team in reviewing traffic data, road functional classification, and other transportation information to implement the Master Plan. Staff participated in discussions with the City, County, BSEDA, EBURD property owners, and others to formulate the process to complete the Hospitality Corridor Study and the Exposition Gateway Concept Plan.
- The other planning study initiated in FY2015, the ZooMT to Riverfront Park Non-Motorized Feasibility Study identified alternate routes, access points, suggested pedestrian/bicycle amenities and potential way-finding locations between ZooMontana and Riverfront Park.
- Staff solicited proposals for two planning studies; the West End Multi-Modal Traffic Modeling Project will identify existing and future transportation deficiencies due to projected land development west of Billings, Montana. The traffic model will also recommend motorized and non-motorized infrastructure treatments. The other planning study initiated by staff is the Rimrocks to Valley Bike/Ped Study. This plan will identify potential routes for separated bicycle and pedestrian facilities from Highway 3 atop the Rimrocks to bicycle and pedestrian facilities below (Rimrock Road etc.) between 27<sup>th</sup> Street and Zimmerman Trail. The increased bicycle and pedestrian traffic trying to access public land above and below the Rimrocks in this corridor, as well as the use by cyclists and pedestrians for commuting purposes in the area has demonstrated a need for a facility to safely convey pedestrians and cyclists up and down the Rimrocks in this corridor. This connection is a vital piece of the proposed 26-mile marathon loop of non-motorized facilities around the City of Billings.

**PROPOSED ACTIVITIES - FISCAL YEAR 2016****PL Eligible Activities**

- A planning study identified for FY16 is a corridor study. The study will review potential connections, non-traditional (automobile) motorized and non-motorized along the 5<sup>th</sup> Avenue Corridor in downtown Billings. The corridor will identify land ownership and use, right-of-way, existing use and the feasibility of developing a transportation corridor that would provide a non-traditional motorized and non-motorized connection from approximately the YMCA (N. 30<sup>th</sup> St.) east to Main Street (approximately 2 miles).

## **Locally Funded Activities**

- Staff will be involved in the coordination through completion of all planning studies undertaken. This includes contract negotiations, coordination of citizen advisory groups, public meetings, overseeing contract deliverables and project wrap-up.

## **STAFFING**

6.5 Staff Months – City/County Planning

## **FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

## **PRODUCT**

- Completed Urban Area-wide transportation studies for the Rims to Valley Bike/Pedestrian Access Study, the West End Traffic Study and the 5<sup>th</sup> Avenue Corridor Study.

## **FUNDING SCHEDULE – PLANNING STUDIES**

### **FUNDS PROGRAMMED - FISCAL YEAR 2015**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$140,400	\$93,600	\$234,000
<b>TOTAL</b>	<b>\$140,400</b>	<b>\$93,600</b>	<b>\$234,000</b>

<b>DISBURSEMENT PERCENTAGE</b>			
<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	60	40	100

### **FUNDS PROGRAMMED - FISCAL YEAR 2016**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$102,000	\$68,000	\$170,000**
<b>TOTAL</b>	<b>\$102,000</b>	<b>\$68,000</b>	<b>\$170,000**</b>

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

\*\*Estimate for the 5<sup>th</sup> Avenue Corridor Study is \$80,000.

## 41.15.500 TRANSPORTATION IMPROVEMENT PROGRAM

### 500 TRANSPORTATION IMPROVEMENT PROGRAM (4313)

#### OBJECTIVE

- To maintain a viable five-year program of transportation improvements for the Billings Urban Area.

#### ACCOMPLISHMENTS - FISCAL YEAR 2015

A Transportation Improvement Program (TIP) update was produced to reflect current project status. Determinations were prepared for conformity to the Clean Air Act. Compliance with the new requirements of the MAP-21 reauthorization was completed.

#### PROPOSED ACTIVITIES - FISCAL YEAR 2016

##### PL Eligible Activities

- The Transportation Improvement Program (TIP) will be updated as needed to reflect current project status. A certification statement will be included, as appropriate, to conform to the planning regulations. Based on the Transportation Plan, projects will be evaluated and ranked in accordance with the Priority Ranking Procedures, and in accordance with consistency/conformity procedures. Necessary data will be gathered from primary and secondary sources by the planning staff based upon the Memorandum of Understanding with the City of Billings Public Works Department, establishing areas of data responsibility. Conformity determinations will be prepared as necessary to ensure conformity with the Clean Air Act.

#### STAFFING

2.5 Staff Months – City/County Planning

#### FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

#### PRODUCT

- A current transportation improvement program which reflects conformity with FHWA, the Clean Air Act, and local priorities.

## FUNDING SCHEDULE - TRANSPORTATION IMPROVEMENT PROGRAM

### FUNDS PROGRAMMED - FISCAL YEAR 2015

#### FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$29,000	0	\$29,000
TOTAL	\$29,000	0	\$29,000

#### DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

### FUNDS PROGRAMMED - FISCAL YEAR 2016

#### FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$30,000	0	\$30,000
TOTAL	\$30,000	0	\$30,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

**600 ENVIRONMENTAL CONSIDERATIONS (4314)**

**OBJECTIVE**

- Maintain current records of monitored air pollution levels and obtain other environmental data as necessary within the Metropolitan Planning Area.
- Review proposed development and transportation system improvements with respect to environmental considerations within the MPO influence area.

**ACCOMPLISHMENTS - FISCAL YEAR 2015**

Air quality monitoring information was obtained from the County Air Pollution Control Board. Air quality mapping for the State Air Quality Bureau was revised. The Congestion Mitigation Air Quality (CMAQ) program was implemented. Staff continues to monitor carbon monoxide (CO) information in the Urbanized Area.

The Socio-Economic and Environmental (SEE) effects guidelines were used to review proposed developments and transportation system improvements.

**PROPOSED ACTIVITIES - FISCAL YEAR 2016**

**PL Eligible Activities**

- The planning staff will continue to utilize the SEE effects guidelines to evaluate all major development proposals in terms of transportation systems. This would include the CMAQ program.
- Work will continue to maintain the Billings air quality designation.
- Staff will continue to review the MOVES Program and others like it and their relationship to the MPO.

**STAFFING**

2.5 Staff Months – City/County Planning

**FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

**PRODUCT**

Current environmental data as well as a comprehensive planning and transportation planning process that will substantially addresses the socio-economic and environmental consequences associated with growth and development.

## FUNDING SCHEDULE - ENVIRONMENTAL CONSIDERATIONS

### FUNDS PROGRAMMED - FISCAL YEAR 2015

#### FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$27,000	0	\$27,000
TOTAL	\$27,000	0	\$27,000

#### DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

### FUNDS PROGRAMMED - FISCAL YEAR 2016

#### FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$28,000	0	\$28,000
TOTAL	\$28,000	0	\$28,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

**41.17.700 OTHER ACTIVITIES**

**700 CONTINGENCY (4315)**

**OBJECTIVE**

- To provide for the accounting of available un-programmed funds in the current UPWP.

**ACCOMPLISHMENTS - FISCAL YEAR 2015**

N/A

**PROPOSED ACTIVITIES - FISCAL YEAR 2016**

**PL Eligible Activities**

- This work element will be utilized for accounting purposes only. No specific work activity will be charged to this work element.

**STAFFING**

N/A

**FUNCTIONAL AGENCY RESPONSIBILITY**

N/A

**PRODUCT**

N/A

**FUNDING SCHEDULE - CONTINGENCY**

**FUNDS PROGRAMMED - FISCAL YEAR 2015**

**FUNDING SOURCE**

AGENCY	PL	LOCAL	TOTAL
MPO	\$500,011	0	\$500,011
TOTAL	\$500,011	0	\$500,011

**DISBURSEMENT PERCENTAGE**

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

**FUNDS PROGRAMMED - FISCAL YEAR 2016**

**FUNDING SOURCE**

AGENCY	PL*	LOCAL	TOTAL
MPO	\$275,017	0	\$275,017
TOTAL	\$275,017	0	\$275,017

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

SECTION II -- FUNDING

**TABLE I  
FUNDING SUMMARY  
FEDERAL FISCAL YEAR 2016**

WORK ELEMENT	FUNDING SOURCES FY 2016		
	PL*	LOCAL	EST. COST
100 Administration	\$170,500	\$139,500	\$310,000
101 Service	18,000	18,000	36,000
102 Citizen Involvement	30,000	30,000	60,000
200 Community Planning	63,900	149,100	213,000
204 Zoning	26,400	105,600	132,000
205 Subdivision	37,500	87,500	125,000
300 Transportation System	198,000	0	198,000
301 Transportation Plan	206,000	0	206,000
302 Planning Studies	102,000	68,000	170,000
500 T.I.P.	30,000	0	30,000
600 Environmental	28,000	0	28,000
700 Contingency	275,017	0	275,017
<b>TOTAL</b>	<b>\$1,185,317.00</b>	<b>\$597,700</b>	<b>\$1,783,017</b>

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

**TABLE II  
FUNDING COMPARISONS**

WORK ELEMENT	FY 2016 ESTIMATED COST	FY 2015 ESTIMATED COST
100 Administration	\$310,000	\$293,000
101 Service	36,000	34,000
102 Citizen Involvement	60,000	56,000
200 Community Planning	213,000	193,000
204 Zoning Administration	132,000	115,000
205 Subdivision Administration	125,000	111,000
300 Transportation System Data	198,000	175,000
301 Transportation Plan	206,000	120,000
302 Planning Studies	170,000	234,000
500 T.I.P.	30,000	29,000
600 Environmental Considerations	28,000	27,000
700 Contingency	275,017	500,011
<b>TOTAL</b>	<b>\$1,783,017</b>	<b>\$1,887,011</b>

**TABLE III  
FUNDING PERCENTAGES FEDERAL FISCAL YEAR 2016**

<b>WORK ELEMENT</b>	<b>RECIPIENT</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
100 Administration	MPO	55	45	100
101 Service	MPO	50	50	100
102 Citizen Inv.	MPO	50	50	100
200 Community Planning	MPO	30	70	100
204 Zoning Administration	MPO	20	80	100
205 Subdivision Admin.	MPO	30	70	100
300 Trans. System Data	MPO	100		100
301 Transportation Plan	MPO	100		100
302 Planning Studies	MPO	60	40	100
500 T.I.P.	MPO	100		100
600 Environmental	MPO	100		100
700 Contingency	MPO	100		100

**TABLE IV  
STAFF MONTHS BY WORK ELEMENT FISCAL YEAR 2016**

<b>WORK ELEMENT</b>	<b>DIRECTOR (Millar)</b>	<b>SENIOR PLANNER (TRANS.) (Walker)</b>	<b>PLANNER I (Vacant)</b>	<b>PLANNING MANAGER (Friday)</b>	<b>PLANNER II (Mattox)</b>	<b>CLERK (Deines)</b>	<b>PLANNER II (Green)</b>	<b>PLANNER I (Vacant)</b>	<b>SENIOR PLANNER (ZONING) (Cromwell)</b>	<b>Planner I (Butts)</b>	<b>TOTAL M.M.</b>
100	7	1.5	2.5	5.5	.5	1.5	.5	.5	1	5.5	26
101	.5		1				.5	.5	1		3.5
102	.5		.5	.5	.5	.5	1	.5			4
200	1.5		5	2	1	2	1	5	1	2.5	21
204			.5	.5		.5	.5	2	6		10
205			.5	1		.5	7.5		2		11.5
300		2.5	.5	.5	5	2				3	13.5
301	.5	4		.5	2	2					9
302	.5	1		.5	1	1		2.5			6.5
500	.5	1			.5	.5					2.5
600		1	.5		.5	.5					2.5
<b>TOTAL</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>110</b>

\*This table indicates approximately how many man months individual staff members work in each work element.

<b>WORK ELEMENT</b>	<b>CITY TRAF. TECHNICIAN</b>
300	11
<b>TOTAL</b>	<b>11</b>

## SECTION III

### INDIRECT COST PLAN

#### **INTRODUCTION**

The Office of Management and Budget Circular 2 CFR Part 200 is used as governing criteria for establishing the allowed costs.

#### **IDENTIFICATION OF COSTS**

The costs are delineated below by type:

DIRECT	INDIRECT	BENEFITS
Salaries & Wages	Maintenance	FICA
Legal Notices	Reproduction	PERS
Travel	Supplies	Workmen's Compensation
Printing	Postage	Accident Insurance
Training	Subscriptions	Health Insurance
Consultants	Telephone	Sick Leave
Equipment	Utilities	Vacation
Mileage	Rent	Holidays
Moving/Interview	Audit	Maternity
	Messenger	Military
		Life Insurance
		Dental Insurance

#### **ALLOCATION OF COSTS**

Direct costs will be charged to the work program line item to which they apply.

An indirect cost rate of **12%** of the City and County's direct salaries and wages is proposed. The **12%** rate will be applied to the direct wages and salaries of each line item within the work program to cover all indirect expenses.

Benefits will be calculated at a rate of **49%** of the City and County's direct salaries and wages charged to each line item.

## **FUNDING SOURCES**

The degree of participation by each funding agency is based on the pro-rations which have been determined for each line item. Each agency will be billed their share of the total charges made against each line item according to the approved pro-rations.

Funding sources and amounts contained in the UPWP are as follows:

Planning Dept. Fees (City of Billings)	\$236,138
Planning Dept. Fees (Yellowstone Co.)	\$54,250
Yellowstone County (Mill)	\$420,000
PL*	\$1,185,317
TOTAL	\$1,895,705

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## **SUMMARY**

The indirect cost rate is a predetermined fixed rate which is not subject to adjustment. The base period used in determining the rate is the period from July 1, 2014 through June 30, 2015. The calculated rate is applicable to the grant period, which is October 1, 2015 through September 30, 2016.

## LIST OF ACRONYMS

ADA	American Disability Act
BSEDA	Big Sky Economic Development Authority
CAC	Citizen Advisory Committee
CMAQ	Congestion Mitigation Air Quality
CTEP	Community Transportation Enhancement Program
EBURD	East Billings Urban Renewal District
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GIS	Geographic Information System
HPMS	Highway Performance Monitoring System
ISTEA	Intermodal Surface Transportation Efficiency Act
MAP-21	Moving Ahead for Progress in the 21 <sup>st</sup> Century
MDT	Montana Department of Transportation
MPO	Metropolitan Planning Organization
PCC	Policy Coordinating Committee
PEP	Private Enterprise Participation
PL	Planning Funds
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act for the 21 <sup>st</sup> Century
TA	Transportation Alternative Program
TAC	Technical Advisory Committee
TDP	Transit Development Plan
TIP	Transportation Improvement Program
UPWP	Unified Planning Work Program
VMT	Vehicle Miles Traveled
YCBP	Yellowstone County Board of Planning

## CHAPTER II

### CITY OF BILLINGS TRANSIT DIVISION

#### SECTION I UNIFIED PLANNING WORK PROGRAM

##### 44.21.00 Program Support and Administration

##### 44.21.01 PROGRAM ADMINISTRATION

###### OBJECTIVE

To provide program support, general administration, grant administration, and training in support of transit planning activities.

###### ACCOMPLISHMENTS FISCAL YEAR 2015

Conformance with federal, state, and local administrative requirements for maintenance of transit planning function, including continuing to maintain and update the Coordinated Transportation Plan. Attended training opportunities and enhanced knowledge and skills. Attended general transit-related meetings. Managed FTA Section 5303 grant activities, and prepared transit aspect of UPWP. Participated in TAC and other meetings.

###### PROPOSED ACTIVITIES FISCAL YEAR 2016

All administrative functions necessary in support of transit planning activities will be performed. Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation, Urban Planning Division to maintain federal funding support. Furthermore, this UPWP will be revised when deemed necessary. The FY 2016 UPWP for transit planning activities will also be developed under this line item. Continue to research and develop the use of FTA funding, as provided in MAP-21. Maintain coordination with 5310 providers and as the lead agency, develop and apply for capital grants for new vehicles as decided by the Coordination Plan Committee. The Coordinated Transportation Plan will be updated, as required by MAP-21.

Staff participates in recognized and approved training programs in order to improve skills and capabilities. Planner will assimilate documents, regulations, and codes to keep abreast of federal, state, and local requirements as they relate to the transit planning process. To maintain interaction and feedback with appropriate citizen and professional groups, staff will participate with the TAC, Coordination Plan Committee, citizen advisory boards and others as needed. Grant administrative functions will also be performed.

###### STAFFING

342.06 Transit Planner Staff Hours

68.41 Administrative Support Staff Hours

68.41 Transit Manager Staff Hours

478.88 Total Staff Hours

**FUNCTIONAL AGENCY RESPONSIBILITY**

City Transit Division

**PRODUCT**

An ongoing administrative program to carry out the transit planning function.

**FEDERAL PROGRAM PARTICIPATION**

Federal Transit Act Section 5303 Metropolitan Planning Grant

**FUNDING SCHEDULE - 44.21.01**

<b>Expenditures</b>	<b>Local</b>	<b>FTA</b>	<b>Total</b>
Programmed FY 15	\$8,699	\$34,796	\$43,495
Estimated FY 2016	\$6,468	\$25,873	\$32,341

**44.24.01 NEW TRANSPORTATION SERVICE EVALUATION AND ANALYSIS****OBJECTIVE**

To facilitate considerations of means to ensure that citizens will have acceptable public transportation alternatives in the future, including during times of constrained financial resources.

**ACCOMPLISHMENTS FISCAL YEAR 2015**

Updated projections of future revenues and expenses. Assisted with annual and out-year budget and financial resources analysis, including multi-year spreadsheets. Arranged for a variety of on-going data gathering and analysis efforts to monitor system. Identified the operating and capital needs required to ensure reliable fleet and effective system functioning and assisted with preparation of related grant applications, grant revisions, and budget documents. Worked with Consultants to do a complete operational analysis of the transit system. Considered fare box and other revenue changes. Performed general planning for system improvements, including route changes, schedule changes, and locations for amenities such as bus shelters. Performed general transit planning.

**PROPOSED ACTIVITIES FISCAL YEAR 2016**

Continuation of activities undertaken in FY 2015 including, research to determine if there is any possibility for additional service hours or additional routes for the system in the future. Assisting with financial analysis and planning; and assessing future capital and operating requirements. Consider any possibly needed service modifications, with assistance of consultant as appropriate, including means to continue addressing needs with fewer resources. Continue planning efforts regarding public and stakeholder involvement and input opportunities.

**STAFFING**

653.00 Transit Planner Staff Hours  
130.60 Administrative Support Staff Hours  
163.25 Transit Manager Staff Hours  
946.85 Total Staff Hours

**PRODUCT**

Identification of and plans for efficient and effective transit service for the future, such as financial and capital analyses and possible system modifications.

**FUNCTIONAL AGENCY RESPONSIBILITY**

City Transit Division

**FEDERAL PROGRAM PARTICIPATION**

Federal Transit Act Section 5303 Metropolitan Planning Grant

**FUNDING SCHEDULE - 44.24.01**

<b>Expenditures</b>	<b>Local</b>	<b>FTA</b>	<b>Total</b>
Programmed FY 15	\$14,477	\$57,908	\$72,385
Estimated FY 2016	\$12,326	\$49,304	\$61,630

**44.24.02 CURRENT SERVICE ENHANCEMENT****OBJECTIVE**

To improve service and ridership in existing transit system.

**ACCOMPLISHMENTS FISCAL YEAR 2015**

Worked with operational staff in reviewing and implementing system improvements to existing routes and services and to assess system functioning. Assisted in assessing upcoming operational needs. Continued to develop Marketing Enhancement Programs. Attended to regulatory documents as required for continued funding. Provided monthly ridership (including wheelchair and bike rack use) analysis, assessed ridership trends, and prepared other information on system functioning as requested. Analyzed internal administrative functioning including further implementation of computerization and/or technology improvements. Monitored GPS and CCTV data to analyze possible improvements to routes and schedules. Prepared National Transit Database report and gathered information from the public for planning purposes.

**PROPOSED ACTIVITIES FISCAL YEAR 2016**

Continuation of activities undertaken in FY 2015. Assist in identification and implementation of means to improve current service, including analyzing the routes and schedules with the use of GPS and CCTV data. Creating GTFS (General Transit Feed Specification) data in house for integration with Google Transit which will allow riders to utilize Google's Trip Planning services free of charge. Researching the feasibility of real time GPS tracking on the buses, allowing riders to determine where the bus is in real time. Researching the use of electronic fare boxes to assist in tracking ridership numbers for determining the effectiveness of current routes. This element may also include activities such as assisting with marketing to attract and educate "choice riders" and senior riders on how to read the schedules and use transit; and to enhance public image of existing system and services as well as analyses of internal functions and operations. Develop and implement creative outreach programs to increase ridership and provide bus rider training to citizens. Maintain monthly ridership figures and summary figures for effective decision-making. Complete National Transit Database reports. Other tasks may include monitoring public reaction to modified routes, schedules and marketing efforts, and assist in assessing budgetary needs.

**STAFFING**

615 Transit Planner Staff Hours

123 Administrative Support Staff Hours

123 Transit Manager Staff Hours  
861 Total Staff Hours

**FUNCTIONAL AGENCY RESPONSIBILITY**

City Transit Division

**PRODUCT**

Information relating to existing service/system enhancement, such as analyses of system functions and budget alternatives.

**FEDERAL PROGRAM PARTICIPATION**

Federal Transit Act Section 5303 Metropolitan Planning Grant.

**FUNDING SCHEDULE - 44.24.02**

<b>Expenditures</b>	<b>Local</b>	<b>FTA</b>	<b>Total</b>
Programmed FY 15	\$14,036	\$56,146	\$70,182
Estimated FY 2016	\$11,090	\$44,360	\$55,450

<b>44.25.01 T.I.P.</b>
------------------------

**OBJECTIVE**

To maintain a viable five year program of transit improvements for the Billings Urban Area.

**ACCOMPLISHMENTS FISCAL YEAR 2015**

The TIP was updated to reflect current project status and include upcoming projects. Information was provided to MPO to assist in community-wide Section 5310 project prioritization for inclusion in TIP. STIP process was monitored especially with regard to the grants.

**PROPOSED ACTIVITIES FISCAL YEAR 2016**

City Transit Division will develop information on the operating and capital projects for which MET Transit and MET Special Transit plan to pursue federal grant assistance for inclusion in the TIP to be prepared by the MPO. Monitor inclusion of TIP in STIP to ensure ability to obtain federal Sections 5307, 5310 & 5339 grant assistance.

**STAFFING**

94.0	Transit Planner Staff Hours
18.8	Administrative Support Staff Hours
<u>18.8</u>	Transit Manager Staff Hours
131.6	Total Staff Hours

**FUNCTIONAL AGENCY RESPONSIBILITY**

City Transit Division will provide transit-related information to the County Planning Department for the MPO's inclusion in the TIP document.

**PRODUCT**

A current TIP as necessary for FTA grant approvals.

**FEDERAL PROGRAM PARTICIPATION**

Federal Transit Act Section 5303 Metropolitan Planning Grant.

**FUNDING SCHEDULE - 44.25.01**

<b>Expenditures</b>	<b>Local</b>	<b>FTA</b>	<b>Total</b>
Programmed FY 15	\$3,102	\$12,407	\$15,509
Estimated FY 2016	\$1,695	\$6,780	\$8,475

## **44.26.00 Implementation of Americans with Disabilities Act (ADA)**

### **44.26.15 IMPLEMENTATION OF AMERICANS WITH DISABILITIES ACT (ADA)**

#### **OBJECTIVE**

To ensure optimal use of City of Billings funds in meeting elderly and disabled transportation needs for both specialized and fixed route transportation in accordance with Federal Americans with Disabilities Act (ADA) regulations.

#### **ACCOMPLISHMENTS FISCAL YEAR 2014**

Continued implementation of the paratransit Eligibility Certification process and familiarizing elderly and disabled citizens with use of fixed route system as appropriate. Continued monitoring of transit system's compliance with the ADA regulations and assisted with related community relations. Assessed financial functioning of paratransit service. Monitored procedures and policies involving lift-equipped fixed-route service and other accessibility features and requirements. Assisted in assessment of future vehicle needs and relevant procurement of vehicles as related to best serving elderly and disabled citizens. Assisted with continued integration of the paratransit function within the City's MET Transit System. Assisted in efforts to develop and resolve operational policy issues and to improve MET Special Transit's efficiency & cost-effectiveness, including monitoring implementation of Paratransit Scheduling software. Continue to coordinate transportation services among 5310 transit providers, social service agencies and the general public to provide an overall strategy to enhance transportation access, minimize duplication of services and facilitate the most appropriate cost-effective transportation possible with available resources.

#### **PROPOSED ACTIVITIES FISCAL YEAR 2015**

Continuation of activities undertaken in FY 2014. Plan additional sensitivity training for MET operators and other employees. Maintain positive relationship with disabled and elderly community and continued identification of means to address transit and special transportation needs, including assisting in efforts to assess both short and long term paratransit needs of the community and organizational and fiscal means to address those needs. Monitor and assess means to improve efficiency and effectiveness of paratransit service, including the update of the current paratransit software system. Continue to facilitate effective service provision and usage of lift-equipped fixed-route service. Participate on resource advisory groups. Continue to facilitate monthly Coordination Planning meetings with human service providers, social service agencies, transit providers and the general public to coordinate efforts associated with transit capital and service planning, as required under MAP-21. Continue to provide outreach and

education for social service professionals in the community and with senior groups.

**STAFFING**

327.50 Transit Planner Staff Hours  
65.50 Administrative Support Staff Hours in support of Planner  
624.00 Paratransit Coordinator Staff Hours  
218.47 Clerical Staff Hours in support of Paratransit Coordinator  
65.50 Transit Manager Staff Hours  
1,300.97 Total Staff Hours

**FUNCTIONAL AGENCY RESPONSIBILITY**

City Transit Division

**PRODUCT**

Continued community consensus on how ADA regulations related to transit is to be complied with by the City of Billings. Continued community consensus on how to address specialized and lift-equipped and other transit needs of the community's disabled citizens through City funding.

**FEDERAL PROGRAM PARTICIPATION**

Federal Transit Act Section 5303 Metropolitan Planning Grant.

**FUNDING SCHEDULE - 44.26.15**

<b>Expenditures</b>	<b>Local</b>	<b>FTA</b>	<b>Total</b>
Programmed FY 15	\$17,287	\$69,150	\$86,437
Estimated FY 2016	\$15,078	\$60,310	\$75,388

## SECTION II FUNDING

**Table 4  
Funding Summary and Staff Months by Element - City Transit Division  
Federal Fiscal Year 2016**

Work Element	Funding Source			Disbursement Percentage		Staff Hours
	City	FTA	Total Amount	City	FTA	
44.21.01	\$6,468	\$25,873	\$32,341	20	80	478.88
44.24.01	\$12,326	\$49,304	\$61,630	20	80	946.85
44.24.02	\$11,090	\$44,360	\$55,450	20	80	861.00
44.25.01	\$1,695	\$6,780	\$8,475	20	80	131.60
44.26.15	\$15,078	\$60,310	\$75,388	20	80	1,300.97
<b>SUB TOTAL</b>	<b>\$46,657</b>	<b>\$186,627</b>	<b>\$233,284</b>	<b>20</b>	<b>80</b>	<b>3,719.30</b>
<b>TOTAL</b>	<b>\$46,657</b>	<b>\$186,627</b>	<b>\$233,284</b>	<b>20</b>	<b>80</b>	<b>3,719.30</b>

### ALLOCATION OF COSTS

Expenditures identified include direct costs, benefits at the rate of 49% of direct salary or wages, and indirect costs at the rate of 12% of direct salary or wages. These rates for benefits and indirect costs were approved in a March 12, 2014 letter from the MDT Urban Planning Section.

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Confirmation of Probationary Police Officers

**PRESENTED BY:** Rich St. John, Police Chief

**Department:** Police

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**PROBLEM/ISSUE STATEMENT**

On September 8, 2014 Officers Brandon Lange and Nicholas Lam were hired by the Billings Police Department as probationary police officers. According to MCA 7-32-4113, the probation period is for one year from the date of hire. At this time the officers have completed their one-year probation and, according to state statute, their names are to be submitted to City Council for confirmation. All of the supervisor comments concerning the officers' performance are positive; indicate they are doing a good job, and recommend confirmation.

**ALTERNATIVES ANALYZED**

Council may:

- Confirm the probationary police officers; or
- Do not confirm the probationary police officers. If the Council chooses to not confirm the officers, it may direct any questions or concerns to the Police Chief and table the item until the next Council meeting.

**FINANCIAL IMPACT**

There is no financial impact from this action.

**RECOMMENDATION**

Staff recommends that the City Council confirm Officers Brandon Lange and Nicholas Lam as Billings Police Officers.

**APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Storm Drain Easement in Panoramic Heights Subdivision Amended

**PRESENTED BY:** David Mumford, Public Works Director

**Department:** Public Works

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**PROBLEM/ISSUE STATEMENT**

Stormwater runoff generated from Mountain View Boulevard currently flows over private property before entering a City park. The property owner has constructed a concrete spillway to manage runoff and direct it away from his property. As part of SID 1398, a project that will pave a portion of Mountain View Boulevard and construct surface drainage improvements, the City would like to obtain a formal easement to perpetuate drainage over the previously constructed concrete spillway. The easement agreement and a figure of the easement area is attached.

**ALTERNATIVES ANALYZED**

Council may:

- Accept a storm drain easement on Lot 31A, Panoramic Heights Subdivision Amended, or
- Do not accept a storm drain easement. If not accepted, stormwater generated from Mountain View Boulevard will continue to flow over private property without being formalized in an easement.

**FINANCIAL IMPACT**

There is no significant financial impact with accepting the storm drain easement.

**RECOMMENDATION**

Staff recommends that the City Council accept a storm drain easement on Lot 31A, Panoramic Heights Subdivision Amended.

**APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Approval of Downtown Revolving Loan Fund Recommendation for the Art House Cinema & Pub

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

The Downtown Revolving Loan Committee met on August 21, 2015, and gave conditional approval of a loan to Matt Blakeslee of Art House Cinema & Pub. Mr. Blakeslee is requesting this loan to pay off existing personal debt acquired for opening the business. The revolving loan would be in the name of the business and at a lower interest rate than the personal debt. The applicant met all conditions set by the committee. A vote was taken and the loan was approved for \$30,000. Both Mr. and Mrs. Blakeslee have agreed to offer personal guarantees for the loan. The loan will have a five year term and amortization.

**ALTERNATIVES ANALYZED**

If Council does not approve the loan, further renovation and expansion of the business would be delayed.

**FINANCIAL IMPACT**

The revolving loan fund does not owe any money to the banks at this time.

**RECOMMENDATION**

The Downtown Revolving Loan Fund Committee recommends Council approve the loan to the Art House Cinema & Pub.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Loan terms

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Revolving Loan Fund Loan

Monday Sept. 14, 2015

Cine Billings, Inc. DBA Arthouse Cinema & Pub, loan terms are as follows:

Loan:	\$30,000
Interest Rate:	5% Adjusted annually
Term:	Amortized over five years
Payments:	Minimum payments calculated at a rate of 5% over a five year term
Collateral:	Personal guarantee
Disbursement:	The City will disburse funds after it receives documentation of Personal Guarantee and Council approval.

This loan is for the purpose of paying credit card fees incurred while starting up business.

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Acceptance of Donation in the Amount of \$2,400 to Fund SRO Training  
From the Downtown Exchange Club of Billings

**PRESENTED BY:** Rich St. John, Police Chief

**Department:** Police

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**PROBLEM/ISSUE STATEMENT**

The Downtown Exchange Club has donated \$2,400 to the Billings Police Department (BPD) for School Resource Officer (SRO) training . This job specific training is critical to keep all SROs up on current trends in social networking, bullying, gang activity, drug trafficking and usage, active shooter, suicide and any other special concerns or potential problems that public schools are seeing. In turn, they return with the knowledge to train and educate our community, department and Youth Courts. The SROs' role in the schools is to provide guidance and support to the schools, be role models, enforce laws, provide security and educate the students, staff and the community. Senior, West, Skyview, Central and the Career Center have SROs and two SROs are assigned to the four public middle schools. In past years, the SROs have relied heavily on donations to fund the necessary job specific training. The City Council must approve all donations of \$500 or more.

**ALTERNATIVES ANALYZED**

The City Council may:

- Approve and accept the donation from the Downtown Exchange Club of Billings.
- Deny and return the donation to the Downtown Exchange Club of Billings .

**FINANCIAL IMPACT**

There is no financial impact to the general fund.

**RECOMMENDATION**

Staff recommends that the City Council approve and accept the \$2,400 donation for SRO training from the Downtown Exchange Club of Billings .

**APPROVED BY CITY ADMINISTRATOR**

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**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Bond resolution For SID 1398 (Mountain View Boulevard)

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

The City has been working with Royal Johnson on the bond sale for Special Improvement District (SID) 1398 (Mountain View Blvd.). A bond purchase agreement between the City of Billings and Royal Johnson has been signed. This resolution recaps the resolutions passed, notices, contracts and costs associated with this SID. The details of the bond are also set in the resolution.

**ALTERNATIVES ANALYZED**

This is the final step of the bond sale. Once council approves this resolution, the closing will take place on September 21 and the money will be disbursed to fund the project.

**FINANCIAL IMPACT**

The term of the bonds is 15 years with a true interest rate of 4.5%. The property owners of the district will be assessed yearly on their property tax bill.

**RECOMMENDATION**

Staff recommends that the City Council approve the attached resolution.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Resolution

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CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution No. \_\_\_\_\_ entitled: "RESOLUTION RELATING TO \$51,000 SPECIAL IMPROVEMENT DISTRICT NO. 1398 BOND, SERIES 2015; FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on September 14, 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 and seal officially this 14th day of September, 2015.

(SEAL)

\_\_\_\_\_  
City Clerk

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO \$51,000 SPECIAL  
IMPROVEMENT DISTRICT NO. 1398 BOND, SERIES 2015;  
FIXING THE FORM AND DETAILS AND PROVIDING FOR  
THE EXECUTION AND DELIVERY THEREOF AND  
SECURITY THEREFOR

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

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

1.01. Resolution of Intention. By Resolution No. 15-10456, duly adopted by the Council on May 26, 2015 (the “Resolution of Intention”), this Council declared its intention to create Special Improvement District No. 1398 (the “District”), for the purpose of financing costs of certain public improvements of special benefit to the properties within the District. The Resolution of Intention designated the number of the District, described the boundaries thereof, stated whether the District was an extended district and stated the general character of the improvements to be made (the “Improvements”) and an approximate estimate of the costs thereof, in accordance with the provisions of Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended (the “Act”). By the Resolution of Intention, this Council also declared its intention to cause the cost and expense of making the Improvements specially benefiting the District to be assessed against the properties included within the boundaries thereof in accordance with one or more methods of assessment authorized in Sections 7-12-4161 to 7-12-4165 of the Act and as set forth in the Resolution of Intention.

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

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

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

1.03. Creation of District. At the time and place specified in the notice hereinabove described, this Council met to hear, consider and pass upon all protests made against the making of the Improvements and the creation of the District, and, after consideration thereof, it was determined and declared that insufficient protests against the creation or extension of the District or the proposed work had been filed in the time and manner provided by law by the owners of the property to be assessed for the Improvements in the District, and this Council did therefore by Resolution No. 15-10480, adopted on June 22, 2015, create Special Improvement District No. 1398, order the proposed Improvements in accordance with the Resolution of Intention, and confirm the findings it made with respect to the pledge of the Revolving Fund in the Resolution of Intention.

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

<u>SID No. 1398</u>	<u>Bidder</u>	<u>Contract Price</u>
The project generally consists of: constructing and asphalt street and associated surface drainage improvements to the upper section of Mountain View Boulevard	CMG Construction, Inc.	\$98,660

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

1.05. Costs. It is currently estimated that the costs and expenses connected with and incidental to the formation of the District to be assessed against property in the District, including costs of preparation of plans, specifications, maps, profiles, engineering superintendence and inspection, preparation of assessment rolls, expenses of making the assessments, the cost of work and materials under the construction contracts and all other costs and expenses, including the deposit of proceeds in the Revolving Fund, are \$2,547.12, as shown in the table below:

Construction	\$105,529.00
Design/CA/Project Administration	8,000.00
Contingency	5,276.45
Total Project Costs	<u>\$118,805.45</u>
Less City Contribution	(67,396.07)
Less City Lots	(8,117.27)
Project Costs to be Assessed	<u>\$ 43,292.11</u>
City Financing Expense	350.00
Engineering Expense	1,253.09
Revolving Fund Deposit	2,547.12
Costs of Issuance	3,500.00
Rounding	57.68
Total	<u>\$ 51,000.00</u>

The amount of \$51,000 will be levied and assessed upon the assessable real property within the District on the basis described in the Resolution of Intention. This Council has jurisdiction and is required by law to levy and assess such amounts, to collect such special assessments and credit the same to the special improvement district funds created for the District, which funds are to be maintained on the official books and records of the City separate from all other City funds, within the 2015 Special Improvement District No. 1398 Fund (the “District Fund”) for the payment of principal and interest when due on the Bond herein authorized.

1.06. Sale and Issuance of Bond. For the purpose of financing a portion of the costs and expenses of making the Improvements, funding a deposit to the Revolving Fund (as hereinafter defined) and paying costs of issuance of the Bond, which are to be assessed against the property within the District as provided in the Resolution of Intention, this Council, pursuant to Resolution No. 15-10487, adopted August 24, 2015, determined that it would be in the best interests of the City to sell the Bond in a private negotiated sale. Pursuant to a bond purchase agreement, dated August 31, 2015, the City determined that it would be in the best interests of the City to sell the Bond to the Royal C. Johnson Trust (the “Purchaser”), subject to the limitations and conditions set forth therein.

1.07. Recitals. All acts, conditions and things required by the Constitution and laws of the State of Montana, including the Act, and the home rule charter of the City, in order to make the Bond a valid and binding special obligations in accordance with its terms and in accordance

with the terms of this Resolution have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required.

## Section 2. The Bond.

2.01. Principal Amount, Maturity, Denominations, Date, Interest Rate. For the purpose of paying the costs and expenses of making the Improvements, funding a deposit to the Revolving Fund and paying costs of issuance of the Bond, and in anticipation of the collection of special assessments to be levied therefor, and in accordance with the proposal described in Section 1.07, the City shall forthwith issue and deliver to the Purchaser the Bond, denominated “Special Improvement District Bond, Series 2015 (Special Improvement District No. 1398),” in the aggregate principal amount of \$51,000, payable solely from the District Fund. The Bond shall be dated, as originally issued, and be registered as of September 21, 2015, shall be in the denomination of \$1,000 each or any integral multiple thereof of single maturities, shall mature on July 1, 2030, and shall bear interest from the date of original registration until paid or duly called for redemption at the rate of 4.50% per annum. Interest shall be calculated on the basis of a 360-day year composed of twelve 30-day months.

2.02. Interest Payment Dates. Interest on the Bond shall be payable on each January 1 and July 1, commencing January 1, 2016, to the owners of record thereof as such appear on the bond register at the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Upon the original delivery of the Bond to the Purchaser and upon each subsequent transfer or exchange of a Bond pursuant to Section 2.04, the Registrar shall date each Bond as of the date of its authentication.

2.03. Method of Payment. The Bond shall be issued only in fully registered form. The interest on and, upon surrender thereof at the principal office of the Registrar (as hereinafter defined), the principal of each Bond, shall be payable by check or draft drawn on the Registrar. Notwithstanding the foregoing, so long as the Bond is evidenced by a single, fully registered term Bond, it shall not be necessary to present and surrender such term Bond upon any redemption pursuant to Section 2.05(c), but the Registrar shall note in the bond register such principal payment.

2.04. Registration. The City hereby appoints the City Finance Director, to act as bond registrar, transfer agent and paying agent (the “Registrar”). The City reserves the right to appoint a bank, trust company or fiscal company as successor bond registrar, transfer agent or paying agent, as authorized by the Model Public Obligations Registration Act of Montana (the “Registration Act”), but the City agrees to pay the reasonable and customary charges of the Registrar for the services performed. This Section 2.03 shall establish a system of registration for the Bond as defined by the Registration Act. The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

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

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

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

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

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

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

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

(h) Mutilated, Lost, Stolen or Destroyed Bond. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any such Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Bond was

destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. The Bond so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or such Bond has been called for redemption in accordance with its terms, it shall not be necessary to issue a new Bond prior to payment.

2.05. Redemption.

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

(b) Optional Redemption. The Bond is subject to redemption, in whole or in part, at the option of the City from sources of funds available therefor, other than those described in Subsection (a) of this Section 2.05 on the terms of this paragraph, at the option of the City, in whole or in part, at a redemption price equal to the principal amount thereof to be redeemed plus interest accrued to the redemption date, without premium. Such mandatory redemption payments shall reduce the Mandatory Sinking Fund Payments in inverse order of Sinking Fund Payment Dates.

(c) Mandatory Sinking Fund Redemption of Term Bond. The Bond is subject to redemption on July 1 of the respective years shown below (herein referred to as a “Sinking Fund Payment Date”) and in the principal amounts (hereinafter referred to as a “Mandatory Sinking Fund Payment”) set forth below:

Term Bond			
Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount	Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount
2016	\$3,000	2024	\$3,000
2017	3,000	2025	4,000
2018	3,000	2026	4,000
2019	3,000	2027	4,000
2020	3,000	2028	4,000
2021	3,000	2029	4,000
2022	3,000	2030*	4,000

\*Final maturity.

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

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

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

2.07. Application of Proceeds. From the proceeds of the Bond the City Finance Director shall credit forthwith \$2,547.12 for the District to the Revolving Fund, as required by Section 7-12-4169(2) of the Act, and the balance of such proceeds to the Construction Account in the District Fund, to be used solely for the purposes described in Section 3.02.

### Section 3. District Fund; Assessments.

3.01. District Fund. There is hereby created and established the fund designated as the "2015 Special Improvement District No. 1398 Fund," which shall be maintained by the City Finance Director on the books and records of the City separate and apart from all other funds of the City (the "District Fund"). Within the District Fund there shall be maintained three separate accounts, designated as the "Construction Account," the "Principal Account" and the "Interest Account," respectively.

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

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

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

3.04. Loans from Revolving Fund. The Council shall annually or more often if necessary issue an order authorizing a loan or advance from the Revolving Fund to the District Fund in an amount sufficient to make good any deficiency then existing in the Interest Account and issue an order authorizing a loan or advance from the Revolving Fund to the District Fund in an amount sufficient to make good any deficiency then existing in the Principal Account, in each case to the extent that money is available in the Revolving Fund. A deficiency shall be deemed to exist in the Principal Account or Interest Account if the money on deposit therein on any December 15 or June 15 (excluding amounts in the Principal Account representing prepaid special assessments) is less than the amount necessary to pay the principal of the Bond then due (other than upon mandatory or optional redemption pursuant to Section 2.05(a) and (b) hereof), and interest payable on the Bond, on the next succeeding interest payment date.

Pursuant to Ordinance No. 1096, the City has undertaken and agreed to provide funds for the Revolving Fund by annually levying such tax or making such loan from the general fund of

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

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

Section 4. Covenants. The City covenants and agrees with the owner from time to time of the Bond that until the principal amount of the Bond and interest thereon is fully paid:

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

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

4.03. Levy of Assessments. The City will do all acts and things necessary for the final and valid levy of special assessments upon all assessable real property within the boundaries of the District benefited by the Improvements in accordance with the Constitution and laws of the State of Montana and the Constitution of the United States in an aggregate principal amount not less than \$51,000. Such special assessments shall be levied on the basis or bases prescribed in the Resolution of Intention, and shall be payable in substantially equal semiannual installments of principal and interest over a period of 15 years, at an annual rate equal to the sum of: (i) the average annual interest rate borne by the then-outstanding Bond, plus (ii) one-half of one percent (0.50%) per annum. The assessments to be levied will be payable on the 30th day of November in each of the years 2015 through 2029, and on the 31st day of May in the years 2016 through 2030, inclusive, if not theretofore paid, and shall become delinquent on such date unless paid in full. The first partial payment of each assessment shall include interest on the entire assessment from the date of original registration of the Bond to January 1, 2016. The assessments shall constitute a lien upon and against the property against which they are made and levied, which lien may be extinguished only by payment of the assessment with all penalties, cost and interest as provided in Section 7-12-4191 of the Act. No tax deed issued with respect to any lot or parcel of land shall operate as payment of any installment of the assessment thereon which is payable after the execution of such deed, and any tax deed so issued shall convey title subject only to the lien of said future installments, as provided in Montana Code Annotated, Section 15-18-214.

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

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

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

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

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

#### Section 5. Tax Matters.

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

5.02. General Covenant. The City covenants and agrees with the owners from time to time of the Bond that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bond to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all actions within its powers to ensure that the interest on the Bond 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 Bond pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Bond, it is reasonably expected that the proceeds of the Bond will be used in a manner that would not cause the Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code and the Regulations.

5.04. Arbitrage Rebate. The City acknowledges that the Bond is subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Treasury Regulations to preserve the exclusion of interest on the Bond from gross income for federal income tax purposes, unless the Bond qualifies for the exception from the rebate requirement under Section 148(f)(4)(B) of the Code and no "gross proceeds" of the Bond (other than amounts constituting a "bona fide debt service fund") arise during or after the expenditure of the original proceeds thereof. In furtherance of the foregoing, the 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 November 15, 2015, a statement concerning the Bond containing the information required by Section 149(e) of the Code.

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

Section 7. Discharge.

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

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

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

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

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

Section 8. Repeals and Effective Date.

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

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

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this  
14th day of September, 2015.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

(SEAL)

EXHIBIT A

UNITED STATES OF AMERICA  
STATE OF MONTANA  
YELLOWSTONE COUNTY

**CITY OF BILLINGS**

SPECIAL IMPROVEMENT DISTRICT NO. 1398 BOND, SERIES 2015

Interest at the rate per annum specified below,  
payable on the 1<sup>st</sup> day of January and the 1<sup>st</sup> day of July  
in each year, commencing January 1, 2016.

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
4.50%	July 1, 2030	September 21, 2015

No. R-1 \$51,000.00

REGISTERED OWNER: ROYAL C. JOHNSON TRUST

PRINCIPAL AMOUNT: FIFTY-ONE THOUSAND DOLLARS AND NO/100

FOR VALUE RECEIVED, the City of Billings, Montana (the "City"), will pay to the registered owner identified above, or registered assigns, on the maturity date specified above the principal amount specified above, solely from the revenues hereinafter specified, as authorized by Resolution No. \_\_\_\_\_, adopted September 14, 2015 (the "Resolution"), all subject to the provisions hereinafter described relating to the redemption of this Bond before maturity. This Bond bears interest at the rate per annum specified above from the date of original issue specified above, or from such later date to which interest hereon has been paid or duly provided for, until the maturity date specified above or an earlier date on which this Bond shall have been duly called for redemption by the City Finance Director. Interest on this Bond is payable semiannually on the 1st day of January and the 1st day of July in each year, commencing January 1, 2016, to the owner of record of this Bond appearing as such in the bond register as of the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. Interest on and, upon presentation and surrender hereof at the principal office of the bond registrar hereinafter named, the principal of this Bond are payable by check or draft drawn by the Registrar; provided that so long as this Bond is evidenced by a single, fully registered term Bond, it shall not be necessary to present and surrender this Bond for payment of a Mandatory Sinking Fund Payment on a Sinking Fund Payment Date, but the Registrar shall note in the bond register such principal payment. The principal of and interest on this Bond are payable in lawful money of the United States of America. Interest on this Bond shall be calculated on the basis of a 360-day year composed of twelve 30-day months. The City Finance Director shall initially serve as Registrar for this Bond.

This Bond is issued pursuant to and in full conformity with the Constitution and laws of the State of Montana thereunto enabling, including Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended (the “Act”), and ordinances and resolutions duly adopted by the governing body of the City, including the Resolution, for the purpose of financing a portion of the costs and expenses of making certain local improvements (the “Improvements”) for the special benefit of property located in Special Improvement District No. 1398 (the “District”), funding a deposit to the Special Improvement Revolving Fund (the “Revolving Fund”) and paying costs of issuance of the Bond. The Bond is issuable only as a fully registered bond of single maturities in denominations of \$1,000 or any integral multiple thereof.

This Bond is payable from the collection of a special tax or assessment levied upon all assessable real property within the boundaries of the District benefited by the Improvements, in an aggregate principal amount not less than \$51,000, except as such amounts may be reduced or increased in accordance with provisions of Montana law. Such assessments constitute a lien against the property against which they are made and levied and are to be deposited into the 2015 Special Improvement District No. 1398 Fund of the City (the “District Fund”). The Bond is not a general obligation of the City.

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

This Bond is subject to mandatory redemption on any interest payment date if, after paying all principal and interest then due on this Bond, there are funds to the credit of the District Fund, from the prepayment of assessments levied in the District or from the transfer of surplus money from the Construction Account to the Principal Account or otherwise, for the redemption thereof, and in the manner provided for the redemption of the same. In addition, this Bond will be subject to redemption on any date, at the option of the City, in whole or in part. The redemption price is equal to the principal amount of this Bond to be redeemed plus interest accrued thereon to the date of redemption.

This Bond is subject to redemption on July 1 of the respective years shown below (herein referred to as a “Sinking Fund Payment Date”) and in the principal amounts (hereinafter referred to as a “Mandatory Sinking Fund Payment”) set forth below:

Term Bond

Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount	Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount
2016	\$3,000	2024	\$3,000
2017	3,000	2025	4,000
2018	3,000	2026	4,000
2019	3,000	2027	4,000
2020	3,000	2028	4,000
2021	3,000	2029	4,000
2022	3,000	2030*	4,000
2023	3,000		

\*Final maturity.

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

At the option of the City, to be exercised on or before the 45th day next preceding each mandatory redemption date, the City may elect to receive a credit in respect to the mandatory redemption obligation for any Bond of the same maturity and interest rate which prior to such date have been redeemed (other than through the operation of such mandatory sinking fund redemption) and cancelled by the Bond Trustee and not theretofore applied as a credit against any mandatory sinking fund redemption obligation.

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

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of

receiving payment and for all other purposes, and neither the City nor the Registrar shall be affected by any notice to the contrary.

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

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

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

CITY OF BILLINGS, MONTANA

(Facsimile Signature)  
MAYOR

(Facsimile Seal)

(Facsimile Signature)  
CITY FINANCE DIRECTOR

(Facsimile Signature)  
CITY CLERK

Dated:

CERTIFICATE OF AUTHENTICATION

This Bond is delivered pursuant to the Resolution mentioned herein.

CITY OF BILLINGS, MONTANA,  
as Registrar, Transfer Agent, and  
Paying Agent

By \_\_\_\_\_  
City Finance Director

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 Transfers to Minors

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

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 and title thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

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:** 09/14/2015

**TITLE:** Zone Change 938 - Grand Peaks - 2nd reading

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

**Department:** Planning & Community Services

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**PROBLEM/ISSUE STATEMENT**

This is a zone change request from Residential 9,600 (R-96) to Residential 7,000 (R-70) on Lot 1, Block 5 and Lot 5, Block 2 of Grand Peaks Subdivision, a 7.8 acre parcel of land near the intersection of 54th Street West and Grand Peaks Drive. The applicant conducted a pre-application neighborhood meeting on June 24, 2015, at the King of Glory Lutheran Church, 4125 Grand Avenue. The Zoning Commission conducted a public hearing on August 4, 2015, and forwarded a recommendation of approval and adoption of the findings of the 10 criteria for Zone Change 938. The City Council approved the zone change on first reading on August 24, 2015. A second reading is required to approve the zone change.

**ALTERNATIVES ANALYZED**

City Council may:

- Approve the zone change and adopt the findings of the 10 criteria as recommended by the Zoning Commission ;
- Deny the zone change and adopt different findings of the 10 criteria;
- Allow the applicant to withdraw the zone change; or
- Delay action on the zone change request for up to 30 days.

**FINANCIAL IMPACT**

If the zone change is approved the city fees based on zoning will increase. The additional units developed will be a more efficient use of city services and facilities.

**RECOMMENDATION**

The Zoning Commission recommends approval and adoption of the findings of the 10 criteria for Zone Change 938.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

**ORDINANCE NO. 15-\_\_\_\_\_**

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR Lot 1, Block 5 and Lot 5, Block 2 of Grand Peaks Subdivision, a 7.8 acre parcel of land, generally located near the intersection of 54<sup>th</sup> St West and Grand Peaks Drive

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

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.
2. DESCRIPTION That Lot 1, Block 5 and Lot 5, Block 2 of Grand Peaks Subdivision, a 7.8 acre parcel of land, generally located near the intersection of 54<sup>th</sup> St West and Grand Peaks Drive is presently zoned **Residential 9,600 (R-96)** and is shown on the official zoning maps within these zones.
3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcel** is hereby changed from **Residential 9,600 (R-96) to Residential 7,000 (R-70)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Residential 7,000 (R-70)** as set out in the Billings, Montana City Code.
4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
5. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading August 24, 2015

PASSED, ADOPTED AND APPROVED on second reading September 14, 2015.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, Mayor

ATTEST:

BY: Billie Guenther, City Clerk  
Zone Change #938- Grand Peaks Subdivision

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Payment of Claims August 10, 2015

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

Claims in the amount of \$1,278,912.56 have been audited and are presented for City Council payment approval. A complete listing of the claims dated August 10, 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**

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**Attachments**

council memo 08-10-2015

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Check Date	Check	Name	Amount	Account	Item Desc
08/10/2015	786681	3M Company	\$3,358.60	2600-55180-403690	Inn OF65302
08/10/2015	786683	A & I Distributors	\$5,776.14	6010-00000-141000	2677145 PO NUM 298247
08/10/2015	786683	A & I Distributors	\$656.70	5410-31230-402310	Blue DEF
08/10/2015	786683	A & I Distributors	\$433.95	5410-31230-402310	Zerex HD
08/10/2015	786683	A & I Distributors	\$4,849.79	6010-00000-141000	2667018 PO NUM 298247
08/10/2015	786683	A & I Distributors	\$569.43	2110-31320-402320	2665548
08/10/2015	786683	A & I Distributors	\$837.64	6010-00000-141000	2673136 PO NUM 298247
08/10/2015	786683	A & I Distributors	\$2,722.19	6010-00000-141000	2673136 PO NUM 298247
08/10/2015	786683	A & I Distributors	\$39.00	6010-00000-141000	2673273 PO NUM 298247
08/10/2015	786683	A & I Distributors	\$16.00	5410-31230-402290	Pump to empty 5 gallon buckets
08/10/2015	786683	A & I Distributors	\$361.35	5710-71440-402320	2674556
08/10/2015	786683	A & I Distributors	\$867.90	5710-00000-141714	2674556 PO NUM 298247
08/10/2015	786683	A & I Distributors	\$1,940.00	5710-00000-141714	2668735 PO NUM 298247
08/10/2015	786683	A & I Distributors	\$152.40	5410-31230-402310	Grease
08/10/2015	786683	A & I Distributors	\$1,213.55	5410-31230-402310	Oil for Landfill Equipment
08/10/2015	786696	Arrow Striping & Manufacturing Inc	\$3,600.00	2110-31320-402340	paint beads
08/10/2015	786706	Big Sky Linen & Uniform	\$46.50	1500-22250-402450	1076 LINEN SERVICE: JULY 2015 FIRE 1-7 &
08/10/2015	786706	Big Sky Linen & Uniform	\$272.49	1500-22260-402240	1076 LINEN SERVICE: JULY 2015 FIRE 1-7 &
08/10/2015	786706	Big Sky Linen & Uniform	\$285.31	5020-73120-402260	Monthly Uniforms
08/10/2015	786706	Big Sky Linen & Uniform	\$44.69	5020-73140-402260	Monthly Uniforms
08/10/2015	786706	Big Sky Linen & Uniform	\$861.60	5020-74000-402260	Monthly Uniforms
08/10/2015	786706	Big Sky Linen & Uniform	\$532.86	5020-75000-402260	Monthly Uniforms
08/10/2015	786706	Big Sky Linen & Uniform	\$13.75	5120-83140-402260	Monthly Uniforms
08/10/2015	786706	Big Sky Linen & Uniform	\$477.00	5120-84000-402260	Monthly Uniforms
08/10/2015	786706	Big Sky Linen & Uniform	\$321.10	5120-84300-402260	Monthly Uniforms
08/10/2015	786706	Big Sky Linen & Uniform	\$355.24	5120-85000-402260	Monthly Uniforms
08/10/2015	786716	Brown And Caldwell	\$8,809.93	5030-75910-409340	WO 08-25 ZONE 3 RESERVOIR
08/10/2015	786717	Business Tax Section	\$78.87	7020-51710-403690	Business tax on Huppert Construction pipeline
08/10/2015	786717	Business Tax Section	\$78.88	8730-51990-403990	Business tax on Huppert Construction pipeline
08/10/2015	786717	Business Tax Section	\$80.00	5030-75910-409340	PBD016 - Temp Water Service
08/10/2015	786717	Business Tax Section	\$95.75	0100-51120-409370	Business tax on Diamond J.
08/10/2015	786717	Business Tax Section	\$5,531.30	2050-31310-409310	WO 15-03 2015 Street Maintenance - Chip Seal
08/10/2015	786717	Business Tax Section	\$1,039.70	8450-31860-409310	WO 15-03 2015 Street Maintenance - Chip Seal
08/10/2015	786717	Business Tax Section	\$103.04	5030-00000-201100	WO 15-01 Sch 3 17th St West Wtr Main - BBWA
08/10/2015	786717	Business Tax Section	\$75.40	4480-31650-409311	WO 15-02 2015 Misc. Developer
08/10/2015	786724	Chicago Title of Montana LLC	\$15,000.00	2840-65810-407277	FTHB Anthony Jones 2639 Poly Drive
08/10/2015	786725	Cop Construction Co	\$10,200.61	5030-00000-201100	WO 15-01 Sch 3 17th St West Wtr Main - BBWA
08/10/2015	786730	Curb Box Specialists Inc.	\$7,920.00	5030-75910-409340	PBD016 - Temp Water Service
08/10/2015	786734	Diamond J Services	\$9,479.25	0100-51120-409370	Fencing for High Sierra Park. Down payment
08/10/2015	786737	Dowl Hkm	\$27,701.25	5030-75910-409340	WO 15-01 2015 Water Replacement Project-Sch1
08/10/2015	786739	Dustbusters	\$2,690.88	2110-31320-404530	dustgard used for gravel streets
08/10/2015	786739	Dustbusters	\$1,868.63	2110-31320-404530	dustgard used for gravel streets
08/10/2015	786741	Eco-Counter Inc	\$3,210.00	2400-43010-407214	Invoice 60232
08/10/2015	786752	First Montana Title Co	\$10,000.00	2990-66800-407275	FTHB Derek Maciel 235 Alderson Avenue
08/10/2015	786753	First Montana Title Co	\$15,000.00	2840-65810-407277	FTHB Merle Toliver 3145 Boulder Avenue
08/10/2015	786755	Grainger Parts	\$44.07	6010-15530-402630	Safety Caps
08/10/2015	786755	Grainger Parts	\$14.41	6010-15530-402650	9757101101
08/10/2015	786755	Grainger Parts	\$52.62	5020-75000-402380	Bolt Cutters
08/10/2015	786755	Grainger Parts	\$35.08	5120-85000-402380	Bolt Cutters
08/10/2015	786755	Grainger Parts	\$35.60	6010-15530-402650	9799998274
08/10/2015	786755	Grainger Parts	\$7,000.00	5210-15910-409224	Sweeper/Scrubber
08/10/2015	786755	Grainger Parts	\$7,000.00	5210-15920-409224	Sweeper/Scrubber
08/10/2015	786755	Grainger Parts	\$7,000.00	5210-15930-409224	Sweeper/Scrubber
08/10/2015	786755	Grainger Parts	\$2,753.00	6500-15660-402310	Sweeper/Scrubber
08/10/2015	786755	Grainger Parts	\$434.90	6500-15660-403660	Sweeper/Scrubber
08/10/2015	786755	Grainger Parts	\$44,896.00	6500-15660-409490	Sweeper/Scrubber
08/10/2015	786755	Grainger Parts	\$76.50	6500-15660-403660	818405025 Manuals for Sweeper
08/10/2015	786755	Grainger Parts	\$63.00	6010-00000-141000	9794964354 PO NUM 298468
08/10/2015	786756	Guardian Security Inc	\$8,164.09	2600-55120-403574	Inv 996422
08/10/2015	786758	Hach Company	\$5,383.05	5030-74910-409410	TKN/TP04 Digestion Block with Programable
08/10/2015	786758	Hach Company	\$5,383.05	5130-84910-409410	TKN/TP04 Digestion Block with Programable
08/10/2015	786763	HDR, Inc.	\$18,518.65	5030-74910-409390	WO 15-10 WTP Chemical Building/Disinfection
08/10/2015	786763	HDR, Inc.	\$9,595.08	5410-31220-409250	WO 15-38 Solid Waste CNG Short-Term Fueling
08/10/2015	786765	High Point Networks LLC	\$4,760.00	6200-19110-405370	Annual Maintenance Renewal Veeam Availability Suite Enterprise for VMware
08/10/2015	786765	High Point Networks LLC	\$17,860.00	6200-19110-409480	Juniper Core (2) EX4550-32F-AFO 32 port 1/10G Switch
08/10/2015	786765	High Point Networks LLC	\$2,820.00	6200-19110-402925	Juniper Core (2) EX4550-VC1-128G
08/10/2015	786765	High Point Networks LLC	\$1,410.00	6200-19110-402925	Juniper Core (2) JPSU-650W-AC-AFO Juniper 650W Power
08/10/2015	786765	High Point Networks LLC	\$141.00	6200-19110-402925	Juniper Core (2) EX-CBL-VCP-50CM Chassis Port Cables
08/10/2015	786765	High Point Networks LLC	\$2,441.65	6200-19110-402925	Juniper Core (1) EX 4300-24T EX4300 Port
08/10/2015	786765	High Point Networks LLC	\$232.65	6200-19110-402925	Juniper Core (1) JPSU-350-AC-AFO EX 4300 Power Supply

Check Date	Check	Name	Amount	Account	Item Desc
08/10/2015	786765	High Point Networks LLC	\$1,280.00	6200-19110-402925	Optics SFP-GE-S 1000 BASE-SX SFP DOM Juniper
08/10/2015	786765	High Point Networks LLC	\$1,080.00	6200-19110-402925	Optics SFP-ge-L 1000BASE-LX SFP DOM Juniper
08/10/2015	786765	High Point Networks LLC	\$1,448.00	6200-19110-402925	Optics SFP-10G-SR Short Range SFP+ Juniper
08/10/2015	786765	High Point Networks LLC	\$3,062.50	6200-19110-402925	Optics SFP-10G-LR 10GBASE Long Range SFP Juniper
08/10/2015	786765	High Point Networks LLC	\$2,482.20	6200-19110-405370	Juniper Support SVC-ND-EX4550 Juniper Care Next Day Support
08/10/2015	786765	High Point Networks LLC	\$182.70	6200-19110-405370	Juniper Support SVC-ND-EX430024T Juniper Care Next Day
08/10/2015	786765	High Point Networks LLC	\$25.00	6200-19110-403120	Shipping and Handling
08/10/2015	786768	Huppert Construction C.	\$7,808.62	7020-51710-403690	Repairs of water line serving the Cemetery and
08/10/2015	786768	Huppert Construction C.	\$7,808.63	8730-51990-403990	Repairs of water line serving the Cemetery and
08/10/2015	786769	Iaff	\$4,514.33	9000-00000-209920	Payroll Summary
08/10/2015	786772	Ingram Library Services Inc.	\$20.64	2600-55190-403382	Inv 86211662
08/10/2015	786772	Ingram Library Services Inc.	\$21.97	2600-55190-403222	Inv 86228937
08/10/2015	786772	Ingram Library Services Inc.	\$46.59	2600-55190-403227	Inv 86228937
08/10/2015	786772	Ingram Library Services Inc.	\$175.95	2600-55190-403222	Inv 86228938
08/10/2015	786772	Ingram Library Services Inc.	\$531.56	2600-55190-403226	Inv 86228938
08/10/2015	786772	Ingram Library Services Inc.	\$723.14	2600-55190-403227	Inv 86228938
08/10/2015	786772	Ingram Library Services Inc.	\$197.05	2600-55190-403333	Inv 86228938
08/10/2015	786772	Ingram Library Services Inc.	\$82.55	2600-55190-403226	Inv 86228939
08/10/2015	786772	Ingram Library Services Inc.	\$16.51	2600-55190-403241	Inv 86228940
08/10/2015	786772	Ingram Library Services Inc.	\$22.00	2600-55190-403222	Inv 86297307
08/10/2015	786772	Ingram Library Services Inc.	\$214.75	2600-55190-403226	Inv 86297307
08/10/2015	786772	Ingram Library Services Inc.	\$61.89	2600-55190-403226	Inv 86297308
08/10/2015	786772	Ingram Library Services Inc.	\$14.99	2600-55190-403227	Inv 86297308
08/10/2015	786772	Ingram Library Services Inc.	\$17.97	2600-55190-403227	Inv 86297309
08/10/2015	786772	Ingram Library Services Inc.	\$9.60	2600-55190-403226	Inv 86308640
08/10/2015	786772	Ingram Library Services Inc.	\$29.44	2600-55190-403226	Inv 86308641
08/10/2015	786772	Ingram Library Services Inc.	\$15.33	2600-55190-403226	Inv 86308642
08/10/2015	786772	Ingram Library Services Inc.	\$93.42	2600-55190-403222	Inv 86308643
08/10/2015	786772	Ingram Library Services Inc.	\$435.13	2600-55190-403226	Inv 86308643
08/10/2015	786772	Ingram Library Services Inc.	\$1,287.71	2600-55190-403227	Inv 86308643
08/10/2015	786772	Ingram Library Services Inc.	\$40.24	2600-55190-403241	Inv 86308643
08/10/2015	786772	Ingram Library Services Inc.	\$26.10	2600-55190-403241	Inv 86308643
08/10/2015	786772	Ingram Library Services Inc.	\$1,527.81	2600-55190-403333	Inv 86308644
08/10/2015	786772	Ingram Library Services Inc.	\$71.43	2600-55190-403334	Inv 86308644
08/10/2015	786772	Ingram Library Services Inc.	\$33.95	2600-55190-403227	Inv 86331134
08/10/2015	786772	Ingram Library Services Inc.	\$245.14	2600-55190-403227	Inv 86331135
08/10/2015	786772	Ingram Library Services Inc.	\$31.52	2600-55190-403226	Inv 86331136
08/10/2015	786772	Ingram Library Services Inc.	\$45.98	2600-55190-403227	Inv 86331136
08/10/2015	786772	Ingram Library Services Inc.	\$136.80	2600-55190-403226	Inv 86331137
08/10/2015	786772	Ingram Library Services Inc.	\$369.31	2600-55190-403227	Inv 86331137
08/10/2015	786772	Ingram Library Services Inc.	\$47.75	2600-55190-403241	Inv 86331137
08/10/2015	786772	Ingram Library Services Inc.	\$109.97	2600-55190-403242	Inv 86331137
08/10/2015	786772	Ingram Library Services Inc.	\$21.99	2600-55190-403222	Inv 86331138
08/10/2015	786772	Ingram Library Services Inc.	\$117.06	2600-55190-403226	Inv 86331138
08/10/2015	786772	Ingram Library Services Inc.	\$233.66	2600-55190-403227	Inv 86331138
08/10/2015	786772	Ingram Library Services Inc.	\$41.41	2600-55190-403333	Inv 86331138
08/10/2015	786772	Ingram Library Services Inc.	\$9.59	2600-55190-403241	Inv 86331139
08/10/2015	786772	Ingram Library Services Inc.	-\$52.49	2600-55190-403334	CR 86396245
08/10/2015	786772	Ingram Library Services Inc.	\$27.55	2600-55190-403227	linv 86417626
08/10/2015	786773	Inland Truck Parts Co	\$979.75	5410-31220-402320	1-25518
08/10/2015	786773	Inland Truck Parts Co	\$486.92	5410-31220-402320	1-25519
08/10/2015	786773	Inland Truck Parts Co	\$2,035.55	5410-31220-402320	1-25665
08/10/2015	786773	Inland Truck Parts Co	-\$486.92	5410-31220-402320	1-25987
08/10/2015	786775	Interstate Power Systems, Inc.	\$3,577.65	5710-71440-403690	AUTO & TRUCK MAINT.ITEMS
08/10/2015	786775	Interstate Power Systems, Inc.	\$368.00	5410-31220-402320	R007033893.01
08/10/2015	786779	Kadrmas Lee & Jackson	\$6,881.19	1990-15050-409310	WO 15-07 Orchard Lane
08/10/2015	786779	Kadrmas Lee & Jackson	\$14,560.77	5030-74910-409390	WO 14-09 Briarwood Reservoir Expansion;
08/10/2015	786784	Knife River (JTL Group Inc.)	\$183.61	2110-31320-404710	asphalt
08/10/2015	786784	Knife River (JTL Group Inc.)	\$862.54	2110-31320-404710	asphalt
08/10/2015	786784	Knife River (JTL Group Inc.)	\$64.29	2110-31320-404520	1 1/2" crushed base
08/10/2015	786784	Knife River (JTL Group Inc.)	\$104.88	2110-31320-404520	3/8" chips
08/10/2015	786784	Knife River (JTL Group Inc.)	\$844.24	2110-31320-404710	asphalt
08/10/2015	786784	Knife River (JTL Group Inc.)	\$269.01	2110-31320-404710	asphalt
08/10/2015	786784	Knife River (JTL Group Inc.)	\$308.45	2110-31320-404520	1 1/2" crushed base
08/10/2015	786784	Knife River (JTL Group Inc.)	\$5,702.89	2110-31320-404710	asphalt
08/10/2015	786784	Knife River (JTL Group Inc.)	\$66.33	2110-31320-404520	3/8" washed rock
08/10/2015	786784	Knife River (JTL Group Inc.)	\$260.16	2110-31320-404520	3/8" chips
08/10/2015	786784	Knife River (JTL Group Inc.)	\$2,552.24	2110-31320-404710	asphalt
08/10/2015	786784	Knife River (JTL Group Inc.)	\$2,938.37	2110-31320-404710	asphalt
08/10/2015	786784	Knife River (JTL Group Inc.)	\$547,598.14	2050-31310-409310	WO 15-03 2015 Street Maintenance - Chip Seal
08/10/2015	786784	Knife River (JTL Group Inc.)	\$102,930.56	8450-31860-409310	WO 15-03 2015 Street Maintenance - Chip Seal

Check Date	Check Name	Amount	Account	Item Desc
08/10/2015	786786 Kone Inc	\$19,956.00	5210-15920-402450	Park Two Elevator Repair
08/10/2015	786790 Lenovo (United States) Inc	\$12,408.00	6200-19110-409480	(24)Disk Drives 1.2 TB 10,000 rpm 6Gb SAS 2.5 inch HDD
08/10/2015	786797 Montana CSED	\$4,354.79	9000-00000-209926	Payroll Summary
08/10/2015	786803 Montana State Fireman's Assoc	\$3,360.49	9000-00000-209924	Payroll Summary
08/10/2015	786804 Montana State Library	\$30,392.14	2600-55180-403690	FY16 MT Shared Catalog - Consortium shared
08/10/2015	786807 Mountain West Holding Company	\$2,850.00	5610-71130-403650	Invoice #3113. 13 Concrete barriers for short term
08/10/2015	786814 NorthWestern Energy	\$92.66	0100-51410-403410	07125396
08/10/2015	786814 NorthWestern Energy	\$1,438.00	0100-51260-403410	07208416
08/10/2015	786814 NorthWestern Energy	\$212.63	0100-51120-403410	07222565
08/10/2015	786814 NorthWestern Energy	\$37.98	0100-51120-403410	07222771
08/10/2015	786814 NorthWestern Energy	\$252.54	0100-51120-403410	07931348
08/10/2015	786814 NorthWestern Energy	\$64.52	0100-51120-403410	09208018
08/10/2015	786814 NorthWestern Energy	\$0.86	8720-51980-403410	09718248
08/10/2015	786814 NorthWestern Energy	\$506.30	1500-22210-403410	FIRE6: MONTHLY ELECTIC SERVICE (1601
08/10/2015	786814 NorthWestern Energy	\$348.48	5020-74000-403410	805 Constitution
08/10/2015	786814 NorthWestern Energy	\$2,079.03	5120-85000-403410	2750 Bitterroot Dr
08/10/2015	786814 NorthWestern Energy	\$2,721.29	5020-74000-403410	1699 High Sierra
08/10/2015	786814 NorthWestern Energy	\$10.83	5120-85000-403410	17040254
08/10/2015	786814 NorthWestern Energy	\$31.15	5120-85000-403410	17040304
08/10/2015	786814 NorthWestern Energy	\$7.45	2110-31320-403410	17389891
08/10/2015	786814 NorthWestern Energy	\$8.96	0100-51120-403410	19022573
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08/10/2015	786814 NorthWestern Energy	\$9.21	2110-31320-403410	20470118
08/10/2015	786814 NorthWestern Energy	\$8.96	2110-31320-403410	20470183
08/10/2015	786814 NorthWestern Energy	\$14.93	0100-51120-403410	30208375
08/10/2015	786814 NorthWestern Energy	\$10,527.42	2600-55120-403410	Electric usage
08/10/2015	786814 NorthWestern Energy	\$209.30	6070-22350-403410	10069151
08/10/2015	786814 NorthWestern Energy	\$405.92	0100-51120-403410	11412848
08/10/2015	786814 NorthWestern Energy	\$45.84	0100-51120-403410	11565272
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08/10/2015	786814 NorthWestern Energy	\$7.45	0100-51120-403410	12300661
08/10/2015	786814 NorthWestern Energy	\$0.76	8720-51980-403410	13127071
08/10/2015	786814 NorthWestern Energy	\$1.28	0100-51120-403410	14093942
08/10/2015	786814 NorthWestern Energy	\$8.28	8720-51980-403410	15642093
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08/10/2015	786814 NorthWestern Energy	\$5,422.57	5020-74000-403410	3116 17 West
08/10/2015	786814 NorthWestern Energy	\$5,422.57	5020-74000-403410	3116 17 West
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08/10/2015	786814 NorthWestern Energy	\$7.68	2110-31320-403410	08554040
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08/10/2015	786814 NorthWestern Energy	\$25.87	2110-31320-403410	10458206
08/10/2015	786814 NorthWestern Energy	\$1,642.47	1500-21710-403410	11834835
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08/10/2015	786814 NorthWestern Energy	\$160.95	8720-51980-403410	15137961
08/10/2015	786814 NorthWestern Energy	\$874.82	0100-51410-403410	07125388
08/10/2015	786814 NorthWestern Energy	\$7.57	0100-51120-403410	07222532
08/10/2015	786814 NorthWestern Energy	\$9.59	0100-51120-403410	07222581
08/10/2015	786814 NorthWestern Energy	\$23.84	0100-51120-403410	07222599
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08/10/2015	786814 NorthWestern Energy	\$6.27	8720-51980-403410	07222722
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08/10/2015	786814 NorthWestern Energy	\$12.83	0100-51120-403410	07222748
08/10/2015	786814 NorthWestern Energy	\$106.26	0100-51120-403410	07222755
08/10/2015	786814 NorthWestern Energy	\$31.28	0100-51120-403410	07222789
08/10/2015	786814 NorthWestern Energy	\$16.27	0100-51120-403410	07222797
08/10/2015	786814 NorthWestern Energy	\$7.57	0100-51120-403410	07222805
08/10/2015	786814 NorthWestern Energy	\$7.57	0100-51120-403410	07222813
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08/10/2015	786814 NorthWestern Energy	\$7.57	0100-51120-403410	07222847
08/10/2015	786814 NorthWestern Energy	\$16.27	0100-51120-403410	07228083
08/10/2015	786814 NorthWestern Energy	\$11.07	0100-51120-403410	07228521
08/10/2015	786814 NorthWestern Energy	\$9.59	0100-51120-403410	07228620
08/10/2015	786814 NorthWestern Energy	\$149.54	0100-51120-403410	07229016
08/10/2015	786814 NorthWestern Energy	\$9.21	0100-51120-403410	07229768
08/10/2015	786814 NorthWestern Energy	\$223.29	0100-51120-403410	07229958
08/10/2015	786814 NorthWestern Energy	\$80.54	0100-51120-403410	07230055
08/10/2015	786814 NorthWestern Energy	\$7.57	0100-51120-403410	07230253
08/10/2015	786814 NorthWestern Energy	\$24.84	0100-51120-403410	07230394

Check Date	Check	Name	Amount	Account	Item Desc
08/10/2015	786814	NorthWestern Energy	\$7.45	0100-51120-403410	07230469
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08/10/2015	786814	NorthWestern Energy	\$12.10	0100-51120-403410	07230535
08/10/2015	786814	NorthWestern Energy	\$18.81	0100-51120-403410	07230642
08/10/2015	786814	NorthWestern Energy	\$18.81	0100-51120-403410	07230659
08/10/2015	786814	NorthWestern Energy	\$7.57	8720-51980-403410	07233844
08/10/2015	786814	NorthWestern Energy	\$9.24	8720-51980-403410	07233851
08/10/2015	786814	NorthWestern Energy	\$9.24	8720-51980-403410	07233869
08/10/2015	786814	NorthWestern Energy	\$9.24	8720-51980-403410	07233877
08/10/2015	786814	NorthWestern Energy	\$9.24	8720-51980-403410	07233885
08/10/2015	786814	NorthWestern Energy	\$5.38	0100-51120-403410	07233919
08/10/2015	786814	NorthWestern Energy	\$3.58	8720-51980-403410	07233919
08/10/2015	786814	NorthWestern Energy	\$9.24	8720-51980-403410	07233927
08/10/2015	786814	NorthWestern Energy	\$8.28	8720-51980-403410	07233935
08/10/2015	786814	NorthWestern Energy	\$7.57	8720-51980-403410	07233943
08/10/2015	786814	NorthWestern Energy	\$7.57	8720-51980-403410	07233950
08/10/2015	786814	NorthWestern Energy	\$7.57	8720-51980-403410	07233968
08/10/2015	786814	NorthWestern Energy	\$7.57	8720-51980-403410	07233976
08/10/2015	786814	NorthWestern Energy	\$7.57	8720-51980-403410	07233984
08/10/2015	786814	NorthWestern Energy	\$7.57	8720-51980-403410	07238355
08/10/2015	786814	NorthWestern Energy	\$9.59	8720-51980-403410	07238363
08/10/2015	786814	NorthWestern Energy	\$7.45	8720-51980-403410	07238405
08/10/2015	786814	NorthWestern Energy	\$200.66	8720-51980-403410	07238793
08/10/2015	786814	NorthWestern Energy	\$8.04	8720-51980-403410	07238835
08/10/2015	786814	NorthWestern Energy	\$138.83	0100-51120-403410	07238843
08/10/2015	786814	NorthWestern Energy	\$8.16	8720-51980-403410	07238850
08/10/2015	786814	NorthWestern Energy	\$18.81	0100-51120-403410	07238876
08/10/2015	786814	NorthWestern Energy	\$8.60	8720-51980-403410	08814550
08/10/2015	786814	NorthWestern Energy	\$97.52	0100-51290-403410	09998071
08/10/2015	786814	NorthWestern Energy	\$47.05	5020-74000-403410	11608072
08/10/2015	786814	NorthWestern Energy	\$76.75	0100-51120-403410	12488631
08/10/2015	786814	NorthWestern Energy	\$92.40	5020-74000-403410	13466735
08/10/2015	786814	NorthWestern Energy	\$119.45	8720-51980-403410	15138001
08/10/2015	786814	NorthWestern Energy	\$24.72	8720-51980-403410	15138027
08/10/2015	786814	NorthWestern Energy	\$13.99	8720-51980-403410	15138043
08/10/2015	786814	NorthWestern Energy	\$42.48	5210-15240-403410	15696313
08/10/2015	786814	NorthWestern Energy	\$16.64	0100-51120-403410	19412436
08/10/2015	786814	NorthWestern Energy	\$2.14	8720-51980-403410	20413621
08/10/2015	786814	NorthWestern Energy	\$8.85	2110-31320-403410	20470076
08/10/2015	786814	NorthWestern Energy	\$8.96	2110-31320-403410	20470100
08/10/2015	786814	NorthWestern Energy	\$8.62	2110-31320-403410	20470134
08/10/2015	786814	NorthWestern Energy	\$9.10	2110-31320-403410	20470175
08/10/2015	786814	NorthWestern Energy	\$8.62	2110-31320-403410	20470191
08/10/2015	786814	NorthWestern Energy	\$47.71	2110-31320-403410	3088038-9
08/10/2015	786817	Precision Concrete Cutting	\$7,464.60	4480-31650-409311	WO 15-02 2015 Misc. Developer
08/10/2015	786818	Public Utilities	\$3,445.85	5120-84000-403420	111176
08/10/2015	786818	Public Utilities	\$10.72	8720-51980-403420	126488
08/10/2015	786818	Public Utilities	\$539.87	8720-51980-403420	148074
08/10/2015	786818	Public Utilities	\$192.62	8720-51980-403420	187900
08/10/2015	786819	Public Works-Administration	\$1,652.60	5050-75150-403671	PWU July 2015 Engineering Permits - WSRP
08/10/2015	786819	Public Works-Administration	\$3,700.00	5020-75000-403680	PWU July 2015 Engineering Permits - Watermain
08/10/2015	786820	Qwest Communications	\$42.46	5610-71190-403450	Bill Date: Jul 28, 2015. QTA Phone
08/10/2015	786820	Qwest Communications	\$31.17	5610-71120-403450	Qwest 406-245-1044 Airport Terminal Power M
08/10/2015	786820	Qwest Communications	\$47.09	5710-71470-403450	Qwest 406-245-1789 Transit STS
08/10/2015	786820	Qwest Communications	\$57.79	5410-31230-403450	Qwest 406-245-7193 Solid Waste Landfill
08/10/2015	786820	Qwest Communications	\$99.33	5410-31230-403450	Qwest 406-245-9820 Solid Waste Landfil
08/10/2015	786820	Qwest Communications	\$31.17	2110-31320-403450	Qwest 406-245-9906 PW Traffic Signal 4th 27
08/10/2015	786820	Qwest Communications	\$2,186.01	6060-19310-403450	Qwest 406-657-8377 Main System Centrex
08/10/2015	786820	Qwest Communications	\$69.25	6060-19310-403450	Qwest 406-248-9124 Met Measured Lines 406-248-9124 406-248-9179
08/10/2015	786820	Qwest Communications	\$64.10	6060-19310-403450	Qwest 406-248-3329 Airport Measured Lines 406-248-3329 406-248-9989
08/10/2015	786820	Qwest Communications	\$31.32	1500-21110-403450	Qwest 406-245-6600 Crime Prevention Alarm
08/10/2015	786820	Qwest Communications	\$129.56	2600-55120-403450	Qwest 406-245-1579 Library 6 lines (4) Library 2600-55120-403450 (2) Phone 6060-19310-403450
08/10/2015	786820	Qwest Communications	\$63.08	6060-19310-403450	Qwest 406-245-1579 Library 6 lines (4) Library 2600-55120-403450 (2) Phone 6060-19310-403450
08/10/2015	786820	Qwest Communications	\$31.79	6200-19110-403450	Qwest 406-245-4437 Kenco Security Alarm IT Alarm
08/10/2015	786820	Qwest Communications	\$32.05	1500-22210-403450	Qwest 406-245-1743 Fire Elevator 1500-22210-403450
08/10/2015	786840	St Vincent Occupational Health	\$1,240.00	0100-17500-403572	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$95.00	1500-21110-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$1,080.00	1500-21710-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$20.00	1500-22250-403510	Invoice #46464 Drug testing, On-site nursing,

Check Date	Check	Name	Amount	Account	Item Desc
08/10/2015	786840	St Vincent Occupational Health	\$20.00	1500-22290-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$190.00	2110-31320-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$95.00	2600-55170-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$145.00	5020-74000-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$258.00	5020-75000-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$172.00	5120-85000-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$190.00	5410-31230-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$335.00	5710-71420-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$190.00	5710-71470-403510	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786840	St Vincent Occupational Health	\$630.00	6270-17520-405160	Invoice #46464 Drug testing, On-site nursing,
08/10/2015	786844	Stewart Title Company	\$10,000.00	2990-66800-407275	FTHB Tyler Frank 2306 Lampman Drive
08/10/2015	786847	Tait Communications	\$2,576.24	5410-31220-402920	TM9457-K5D0-AEUD-00BA-10, P25 Trk Dual
08/10/2015	786847	Tait Communications	\$183.00	5410-31220-402920	TMAA13-22, Desktop Power Supply 23A DC120V
08/10/2015	786847	Tait Communications	\$78.00	5410-31220-402920	TMAA03-13, Install Kit Desktop Power Supply U-
08/10/2015	786847	Tait Communications	\$976.50	5410-31220-402920	T02-00004-0101, TM Telephone Handset TDMA
08/10/2015	786847	Tait Communications	\$15.92	5410-31220-402920	Freight
08/10/2015	786852	Toter Incorporated	\$30,780.92	5410-31220-404270	Containers
08/10/2015	786872	Zeier Consulting LLC	\$3,888.75	1990-15050-403590	Professional Services for July 2015

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Payment of Claims August 17, 2015

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

Claims in the amount of \$959,445.80 have been audited and are presented for City Council payment approval. A complete listing of the claims dated August 17, 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**

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**Attachments**

council memo 08-17-2015

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Check Date	Check Name	Amount	Account	Item Desc
08/17/2015	786877 Ace Electric Inc	\$3,800.00	5120-84300-403660	Cables
08/17/2015	786877 Ace Electric Inc	\$3,800.00	5410-31220-403660	replace pole 1101 Miles Ave
08/17/2015	786882 American Title & Escrow	\$25,100.00	2900-65550-407275	REHAB-PROGRAM FUNDS-SLEVIRA-4627
08/17/2015	786886 Asphalt Plus Inc	\$38,392.25	2100-51510-409390	WO 13-20 Arrowhead School Path
08/17/2015	786886 Asphalt Plus Inc	\$5,950.84	2360-43700-409370	WO 13-20 Arrowhead School Path
08/17/2015	786888 B & L Scales Inc	\$45,425.00	5440-31230-409390	Outbound Scale at the Landfill
08/17/2015	786905 Chicago Title of Montana LLC	\$10,000.00	2990-66800-407275	FTHB Rebecca Hill 3390 Canyon Drive Unit D29
08/17/2015	786909 County Water District Of Billings Heights	\$2,684.99	8720-51980-403420	Water service for Luthern.
08/17/2015	786909 County Water District Of Billings Heights	\$2,406.55	0100-51120-403420	Water service for Primrose.
08/17/2015	786909 County Water District Of Billings Heights	\$2,362.37	8720-51980-403420	Water service for Unita.
08/17/2015	786909 County Water District Of Billings Heights	\$18.00	0100-51120-403420	Water service for Arrowhead.
08/17/2015	786909 County Water District Of Billings Heights	\$2,794.17	0100-51120-403420	Water service for Hawthorn.
08/17/2015	786909 County Water District Of Billings Heights	\$2,331.80	8720-51980-403420	Water service for Twin Oaks.
08/17/2015	786909 County Water District Of Billings Heights	\$1,948.62	0100-51120-403420	Water service for Arrowhead.
08/17/2015	786909 County Water District Of Billings Heights	\$727.29	8720-51980-403420	Water service for Rolling Hills.
08/17/2015	786909 County Water District Of Billings Heights	\$3,077.45	8720-51980-403420	Water service for Walden Grove.
08/17/2015	786909 County Water District Of Billings Heights	\$1,456.04	8720-51980-403420	Water service for Francis's.
08/17/2015	786913 Dakota Fence Co	\$97,020.00	8730-51990-409370	Pioneer Park signature play feature.
08/17/2015	786913 Dakota Fence Co	\$926.10	8730-51990-409370	Change order 1 - increase.
08/17/2015	786916 Dell Computer L P	\$1,904.57	6200-19130-402925	Dell Precision T1700
08/17/2015	786916 Dell Computer L P	\$4,902.94	2600-55180-402925	Invoices XJPJ2P263 & XJPMN15C1
08/17/2015	786916 Dell Computer L P	\$1,058.85	2600-55180-402925	Invoices XJPJ2P263 & XJPMN15C1
08/17/2015	786918 Destiny Software Inc	\$4,800.00	0100-13140-403660	Public Records Request Software
08/17/2015	786919 Digital Video Systems	\$3,500.00	6300-17530-407310	Inv. #2015070 Landfill Scale house DVS repairs
08/17/2015	786920 Dorsey & Whitney Llp	\$12,845.47	4710-31610-405510	3218197 - Pooled SID Bonds, Series 2015
08/17/2015	786920 Dorsey & Whitney Llp	\$654.53	4720-31610-405510	3218197 - Pooled SID Bonds, Series 2015
08/17/2015	786923 Dowl Hkm	\$6,110.66	8450-31860-409310	WO 15-06 Poly Drive - 32nd St West to 38th St
08/17/2015	786923 Dowl Hkm	\$22,901.11	8400-31840-409310	WO 15-06 Poly Drive - 32nd St West to 38th St
08/17/2015	786923 Dowl Hkm	\$14,981.62	8450-31860-409310	WO 15-06 Poly Drive - 32nd St West to 38th St
08/17/2015	786926 Dps Company Llc	\$27,303.31	5440-31230-409390	WO 15-33 Solid Waste Landfill Outbound Scale;
08/17/2015	786930 Empire Garage Owner's Association	\$9,155.70	5210-15940-403660	City of Billings August Assessment.
08/17/2015	786955 Ingram Library Services Inc.	\$440.91	2600-55190-403226	Inv 86417627
08/17/2015	786955 Ingram Library Services Inc.	\$17.94	2600-55190-403227	Inv 86417627
08/17/2015	786955 Ingram Library Services Inc.	\$15.92	2600-55190-403241	Inv 86417627
08/17/2015	786955 Ingram Library Services Inc.	\$70.23	2600-55190-403226	Inv 86417628
08/17/2015	786955 Ingram Library Services Inc.	\$14.99	2600-55190-403227	Inv 86417628
08/17/2015	786955 Ingram Library Services Inc.	\$29.47	2600-55190-403226	Inv 86417629
08/17/2015	786955 Ingram Library Services Inc.	\$15.92	2600-55190-403241	Inv 86417629
08/17/2015	786955 Ingram Library Services Inc.	\$37.84	2600-55190-403333	Inv 86417630
08/17/2015	786955 Ingram Library Services Inc.	\$16.80	2600-55190-403382	Inv 86417631
08/17/2015	786955 Ingram Library Services Inc.	\$100.00	2600-55190-403226	Inv 86431531
08/17/2015	786955 Ingram Library Services Inc.	\$100.00	2600-55190-403227	Inv 86431531
08/17/2015	786955 Ingram Library Services Inc.	\$100.00	2600-55190-403333	Inv 86431531
08/17/2015	786955 Ingram Library Services Inc.	\$10.02	2600-55190-403333	Inv 86558761
08/17/2015	786955 Ingram Library Services Inc.	\$2.99	2600-55190-403333	Inv 86558762
08/17/2015	786955 Ingram Library Services Inc.	\$21.44	2600-55190-403222	Inv 86558763
08/17/2015	786955 Ingram Library Services Inc.	\$15.33	2600-55190-403226	Inv 86558763
08/17/2015	786955 Ingram Library Services Inc.	\$28.78	2600-55190-403227	Inv 86558763
08/17/2015	786955 Ingram Library Services Inc.	\$16.51	2600-55190-403241	Inv 86558763
08/17/2015	786955 Ingram Library Services Inc.	\$19.25	2600-55190-403222	Inv 86558764
08/17/2015	786955 Ingram Library Services Inc.	\$77.87	2600-55190-403226	Inv 86558764
08/17/2015	786955 Ingram Library Services Inc.	\$31.27	2600-55190-403227	Inv 86558764
08/17/2015	786955 Ingram Library Services Inc.	\$20.04	2600-55190-403333	Inv 86558764
08/17/2015	786955 Ingram Library Services Inc.	\$251.89	2600-55190-403226	Inv 86558765
08/17/2015	786955 Ingram Library Services Inc.	\$22.80	2600-55190-403227	Inv 86558765
08/17/2015	786955 Ingram Library Services Inc.	\$165.01	2600-55190-403333	Inv 86558766
08/17/2015	786955 Ingram Library Services Inc.	\$8.24	2600-55190-403334	Inv 86558766
08/17/2015	786955 Ingram Library Services Inc.	\$16.82	2600-55190-403333	Inv 86558767
08/17/2015	786955 Ingram Library Services Inc.	\$335.47	2600-55190-403226	Inv 86558768
08/17/2015	786955 Ingram Library Services Inc.	\$603.05	2600-55190-403227	Inv 86558768
08/17/2015	786955 Ingram Library Services Inc.	\$50.68	2600-55190-403241	Inv 86558768
08/17/2015	786955 Ingram Library Services Inc.	\$13.20	2600-55190-403241	Inv 86558768
08/17/2015	786955 Ingram Library Services Inc.	\$52.23	2600-55190-403242	Inv 86558768
08/17/2015	786955 Ingram Library Services Inc.	\$194.63	2600-55190-403255	Inv 86558768
08/17/2015	786955 Ingram Library Services Inc.	\$21.58	2600-55190-403382	Inv 86558768
08/17/2015	786982 Mailing Technical Services	\$1,966.63	2600-55110-403110	June & July mail charges
08/17/2015	786982 Mailing Technical Services	\$616.56	0100-15120-403110	Finance
08/17/2015	786982 Mailing Technical Services	\$5,381.74	6050-15150-403110	Postage Fund (weekly bills)
08/17/2015	786986 Meadow Green Sales	\$27,320.82	6400-51420-409440	Sole vendor for Walker mowers in this area.
08/17/2015	786988 Midland Implement Co Inc	\$19,995.00	2110-31320-409420	polar track kit w/cab and mechanical broom to
08/17/2015	786988 Midland Implement Co Inc	\$358.51	0100-51120-402320	818818001
08/17/2015	786989 Midland West Manufacturing Co	\$3,000.00	5410-31220-402320	15982
08/17/2015	786991 Mivision Technologies Incorporated	\$4,862.72	2400-43010-407214	bike ped traffic counters
08/17/2015	786995 Montana Municipal Interlocal Authority	\$102,103.91	6300-17530-407311	Deductible Recovery Invoice #715002 08/05/2015
08/17/2015	786997 Morrison Maierle Inc	\$1,391.37	4060-71190-409310	Transfer Lot Lighting & Fence Installation - CA
08/17/2015	786997 Morrison Maierle Inc	\$1,361.70	8730-51990-403590	Consultant fee for the re-plating of section 12 in
08/17/2015	786997 Morrison Maierle Inc	\$6,637.05	5630-71220-409390	Amendment 13-Wetland Delineation, Surveys &

Check Date	Check	Name	Amount	Account	Item Desc
08/17/2015	786997	Morrison Maierle Inc	\$1,049.69	4050-71250-409685	Environmental Assessment RW10R - Federal
08/17/2015	786997	Morrison Maierle Inc	\$116.64	4050-71250-409686	Environmental Assessment RW10R - Local Share
08/17/2015	786997	Morrison Maierle Inc	\$304.50	4050-71250-409685	Environmental Assessment Land Purchase -
08/17/2015	786997	Morrison Maierle Inc	\$33.83	4050-71250-409686	Environmental Assessment Land Purchase - Local
08/17/2015	786997	Morrison Maierle Inc	\$64,985.76	4050-71250-409687	48" Micro Tunnel Under RW 10L/28R Design -
08/17/2015	786997	Morrison Maierle Inc	\$7,220.64	4050-71250-409689	48" Micro Tunnel Under RW 10L/28R Design -
08/17/2015	787005	Northwest Pipe Fittings	\$44.13	6010-00000-141000	1498305 PO NUM 298254
08/17/2015	787005	Northwest Pipe Fittings	\$41.16	5020-74000-402450	pvc nipple, 90 elbow
08/17/2015	787005	Northwest Pipe Fittings	\$189.09	5120-84000-402450	Coupling, 90 Elbow, Adapter
08/17/2015	787005	Northwest Pipe Fittings	\$900.00	5120-84000-402450	Ultra Sonic Wtr Meter,Flange Set
08/17/2015	787005	Northwest Pipe Fittings	\$23.85	5020-75000-402380	Reducer for pump
08/17/2015	787005	Northwest Pipe Fittings	\$15.89	5120-85000-402380	Reducer for pump
08/17/2015	787005	Northwest Pipe Fittings	\$29.60	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
08/17/2015	787005	Northwest Pipe Fittings	\$404.95	5020-00000-141000	SYSTEMS PO NUM 298302
08/17/2015	787005	Northwest Pipe Fittings	\$1,557.84	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
08/17/2015	787005	Northwest Pipe Fittings	\$546.81	5020-00000-141000	SYSTEMS PO NUM 298308
08/17/2015	787005	Northwest Pipe Fittings	\$27.04	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
08/17/2015	787005	Northwest Pipe Fittings	\$12,360.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
08/17/2015	787005	Northwest Pipe Fittings	\$8,680.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
08/17/2015	787005	Northwest Pipe Fittings	\$67.62	5120-84000-402450	Black Pipe stock for shop
08/17/2015	787005	Northwest Pipe Fittings	\$15.82	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
08/17/2015	787005	Northwest Pipe Fittings	\$1,308.66	5020-00000-141000	SYSTEMS PO NUM 298345
08/17/2015	787005	Northwest Pipe Fittings	\$69.96	2110-31320-402380	siphon pipe and assy for thousand oaks
08/17/2015	787005	Northwest Pipe Fittings	\$125.28	5020-74000-402450	PVC pipe/brass nipple
08/17/2015	787006	NorthWestern Energy	\$2,322.64	5610-71130-403410	0719543-1. Airport Parking Lot Lights. July 2015
08/17/2015	787006	NorthWestern Energy	\$109.24	5610-71130-403410	0712533-9. Airport Entrance. July 2015
08/17/2015	787006	NorthWestern Energy	\$232.62	5610-71130-403410	0712535-4. Employee Parking. July 2015
08/17/2015	787006	NorthWestern Energy	\$18.76	5610-71130-403410	0712791-3. Gate 16. July 2015
08/17/2015	787006	NorthWestern Energy	\$19.12	5610-71130-403410	0712795-4. Gate 17. July 2015
08/17/2015	787006	NorthWestern Energy	\$15.15	5610-71130-403410	0712797-0. Gate 9. July 2015
08/17/2015	787006	NorthWestern Energy	\$8.85	5610-71170-403410	0712805-1. IP-10. July 2015
08/17/2015	787006	NorthWestern Energy	\$15.62	5610-71130-403410	0712813-5. Burn Pit. July 2015
08/17/2015	787006	NorthWestern Energy	\$18.19	5610-71130-403410	0719759-3. Gate 12. July 2015
08/17/2015	787006	NorthWestern Energy	\$19.93	5610-71130-403410	0719760-1. Gate 14. July 2015
08/17/2015	787006	NorthWestern Energy	\$15.28	5610-71130-403410	0719761-9. Gate 15. July 2015
08/17/2015	787006	NorthWestern Energy	\$17.83	5610-71130-403410	0719762-7. Gate 13. July 2015
08/17/2015	787006	NorthWestern Energy	\$17.26	5610-71130-403410	0720296-3. Gate 29. July 2015
08/17/2015	787006	NorthWestern Energy	\$21.32	5610-71130-403410	2114868-9. Runway Weather System. July 2015
08/17/2015	787006	NorthWestern Energy	\$2,850.68	5710-71430-403410	Electricity at Metroplex 06/29/15 to 07/28/15
08/17/2015	787006	NorthWestern Energy	\$120.50	5120-85000-403410	62nd St W at Ironwood
08/17/2015	787006	NorthWestern Energy	\$457.11	5020-74000-403410	5809 Canyonwoods dr
08/17/2015	787006	NorthWestern Energy	\$249.37	5710-71430-403410	07192255
08/17/2015	787006	NorthWestern Energy	\$442.36	1500-22210-403410	07208176
08/17/2015	787006	NorthWestern Energy	\$66.14	0100-51120-403410	08134892
08/17/2015	787006	NorthWestern Energy	\$0.32	8720-51980-403410	10291920
08/17/2015	787006	NorthWestern Energy	\$183.62	5020-74000-403410	11422532
08/17/2015	787006	NorthWestern Energy	\$768.77	0100-51120-403410	11914041
08/17/2015	787006	NorthWestern Energy	\$8.74	8720-51980-403410	15143886
08/17/2015	787006	NorthWestern Energy	\$7.45	0100-51120-403410	15882624
08/17/2015	787006	NorthWestern Energy	\$67.52	0100-51120-403410	18494088
08/17/2015	787006	NorthWestern Energy	\$15.48	5020-74000-403410	18672659
08/17/2015	787006	NorthWestern Energy	\$51.21	0100-51120-403410	19049444
08/17/2015	787006	NorthWestern Energy	\$1.06	8720-51980-403410	19486679
08/17/2015	787006	NorthWestern Energy	\$6.45	8720-51980-403410	20558177
08/17/2015	787008	Paddock Heating & Cooling	\$16,500.00	1500-22260-402450	DESIGN/BUILD/INSTALL: VEHICLE EXHAUST
08/17/2015	787008	Paddock Heating & Cooling	-\$165.00	1500-22260-402450	LESS 1% CONTRACTOR'S GROSS RECEIPTS
08/17/2015	787014	Public Utilities	\$685.39	8720-51980-403420	136082
08/17/2015	787014	Public Utilities	\$10,705.71	8720-51980-403420	236250
08/17/2015	787014	Public Utilities	\$754.84	8720-51980-403420	136100
08/17/2015	787014	Public Utilities	\$4,646.42	8720-51980-403420	163614
08/17/2015	787014	Public Utilities	\$69.20	8720-51980-403420	163944
08/17/2015	787014	Public Utilities	\$607.51	8720-51980-403420	168362
08/17/2015	787014	Public Utilities	\$288.53	8720-51980-403420	177710
08/17/2015	787014	Public Utilities	\$11.67	5120-85000-403420	180645
08/17/2015	787014	Public Utilities	\$2,534.11	8720-51980-403420	192352
08/17/2015	787014	Public Utilities	\$310.63	6500-15660-403420	158260
08/17/2015	787014	Public Utilities	\$4,245.43	8720-51980-403420	136090
08/17/2015	787014	Public Utilities	\$5,469.10	8720-51980-403420	136091
08/17/2015	787014	Public Utilities	\$16,825.38	8720-51980-403420	136092
08/17/2015	787014	Public Utilities	\$1,204.19	8720-51980-403420	136093
08/17/2015	787014	Public Utilities	\$647.96	8720-51980-403420	136094
08/17/2015	787014	Public Utilities	\$1,235.88	8720-51980-403420	136095
08/17/2015	787014	Public Utilities	\$16.34	8720-51980-403420	136096
08/17/2015	787014	Public Utilities	\$3,894.23	8720-51980-403420	136097
08/17/2015	787014	Public Utilities	\$10.72	8720-51980-403420	136098
08/17/2015	787014	Public Utilities	\$9.67	8720-51980-403420	136099
08/17/2015	787014	Public Utilities	\$12,316.39	8720-51980-403420	136103

Check Date	Check	Name	Amount	Account	Item Desc
08/17/2015	787014	Public Utilities	\$2,624.91	8720-51980-403420	136108
08/17/2015	787014	Public Utilities	\$21,209.28	5610-71100-403420	136516
08/17/2015	787014	Public Utilities	\$1,533.53	8720-51980-403420	148654
08/17/2015	787014	Public Utilities	\$391.05	8720-51980-403420	148423
08/17/2015	787014	Public Utilities	\$3,158.18	8720-51980-403420	148398
08/17/2015	787014	Public Utilities	\$10.72	8720-51980-403420	158252
08/17/2015	787022	Red Oxx Mfg Inc	\$2,940.00	1500-22290-402690	92003-C-SPINE BAG. SUN CHASER/RED BAG
08/17/2015	787033	Skyline Services, Inc	\$30.00	5210-15930-402450	Invoice 36899. Park Three. Exterior window
08/17/2015	787033	Skyline Services, Inc	\$260.00	5210-15930-402450	Invoice 36900. Park Three. 27th Street sky bridge
08/17/2015	787033	Skyline Services, Inc	\$325.00	5210-15930-402450	Invoice 36901. Park Three. Sky bridge
08/17/2015	787033	Skyline Services, Inc	\$15.00	5210-15910-402450	Invoice 36902. Park One. 216 N 29th exterior
08/17/2015	787033	Skyline Services, Inc	\$50.00	5210-15950-402450	Invoice 36902. Park One. 216 N 29th exterior
08/17/2015	787033	Skyline Services, Inc	\$950.00	5210-15910-402450	Invoice 36903. Park One. Sky bridge
08/17/2015	787033	Skyline Services, Inc	\$1,575.00	5210-15920-402450	Invoice 36904. Park Two. All stair towers
08/17/2015	787042	Sunset Excavation	\$13,513.50	5050-75150-403671	Water Repair List 10.24.14; Change order
08/17/2015	787044	TargetSolutions Learning, LLC	\$11,772.00	1500-22240-402280	ONLINE TRAINING PLATFORM LICENSE:
08/17/2015	787044	TargetSolutions Learning, LLC	\$343.00	1500-22240-402280	PLATFORM: SUPPORT PERSONNEL
08/17/2015	787044	TargetSolutions Learning, LLC	-\$1,080.00	1500-22240-402280	DISCOUNT:
08/17/2015	787044	TargetSolutions Learning, LLC	\$552.50	1500-22240-402280	ONE-TIME SET UP FEE (DISCOUNTED 50%)
08/17/2015	787044	TargetSolutions Learning, LLC	\$395.00	1500-22240-402280	ANNUAL MAINTENANCE FEE: YEAR 1 -
08/17/2015	787048	Town & Country Supply Association	\$348.26	1500-22260-402310	214582:FIRE3 - DIESEL DELIVERED 8/7/2015
08/17/2015	787048	Town & Country Supply Association	\$384.59	1500-22260-402310	214583:FIRE5 UNLEADED DELIVERED
08/17/2015	787048	Town & Country Supply Association	\$348.26	1500-22260-402310	214583:FIRE5 - DIESEL DELIVERED 8/7/2015
08/17/2015	787048	Town & Country Supply Association	\$870.65	1500-22260-402310	214584:FIRE2 DIESEL DELIVERED 8/7/2015
08/17/2015	787048	Town & Country Supply Association	\$512.78	1500-22260-402310	214585:FIRE1 UNLEADED DELIVERED
08/17/2015	787048	Town & Country Supply Association	\$522.39	1500-22310-402310	214585:FIRE1 DIESEL DELIVERED 8/7/2015
08/17/2015	787048	Town & Country Supply Association	\$228.11	1500-22260-402310	214586:FIRE6 DIESEL DELIVERED 8/7/2015
08/17/2015	787048	Town & Country Supply Association	\$19,833.63	6010-00000-141000	213867 PO NUM 298525
08/17/2015	787048	Town & Country Supply Association	\$6,968.68	6010-00000-141000	214680 PO NUM 298526
08/17/2015	787048	Town & Country Supply Association	\$20,611.08	6010-00000-141000	211365 PO NUM 298473
08/17/2015	787048	Town & Country Supply Association	\$12,476.10	5710-00000-141000	BUS MET PO NUM 298479
08/17/2015	787051	Tractor & Equipment Co.	\$700.39	5410-31230-402320	BLCS0603461
08/17/2015	787051	Tractor & Equipment Co.	\$81.00	5410-31230-402320	BLCS0603461
08/17/2015	787051	Tractor & Equipment Co.	\$1,637.48	5410-31220-402320	BLW00158940
08/17/2015	787051	Tractor & Equipment Co.	\$485.85	5410-31220-402320	8383234
08/17/2015	787054	Tristate Equipment	\$105.26	5410-31220-402320	M88392
08/17/2015	787054	Tristate Equipment	\$3,612.49	5410-31220-402320	M88416
08/17/2015	787054	Tristate Equipment	\$235.07	5410-31220-402320	M88500
08/17/2015	787054	Tristate Equipment	\$267.26	5410-31220-402320	M88504
08/17/2015	787054	Tristate Equipment	\$299.32	5410-31220-402320	M88515
08/17/2015	787054	Tristate Equipment	\$974.20	5410-31220-402320	N26720

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing and Resolution for FY15 Budget Amendments

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

Montana Code allows local governments to amend their fiscal year budgets by using the same method as used for the original budget adoption: public notice, public hearing and Council adopting a resolution.

The City must accrue the payroll earned in FY15 but not paid until FY16 per governmental accounting standards. The FY15 accrual was larger than most years, causing a couple operations to go over budget.

**0100-43210-Code Enforcement**

Code Enforcement is over budget due to a non cash payroll accrual transaction required by Governmental Accounting Standards. State Law requires the City to do a budget amendment.

**0100-Parks Recreation and Public Lands**

PRPL is over budget due to a non cash payroll accrual transaction required by Governmental Accounting Standards. State Law requires the City to do a budget amendment.

**ALTERNATIVES ANALYZED**

The Council may: Approve the requested budget amendments; or Not approve the requested budget amendments, which would put the City in violation of Montana Code Annotated.

**FINANCIAL IMPACT**

The requested budget amendments will be funded by current revenues or reserves.

**RECOMMENDATION**

Staff recommends that the City Council conduct a public hearing and approve the resolution approving and adopting the budget amendments for Fiscal Year 2014/2015.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**



RESOLUTION 15-

A RESOLUTION TO MAKE **FISCAL YEAR 2014/2015** ADJUSTMENTS TO APPROPRIATIONS PURSUANT TO M.C.A. 7-6-4006 AS AMENDED, AND PROVIDING TRANSFERS AND REVISIONS WITHIN THE GENERAL CLASS OF SALARIES AND WAGES, MAINTENANCE AND SUPPORT AND CAPITAL OUTLAY.

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

WHEREAS, based upon a Budget Review (**FY 2014/2015**), it is necessary to alter and change said appropriations.

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

That the attached transfers or revisions are hereby adopted.

(SEE EXHIBIT A)

PASSED AND APPROVED by the City Council, this 14<sup>th</sup> day of September, 2015.

THE CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, CITY CLERK

**EXHIBIT A**

**Revenue      Expenditure**

**0100-43210-Code Enforcement**

Code Enforcement is over budget due to a non cash payroll accrual transaction required by Governmental Accounting Standards. State Law requires the City to do a budget amendment.

0100-43210-40140	200 Wages
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**0100-Parks Recreation and Public Lands**

PRPL is over budget due to a non cash payroll accrual transaction required by Governmental Accounting Standards. State Law requires the City to do a budget amendment.

0100-51250-401160	27,000 Wages
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**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing SID 1382 Spread of Assessments

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

The assessment for SID 1382 has been completed by the Finance Division and is ready to spread on the tax rolls. This project and bond sale have previously been approved by Council. This project constructs Colton Boulevard between 38th Street West and Zimmerman Trail. The western section that is adjacent to the Village West Subdivision is a full width street while the eastern portion is a half-width street until the vacant land to the south develops.

**ALTERNATIVES ANALYZED**

The Council must hold a public hearing and then may:

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

**FINANCIAL IMPACT**

The amount of the bond sale was \$363,539. The costs associated with SID 1382 are assessed per lot, per the attached resolution. The net effective interest rate is 4.75%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.25%. The .5% will be used as additional security on bond issues, as stated in the final bond resolution. Interest earnings and prior collections are subtracted from the final construction cost and spread to the appropriate properties. Any remaining fund balances are used to call bonds.

**RECOMMENDATION**

Staff recommends that the City Council conduct a public hearing and pass the proposed resolution to spread assessments for SID 1382.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Resolution SID 1382

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RESOLUTION 15 \_\_\_\_\_

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1382, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1382 and;

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

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

SECTION 1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1382 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A13038A GRIMM, CARLTON D & LINDA KAUFMAN POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 14, Lot 2, & ADJ 10' VAC ALLEY	\$34,057.71		5.250 15
A13039 INTERNATIONAL CHURCH OF FOURSQUARE POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 14, Lot 3, 10073 SQUARE FEET, & 1	\$34,057.71		5.250 15
A13039A TWO TIMES TWO POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 14, Lot 4 - 5, 20770 SQUARE FEET,	\$68,115.42		5.250 15
A13040 TWO TIMES TWO POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 14, Lot 6 - 8, & ADJ 10 FT VAC AL	\$102,173.13		5.250 15
A13041	\$34,057.71		5.250 15

RIMROCK TRANSPORT INVESTMENTS INC  
 POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 14, Lot 9, & ADJACENT 10 FT VACAN

A30042	\$5,037.77	5.250	15
HARRISON LIMITED PARTNERSHIP			
HANCOCK GRAND SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 1A1, SUB AMD (05)			1.50
A30043	\$3,893.82	5.250	15
CONSTANCE L DALLNER TRUST			
HANCOCK GRAND SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 2A, 1.159 AC (05)			
A31371	\$722.37	5.250	15
CRAWFORD, ARVILLE R & LAVONNE J			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 2			
A31372	\$722.37	5.250	15
GOLINI, JEFFREY M & KIMBERLY S			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 3			
A31373	\$722.37	5.250	15
WALTER, MARNI S			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 4			
A31374	\$722.37	5.250	15
RIDER, KARI L			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 5			
A31375	\$722.37	5.250	15
MILLER, GREGORY H & JILLIAN R			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 6			
A31376	\$722.37	5.250	15
LAHR, NICHOLAS A & GLEA D			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 7			
A31378	\$722.37	5.250	15
HALLOCK, ANTHONY & EMILY M			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 2			
A31379	\$722.37	5.250	15
GOTTWALS, PAIGE			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 3			
A31380	\$722.37	5.250	15
VAUGHN, MATTHEW STEPHEN			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 4			
A31381	\$722.37	5.250	15
VAP, BETTY E			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 5			
A31383A	\$722.37	5.250	15
BENSON, MYRON E & WANITA M			
PROVINCE TOWNHOMES, S34, T01 N, R25 E, UNIT 1533, 50% COMMON AREA INTEREST,			
A31384	\$722.37	5.250	15
MARTINSON, MICHAELA & MIKE & KIM L			
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 8			

A31385	\$722.37	5.250	15
STANLEY, MATTHEW R VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 9			
A31387	\$722.37	5.250	15
KENNEY, JEFF & TAMI VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 11, Lot 2			
A31388	\$722.37	5.250	15
SPAULDING, JOSEPH M JR & NAOMI E VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 12			
A31389	\$722.37	5.250	15
ROSS, ROBERT M & MARLENE R VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 1			
A31390	\$722.37	5.250	15
CRIDER, DIANA D VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 2			
A31391	\$722.37	5.250	15
CARAVEAU, ARCHIE D & BARBARA A VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 3			
A31393	\$722.37	5.250	15
WARDELL, TANJA LYNN VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 5			
A31395	\$722.37	5.250	15
OLIVEIRA, LEONOR C & BRUNO S VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 7			
A31396	\$722.37	5.250	15
LAROCQUE, CAMERON M & VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 8			
A31397	\$722.37	5.250	15
LOTT, WHITNEY A VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 9			
A31398	\$722.37	5.250	15
STRENDING, BRANDON & PATRICIA LANGL VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 10			
A31399	\$722.37	5.250	15
KISER, ELLIS E & LUELLA M VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 11			
A31400	\$722.37	5.250	15
STARR, CAROL J VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 12			
A31401	\$722.37	5.250	15
HARRIS, REBECCA JO VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 1			
A31402	\$722.37	5.250	15

GARY & JULIE ROBINSON 1995 LIVING T  
VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 2

A31404	\$722.37	5.250	15
BRIMMER, DAVID J JR VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 4			
A31407	\$722.37	5.250	15
KAHLER, ROBERT& VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 7			
A31408	\$722.37	5.250	15
SWAN, CLARK E VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 8			
A31409	\$722.37	5.250	15
PEARSON, MARILYN L VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 9			
A31556	\$7,458.98	5.250	15
KREITZBERG, DARRELL HANCOCK GRAND SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 1A2, (05) 2.221 AC			
A31557	\$8,228.37	5.250	15
WEST END COMMERCIAL PROPERTIES LLC HANCOCK GRAND SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 2B - 2C, AMD 2.450 AC			
A31692	\$722.37	5.250	15
HUYNH, THUY VILLAGE WEST SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 1			
A31812	\$722.37	5.250	15
SHORES, RODNEY T & VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 5, Lot 1			
A31813A	\$722.37	5.250	15
BOS, KEVIN M & HEATHER D WHISTLER TOWNHOMES, S34, T01 N, R25 E, UNIT 1810, 50% COMMON AREA INTEREST,			
A31814A	\$722.37	5.250	15
TRAEGER, NANCY BROKEN BOW TOWNHOMES, S34, T01 N, R25 E, UNIT 1734, 50% COMMON AREA INTERES			
A31814B	\$722.37	5.250	15
CLARK, MARY L BROKEN BOW TOWNHOMES, S34, T01 N, R25 E, UNIT 1738, 50% COMMON AREA INTERES			
A31815A	\$722.37	5.250	15
DAVISON VICKI L SPOTTED HORSE TOWNHOMES, S34, T01 N, R25 E, UNIT 1712, 50% COMMON AREA INTE			
A31815B	\$722.37	5.250	15
GAI, THOMAS D SPOTTED HORSE TOWNHOMES, S34, T01 N, R25 E, UNIT 1716, 50% COMMON AREA INTE			
A31816	\$722.37	5.250	15
LANTZ, KYLE A & JAMIE L VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 6, Lot 1			

A31817A	\$722.37	5.250	15
DONALD SMITH SONNAMAKER AND MARGARE BROKEN SPUR, S34, T01 N, R25 E, UNIT 1811, 50% COMMON AREA INTEREST, LOC@			
A31817B	\$722.37	5.250	15
MILKS, LEILANI L BROKEN SPUR, S34, T01 N, R25 E, UNIT 1815, 50% COMMON AREA INTEREST, LOC			
A31818A	\$722.37	5.250	15
BROCKEL, REBECCA L RAFTER J TOWNHOMES, S34, T01 N, R25 E, UNIT 1733, 50% COMMON AREA INTEREST,			
A31818B	\$722.37	5.250	15
KELLING, KURT N& TAMI R RAFTER J TOWNHOMES, S34, T01 N, R25 E, UNIT 1737, 50% COMMON AREA INTEREST,			
A31819A	\$722.37	5.250	15
HELFRICH, MATTHEW T & MARGARET M LATIGO TOWNHOMES, S34, T01 N, R25 E, UNIT 1717, 50% COMMON AREA INTEREST, L			
A31820	\$722.37	5.250	15
SAMSON, JENNIFER L VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 6, Lot 5			
A31822	\$722.37	5.250	15
ARCHILLA, J R VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 6, Lot 7			
A31823A	\$722.37	5.250	15
HORAB, GLORIA M GRAY WOLF TOWNHOMES, S34, T01 N, R25 E, UNIT 1812, 50% COMMON AREA INTEREST			
A31823B	\$722.37	5.250	15
ROBSON, RONALD DOUGLAS & BARBARA HE GRAY WOLF TOWNHOMES, S34, T01 N, R25 E, UNIT 1816, 50% COMMON AREA INTEREST			
A31824	\$722.37	5.250	15
NIELSEN, MIKE F & TRACY L VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 6, Lot 9			
A31825	\$722.37	5.250	15
PAPEZ, JULIANNA & JAMES VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 7, Lot 1			
A31826B	\$722.37	5.250	15
MILAM, DAVID L GLACIER TOWNHOMES, S34, T01 N, R25 E, UNIT 1817, 50% COMMON AREA INTEREST,			
A31828	\$722.37	5.250	15
DELEON, DAMON V VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 7, Lot 4, 7195 SQUAR			
A31829	\$722.37	5.250	15
MILLER, SCOTT E & KIRSTEN L VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 7, Lot 5, 7283 SQUAR			
A31830	\$722.37	5.250	15



A31845B	\$722.37	5.250	15
PEDERSEN, DEMILES R			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3740, 5% COMMON AREA			
A31845D	\$722.37	5.250	15
WOOD REVOCABLE LIVING TRUST			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3732, 5% COMMON AREA			
A31845G	\$722.37	5.250	15
SITTNER, DONALD & JEANETTE			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3716, 5% COMMON AREA			
A31845J	\$722.37	5.250	15
KOHNS, N GREGORY			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3705, 5% COMMON AREA			
A31845O	\$722.37	5.250	15
HEINS, LESTER G & BEVERLY A			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3721, 5% COMMON AREA			
A31845P	\$722.37	5.250	15
SHADE, TERRANCE J & LINDA M			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3725, 5% COMMON AREA			
A31845Q	\$722.37	5.250	15
BLAYLOCK, JAMES F & BERNADETTE E			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3729, 5% COMMON AREA			
A31845R	\$722.37	5.250	15
HEATHERLY, JIM & GAIL GUTHRIE			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3733, 5% COMMON AREA			
A31845S	\$722.37	5.250	15
GOTTWALS, HARR C & MARY H			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3737, 5% COMMON AREA			
A31845T	\$722.37	5.250	15
SHIRES, JAMES W			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3741, 5% COMMON AREA			
A31845U	\$722.37	5.250	15
MONTANA CAPTIVE CONSULTANTS LLC			
THE VILLAGES AT VILLAGE WEST, S34, T01 N, R25 E, UNIT 3745, 5% COMMON AREA			
A31846	\$722.37	5.250	15
HALL, TIMOTHY J & STEFFANIE S			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 2, 9647 SQUAR			
A31847	\$722.37	5.250	15
HAGEL, DEBRA A			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 3, 9600 SQUAR			
A31848	\$722.37	5.250	15
CONWELL, JAMES E & JENNIFER A			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 4, 9600 SQUAR			
A31850	\$722.37	5.250	15

SAMUELSON, VOYLE S & KIM J			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 6, 9600 SQUAR			
A31851	\$722.37	5.250	15
KONSTANTAKOS, ANASTASIOS K			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 7, 9673 SQUAR			
A31852	\$722.37	5.250	15
RIDER, DEAN			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 8, 14511 SQUA			
A31853	\$722.37	5.250	15
VANLUVANEE, GRANT O			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 9, 13175 SQUA			
A31854	\$722.37	5.250	15
MOOER, ALAN J & MARY J			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 10, 9601 SQUA			
A31855	\$722.37	5.250	15
FARRAR, STEVEN A			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 11, 9601 SQUA			
A31856	\$722.37	5.250	15
ANTONI, JOSELITO & ASHLEY R			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 12, 9600 SQUA			
A31858A	\$722.37	5.250	15
HINRICHS, BETTI A			
FREMONT TOWNHOMES, S34, T01 N, R25 E, UNIT 1815, 50% COMMON AREA INTEREST,			
A31858B	\$722.37	5.250	15
ELKIN, ANNE S			
FREMONT TOWNHOMES, S34, T01 N, R25 E, UNIT 1819, 50% COMMON AREA INTEREST,			
A31859	\$722.37	5.250	15
MILES, DOUGLAS D & KRISTINA G			
VILLAGE WEST SUBD2ND FILI NG, S34, T01 N, R25 E, BLOCK 9, Lot 15, 7220 SQUA			

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

**SECTION 3: NOTICE AND HEARING.** On Monday, September 14, 2015 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27<sup>th</sup> St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a

periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

ADOPTED AND APPROVED this 14<sup>th</sup> day of September, 2015.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, Mayor

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, City Clerk

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing SID 1397 Spread of Assessments

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

The assessment for SID 1397 (Treasure Drive) has been completed by the Finance Division and is ready to spread on the tax rolls. This project and bond sale have previously been approved by Council. This project will pave Treasure Drive from Donna Drive to City High Ditch.

**ALTERNATIVES ANALYZED**

The Council must hold a public hearing and then may:

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

**FINANCIAL IMPACT**

The amount of the bond sale was \$25,461. The costs associated with SID 1397 are assessed per lot, per the attached resolution. The net effective interest rate is 4.75%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.25%. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution. Interest earnings and prior collections are subtracted from the final construction cost and spread to the appropriate properties. Any remaining fund balances are used to call bonds.

**RECOMMENDATION**

Staff recommends that the City Council conduct a public hearing and pass the proposed resolution spreading assessments for SID 1397.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Resolution SID 1397

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RESOLUTION 15 \_\_\_\_\_

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1397, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1397 and;

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

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

SECTION 1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1397 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A02618 LEE, MICHAEL A & PAULA A & BAILEY SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 4, N 45'LT 4 & S 30'LT 5	\$5,644.75	5.250	15
A12970 WOSNICK, SHARON POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 25, & ADJ 10 FT VAC ALLEY	\$5,644.75	5.250	15
A12970A BLANKENSHIP, ROBERT & GRETCHEN POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 26, AND ADJ 10' VAC ALLEY	\$5,644.75	5.250	15
A12971A POPP, GREGORY A & SHELLEY POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 29, & 10 FT X 36.5 FT FOR	\$5,644.75	5.250	15

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

SECTION 3: NOTICE AND HEARING. On Monday, September 14, 2015 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27<sup>th</sup> St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

ADOPTED AND APPROVED this 14<sup>th</sup> day of September, 2015.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, Mayor

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, City Clerk

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing SID 2907 Spread of Assessments

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

The final assessment for Sidewalk, Curb and Gutter SID No. 2907 has been completed by the Finance Department and is ready to spread on the 2015 tax roll. This project is for developer and miscellaneous public improvements in various locations around the city.

**ALTERNATIVES ANALYZED**

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

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

**FINANCIAL IMPACT**

The total cost of the bonds is \$101,173.05. The net effective interest rate is 5.00%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.50%. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution.

**RECOMMENDATION**

Staff recommends that the Council conduct a public hearing and pass the proposed resolution on September 14, 2015.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Resolution SW 2907

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Attachment A

RESOLUTION NO. 15 \_\_\_\_\_

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 2907, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 2907 and;

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

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

1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 2907 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A01099 DAVID ALAN LOKEY REVOCABLE TRUST BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 167, Lot 1 - 2	\$1,191.40	5.500	12
A02101 HICKMAN, AUBREE LEIGH BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 288, Lot 23 - 24	\$4,406.33	5.500	12
A02108 CORSON, ROSS MARSHALL (ETAL) BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 289, Lot 15 - 16	\$630.11	5.500	12
A02976 SCHEETZ, LAURA C BEVERLY HILL ADD, S32, T01 N, R26 E, BLOCK 1, Lot 1	\$4,507.42	5.500	12
A03486 YEGEN, ZELLAH TRUST B & C BROADWATER SUBD, S05, T01 S, R26 E, BLOCK 11, Lot 45 - 46	\$475.53	5.500	12

A04394	\$425.57	5.500	12
RIVERA, ROBIN D CENTRAL AVE ADD, S04, T01 S, R26 E, BLOCK 2, Lot 8			
A04499	\$2,593.40	5.500	12
HOSFORD, JUDITH A CENTRAL HEIGHTS SUB 1ST FILING, S07, T01 S, R26 E, BLOCK 3, Lot 31			
A04853	\$7,916.63	5.500	12
GILMAN-KAUFMAN PARTNERSHIP CENTRAL HEIGHTS SUB 5TH FILING, S07, T01 S, R26 E, BLOCK 14, Lot 5 - 9			
A04944	\$5,732.78	5.500	12
REDINGER, MATTEW A & ANN M CLANTON HEIGHTS SUBD, S31, T01 N, R26 E, BLOCK 3, Lot 1 - 2			
A05240	\$6,786.24	5.500	12
MUTCH, M EDWARD & MARTHA D COLLEGE SUBD 2ND FILING, S31, T01 N, R26 E, BLOCK 6, Lot 41 - 42			
A05260	\$483.84	5.500	12
RATHBUN, JUANITA E & PAUL COLLEGE SUBD 2ND FILING, S31, T01 N, R26 E, BLOCK 7, Lot 32 - 33			
A05315	\$476.38	5.500	12
MCCARTER, PAUL H & COLLEGE SUBD 2ND FILING, S31, T01 N, R26 E, BLOCK 10, Lot 1 - 3			
A05322	\$483.70	5.500	12
GLASSING, MICHAEL E & COLLEGE SUBD 2ND FILING, S31, T01 N, R26 E, BLOCK 10, Lot 16 - 17			
A06330	\$5,536.61	5.500	12
ROLL, KENNETH E DESCRO SUBD - 5TH FILING, S01, T01 S, R25 E, BLOCK 25, Lot 15 - 16, W6 IN			
A07648	\$739.76	5.500	12
WHISENHUNT, JOSHUA R & JENNIFER M GLOCK SUBD, S36, T01 N, R25 E, BLOCK 6, Lot 20, E14' LT 20 & ALL LT 21			
A07752	\$883.66	5.500	12
BEZALEL INVESTMENTS LLC GORHAM PARK SUBD, S06, T01 S, R26 E, BLOCK 2, Lot 14-15, N15' LT14 & S63'			
A10286	\$1,173.52	5.500	12
KLEINER, KATHLEEN C LILLIS SUBD 3RD FILING, S01, T01 S, R25 E, BLOCK 4, Lot 37			
A10498	\$5,185.47	5.500	12
PETERSEN, SHARON L LILLIS SUBD 3RD FILING, S01, T01 S, R25 E, BLOCK 8, Lot 26, E30' LT 26&W4			
A10643	\$778.15	5.500	12
EDWARD D KRAFT & PEGGY ANN KRAFT FA LUSE SUBD, S06, T01 S, R26 E, BLOCK 2, Lot 7A, AMD (2000)			
A11009	\$2,412.67	5.500	12
SOMMERS, MARCY ANN			

MELNICK SUBD, S31, T01 N, R26 E, BLOCK 1, Lot 15 - 16

A12697	\$2,246.81	5.500	12
NATALIE K KEIPER HAVENS FAMILY TRUS PARTINGTON PARK SUB 1ST FILING, S36, T01 N, R25 E, BLOCK 11, Lot 12			
A16110	\$3,787.63	5.500	12
FURMAN, THOMAS A SUNCREST ACRES 2ND FILING, S31, T01 N, R26 E, BLOCK 6, Lot 3, W70 FT &W70			
A16237	\$586.76	5.500	12
DALY, ROBERT S & MARTHA D SUNCREST ACRES 6TH FILING, S31, T01 N, R26 E, BLOCK 17, Lot 8, E 60'			
A16896	\$424.31	5.500	12
LARGENT, BRUCE D SWEET ACRES SUBD 1ST FILING, S06, T01 S, R26 E, BLOCK 1, Lot 4			
A16897	\$1,082.01	5.500	12
RIDLE, LAURANCE E & GEORGIA D SWEET ACRES SUBD 1ST FILING, S06, T01 S, R26 E, BLOCK 1, Lot 5, N70 FT LT 5			
A16937	\$3,609.42	5.500	12
STAUS, PAUL & JONELLA SWEET ACRES SUBD 1ST FILING, S06, T01 S, R26 E, BLOCK 4, Lot 18			
A16967	\$6,669.51	5.500	12
PUST, LOIS JEAN SWEET ACRES SUBD 3RD FILING, S06, T01 S, R26 E, BLOCK 5, Lot 11			
A16968	\$7,585.29	5.500	12
PAULSON, GENEVIEVE V TRUSTEE SWEET ACRES SUBD 3RD FILING, S06, T01 S, R26 E, BLOCK 5, Lot 12			
A17070	\$2,564.63	5.500	12
FOLTZ, SHANNON J TIETZ SUBD, S06, T01 S, R26 E, BLOCK 2, Lot 5 - 6			
A17450	\$811.86	5.500	12
UHREN, GREGORY C & BARBARA A WEBER SUBD SECOND FILING, S09, T01 S, R26 E, BLOCK 3, Lot 3			
A19214	\$4,009.25	5.500	12
KAUTZMAN, JEROME R YELLOWSTONE ADD, S04, T01 S, R26 E, BLOCK 19, Lot 16 - 17			
A19260	\$2,911.27	5.500	12
PROPIEDAD LLC YELLOWSTONE ADD, S04, T01 S, R26 E, BLOCK 21, Lot 26 - 28			
A25089	\$1,596.21	5.500	12
APA, TERRY A PARKLAND WEST SUBD 1ST FILING, S11, T01 S, R25 E, BLOCK 3, Lot 16			
C01676	\$1,389.01	5.500	12
751 SOUTH 24TH STREET WEST INC JUSTISS SUBD, S07, T01 S, R26 E, BLOCK 2, Lot 9A, 1ST AMENDED			

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

3: NOTICE AND HEARING. On Monday, September 14, 2015 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27<sup>th</sup> St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

PASSED AND APPROVED this 14<sup>th</sup> day of September, 2015.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, Mayor

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, City Clerk

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing SID 2908 Spread of Assessments

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

The assessment for Sidewalk, Curb and Gutter SID No. 2908 has been completed by the Finance Department and is ready to spread on the tax rolls. This project is for sidewalks along Poly Drive between 32nd & 38th Street West. This is the preliminary spread of this SID as the final cost of the project is not available because the work will not be completed until the Spring of 2016. However, assessments must be spread because bonds have been sold based on estimated project costs, and debt service payments will need to be made. When actual costs are determined, assessments will be re-spread if necessary.

**ALTERNATIVES ANALYZED**

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

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

**FINANCIAL IMPACT**

The total cost of the bonds is \$208,826.95. The net effective interest rate is 5.00%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 5.50%. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution.

**RECOMMENDATION**

Staff recommends that the City Council conduct a public hearing and pass the proposed resolution on September 14, 2015.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Resolution SW 2908

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Attachment A

RESOLUTION NO. 15 \_\_\_\_\_

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 2908, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 2908 and;

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

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

1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 2908 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A02280 MEIDINGER, MARIE E AMVET PARK SUBD	\$6,126.66	5.500	12
			715, S34, T01 N, R25 E, BL
A02287 FITZGERALD, CATHERINE J AMVET PARK SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 1 - 3	\$6,447.43	5.500	12
A02300 SPEARING, ROBERT S AMVET PARK SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 36 - 38	\$6,399.31	5.500	12
A02301 BROWN, KENNETH D & CATHY H AMVET PARK SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 1 - 3	\$5,289.00	5.500	12
A02314 SPENCER, MICHAEL J & MELINDA M AMVET PARK SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 36 - 38	\$5,613.43	5.500	12

A02315	\$5,732.58	5.500	12
EHRICK, HARRY D TRUSTEE (ETAL)			
AMVET PARK SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 1 - 3			
A02607	\$3,330.54	5.500	12
LUSTIG, DAVID K			
BAILEY SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 1			
A02608	\$2,849.39	5.500	12
WESTER, SUNEE M			
BAILEY SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 2			
A06580	\$4,378.48	5.500	12
FERRO, TOM J			
EDWARDS SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 1 - 2, & ABANDONED ADJ ALLEY			
A08036	\$939.39	5.500	12
PRICHARD, MARK			
GOYER SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 1 - 2, W60'			
A08342	\$3,424.97	5.500	12
YOUNG, DUSTY A			
GREEN VALLEY SUBD, S34, T01 N, R25 E, Lot 2, & E10 FT OF LT 1			
A08343	\$3,360.36	5.500	12
LIND, SANDRA			
GREEN VALLEY SUBD, S34, T01 N, R25 E, Lot 1, W53.4' LT 1, W53.4' OF N43' LT			
A09219B	\$2,305.86	5.500	12
SHOVAR, CLINTON M & GENA			
HOPKINS SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 3			
A09940	\$7,858.81	5.500	12
KUETZING, MARTIN A			
KUETZING SUBD, S34, T01 N, R25 E, Lot 1 - 3			
A11053	\$4,840.38	5.500	12
MATTHEWS, PHILLIP J			
S34, T01 N, R25 E, C.O.S. 67, PARCEL 1A1, AMND TR 1A (AKA MONSMA ACRES)			
A11055	\$4,503.83	5.500	12
CRYSTAL G DEMIS TRUST			
S34, T01 N, R25 E, C.O.S. 67, PARCEL 2B-2C, 2ND AMND (AKA MONSMA ACRES)			
A12958B	\$8,286.84	5.500	12
HANNA, STEVEN C & ANNA W			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 9, & ADJ 10' VAC ALLEY			
A12981	\$4,091.71	5.500	12
FAW, MARTY T & DEBORAH L			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 6, Lot 1, & 20' VAC ALLEY ADJ TO			
A12982	\$3,819.06	5.500	12
THOMPSON, CORINNA M			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 6, Lot 2, & E27.1' LT 3 & S10' AD			
A12983	\$5,068.13	5.500	12
DUENOW, KRISTIN R			

POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 6, Lot 3, W72.9' LT 3 & ADJ 10' V

A12984	\$4,107.75	5.500	12
HANCHETT, CHARLES PETER			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 6, Lot 4, & ADJ 10 FT VACATED ALL			
A12985	\$8,931.78	5.500	12
NELSON, LINDA L			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 6, Lot 5, & ADJ 10 FT VACANT ALLE			
A13004A	\$4,490.75	5.500	12
FRANK, KENNETH D & LA VERNE M			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 7, Lot 32, & ADJ 10 FT VACANT ALL			
A13004B	\$5,260.59	5.500	12
LEHMAN, STEVEN S & JULIE L			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 7, Lot 33, & ADJ 10 FT VACANT ALL			
A13005	\$4,490.75	5.500	12
ELLEN L HAYES SURVIVOR TRUST			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 7, Lot 34, & ADJ 10 FT VACANT ALL			
A13006	\$1,558.01	5.500	12
WILSON, FRANKLIN D & RUTH G			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 7, Lot 35, & 10 FT ADJ VAC ALLEY			
A13007	\$1,365.10	5.500	12
AMERICAN EXCHANGE CORPORATION			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 7, Lot 36, & ADJ 10 FT VACANT AL			
A13008	\$1,430.86	5.500	12
PETERSON, LAURA O (RLE)			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 7, Lot 37, & ADJ 10 FT VAC ALLEY			
A13012B	\$4,330.36	5.500	12
KRUG, DANIEL & JENNIFER			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 8, Lot 10, WITH ADJ 10 FT VAC ALL			
A13013	\$4,651.13	5.500	12
SELLS, JAMES C & JEAN S			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 8, Lot 11, & ADJ 10 FT VACANT ALL			
A13013A	\$4,165.75	5.500	12
DURAY, BRIANT M & SUSAN E			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 8, Lot 12, & ADJ 10 FT VACANT ALL			
A13014A	\$6,107.42	5.500	12
HOVLAND, ALAN T & KERI LYNN			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 8, Lot 14, & ADJ 10 FT VAC ALLEY			
A13014B	\$5,514.00	5.500	12
HERREN, ROY F & LORETTA M			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 8, Lot 15, & ADJ 10 FT VACANT ALL			
A13019A	\$6,398.29	5.500	12
KING, TRAVIS A & REBECCA L			
POLY VISTA SUBD, S34, T01 N, R25 E, BLOCK 9, Lot 15, & ADJ 10 FT VAC ALLEY			

A13057	\$3,631.09	5.500	12
REISDORPH, RHONDA J PRYOR VIEW SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 20			
A13068	\$1,637.75	5.500	12
BAUM, DONNA J (1/2 INT) & PRYOR VIEW SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 20, LESS S10'			
A13068A	\$1,225.33	5.500	12
KREPS, ROBERT R PRYOR VIEW SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 21, LESS S10'			
A13099	\$9,173.95	5.500	12
POOLE, LAFAYETTE E & WILMA K RAITT SUBD, S34, T01 N, R25 E, Lot 12A, AMND LT 8 & 12			
A13684	\$6,450.64	5.500	12
FUQUA, JONATHAN F & ROTH SUBD, S34, T01 N, R25 E, BLOCK 1, Lot 1 - 3			
A13690	\$3,289.48	5.500	12
MARTIN, TERRY J ROTH SUBD, S34, T01 N, R25 E, BLOCK 2, Lot 1 - 4, E2 LT 1-4			
A16848	\$3,613.29	5.500	12
VONDRA, CALVIN C & JULIA J SWARTZ-MCGEORGE SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 8, & ADJ VAC ALLEY			
A16849	\$2,848.03	5.500	12
HOGAN, TULLY SWARTZ-MCGEORGE SUBD, S34, T01 N, R25 E, BLOCK 3, Lot 9			
A16858	\$857.37	5.500	12
CUSTER, O RONALD & MYRNA F SWARTZ-MCGEORGE SUBD, S34, T01 N, R25 E, BLOCK 4, Lot 9			
A24328	\$2,530.18	5.500	12
PETERSON, RONALD C & MARYS L GREEN VALLEY SUB 2ND FILING, S34, T01 N, R25 E, BLOCK 1, Lot 1			
A27873	\$6,851.29	5.500	12
STANDISH, MARK F & TINA R MCDONALD SUBD, S34, T01 N, R25 E, Lot 1A, AMND			
D04759A	\$1,906.51	5.500	12
VOLLMER, JAMES A S34, T01 N, R25 E, C.O.S. 2013, PARCEL 2B, AMND TR 2			
D04765	\$7,343.34	5.500	12
STURM, EVAN D S34, T01 N, R25 E, C.O.S. 241			

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

3: NOTICE AND HEARING. On Monday, September 14, 2015 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27<sup>th</sup> St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

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

PASSED AND APPROVED this 14<sup>th</sup> day of September, 2015.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, Mayor

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, City Clerk

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing and Resolution for Park District 1 Assessment

**PRESENTED BY:** Patrick M. Weber, Financial Services Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

This resolution establishes the FY 16 Park District 1 assessment of 1.125% of taxable value, resulting in \$2,000,000 in revenue. The FY 15 assessment was 1.207% of taxable value. There is a per property assessment list in the City Clerk's office.

**ALTERNATIVES ANALYZED**

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Amend and approve the resolution; or
- Not approve the resolution.

**FINANCIAL IMPACT**

Applied to a home with a \$200,000 market value, the 1.125 % of taxable value would result in an assessment of approximately \$35.

**RECOMMENDATION**

Staff recommends that the City Council hold the public hearing and approve the resolution setting the assessment for Park District 1 for Fiscal Year 2016.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Resolution Park District 1

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RESOLUTION 15- \_\_\_\_\_

A RESOLUTION ASSESSING PROPERTIES WITHIN THE CITY OF BILLINGS FOR THE PARK DISTRICT 1 ASSESSMENT, PROVIDING FOR NOTICE, HEARING AND ADOPTION.

WHEREAS, Billings, Montana (the “City”) is a municipality duly organized existing under and by virtue of the Constitution and laws of the State of Montana.

WHEREAS: the City Council (the “Council”) is authorized by Montana Code Annotated (“MCA”), 7-11-1024 to make assessments or impose fees for the costs and expenses of the special district based upon a budget proposed by the governing body.

WHEREAS: Council adopted the FY 16 Budget on 6/8/15, including the operations and maintenance budget for Park District 1 in the amount of 3,277,043. Per MCA 7-11-1024 and 7-11-1025(2).

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

1. ASSESSMENT FOR FISCAL YEAR 2016. MCA 7-11-1024(3)(a) (iii) authorizes the Council to assess the percentage of cost for Park District 1 to each parcel of land, including improvements on the lot or parcel for the fiscal year. Each parcel shall pay to the City that portion of the total Park District 1 assessment of \$2,000,000 imposed annually as hereinafter provided, as the total taxable value of each parcel bears to the total taxable value (1.125% per taxable value dollar), within the City.

2 LIST OF PROPERERTIES ASSESSED. The official list of those properties subject to the assessment within the District, including the tax code, name/names of the owners of such properties and estimated amount of assessment on each property, is on file for public inspection in the City of Billings Clerk’s office per MCA 7-11-1025 (3).

3. NOTICE OF HEARING. On Monday, September 14, 2015 at 6:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the adoption of this resolution. The City Clerk is hereby directed to publish notice thereof twice, at least ten (10) days prior to the hearing, in the Billings Times.

4. EFFECTIVE DATE. This resolution shall be effective upon adoption.  
ADOPTED and APPROVED by the City Council on the 14<sup>th</sup> day of September, 2015.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, CITY CLERK

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing and Resolution Setting PMD Annual Assessments for Fiscal Year 2016

**PRESENTED BY:** Pat Weber

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

The annual assessment resolution for the city's 35 Park Maintenance Districts (PMD) has been completed by the Finance Department and the assessments are ready to be spread in the tax files for FY 16.

**ALTERNATIVES ANALYZED**

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution. The Parks Department could stop maintaining the PMD parks or Council could direct staff to continue maintaining the parks and use General Fund or other resources for that purpose.

**FINANCIAL IMPACT**

Park maintenance district rates are calculated by estimating the expenses for maintenance and recovering actual expenditures.

**RECOMMENDATION**

Staff recommends that the City Council conduct a public hearing and approve the resolution setting assessments for the City's PMD parks. .

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

2015 Resolution PMD

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RESOLUTION 15- \_\_\_\_\_

A RESOLUTION LEVYING AND ASSESSING ALL PROPERTY WITHIN PARK MAINTENANCE DISTRICTS AN AMOUNT EQUAL TO THE COST OF MAINTAINING THE IMPROVEMENTS IN SAID PARK MAINTENANCE DISTRICTS WITHIN THE CITY OF BILLINGS, PROVIDING FOR NOTICE, HEARING AND FINAL ADOPTION.

WHEREAS, certain Park Maintenance Districts within the City have been created and constructed, and

WHEREAS, certain improvements within those Park Maintenance Districts require maintenance, and

WHEREAS, M.C.A. Section 7-12-4162 provides that the City may levy and assess the costs of maintenance against said districts.

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

1. MAINTENANCE OF IMPROVEMENTS. Certain improvements including trees, shrubs, grass and care thereof require maintenance with certain Park Maintenance Districts.

2. MAINTENANCE DISTRICT BOUNDARIES. The boundaries of the park maintenance districts are established by resolution and are on file in the City Clerk's office.

3. ASSESSMENT METHOD. The entire maintenance costs shall be assessed against the entire district, each lot or parcel of land within said district to be assessed for that part of the whole costs which its area bears to the area of the entire district exclusive of streets, avenues, alleys and public places all as provided in M.C.A. Section 7-12-4162.

4. COST OF MAINTENANCE. The City Council estimates that the cost of maintenance for the fiscal year 2014 for the following Park Maintenance Districts is:

<u>PMD Name</u>	<u>Number</u>	<u>Rate</u>
Harvest	684001	.038086 sq/ft
Olympic	684002	.034709 sq/ft
Parkland West	684003	.022393 sq/ft
Kiwanis/Durland	684004	.019477 sq/ft
High Sierra	684005	.007364 sq/ft
Forest Park	684006	.003486 sq/ft
Woodland Estates	684007	.009418 sq/ft

Terra West	684008	.018837 sq/ft
Aspen Grove	684009	.015800 sq/ft
Lakeview Drain	684010	.001670 sq/ft
Montana Avenue	684011	.077565 sq/ft
Country Manor	684012	.007964 sq/ft
Broadway/City Hall	684013	.091234 sq/ft
Rush/Shiloh Point	684014	.006250 sq/ft
Howard heights	684015	.007720 sq/ft
Mission United (West end Bike Trail)	684016	.006703 sq/ft
South Gate	684017	.006052 sq/ft
Frances Park	684018	81.97 per lot
Rolling Hills (Silver Spur Trail)	684019	242.42 per lot
Dokken (Town and Country)	684020	460.00 per lot
Lutheran Park	684022	121.62 per lot
Rimrock West	684023	159.40 per lot
Walden Grove	684024	.023519 sq/ft
Rehberg Ranch	684025	.011075 sq/ft
Uinta and Twin Oaks	684026	113.48 per lot
Ironwood	684027	.017048 sq/ft
Vintage Estates	684028	62.50 per lot
Cottonwood	684029	.001830 sq/ft
Kings Green	684030	240.00 per lot
Copper Ridge	684031	321.10 per lot
Riverfront Pointe	684032	28.38 per lot
Falcon Ridge	684033	250.00 per lot
Josephine Crossing	684036	.003893 sq/ft
Terra West Entrance	684038	77.36 per lot
Yellowstone Family	684040	75.54 per lot

5. DISPOSITION OF COLLECTIONS. The monies collected from the tax shall be paid into the respective Park Maintenance Funds.

6. NOTICE OF HEARING. On Monday, September 14<sup>th</sup>, 2015, at 6:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the adoption of this resolution. The City Clerk is hereby directed to publish notice thereof twice, at least five (5) days prior to the hearing, in the Billings Times.

7. EFFECTIVE DATE. This Resolution shall be effective upon adoption.

The foregoing Resolution No. \_\_\_\_\_ was ADOPTED by the City Council and APPROVED on the 14<sup>th</sup> day of September, 2015.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, CITY CLERK

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing and Resolution Setting Annual Light District Assessments for Fiscal Year 2016

**PRESENTED BY:** David Mumford, Public Works Director

**Department:** Public Works

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**PROBLEM/ISSUE STATEMENT**

Montana Code Annotated 7-12-4332 requires that the City Council annually adopt a resolution to assess the costs for each Special Improvement Lighting Maintenance District (SILMD) on or before the first Monday in October. The amount assessed is based on anticipated utility rates, estimated maintenance costs and administrative fees, as well as the reserve requirements needed for each district. The attached resolution specifies the proposed SILMD assessments for fiscal year 2016.

**ALTERNATIVES ANALYZED**

The Council must hold a public hearing and then may

- approve the resolution; or
- not approve the resolution. If Council does not approve the resolution, an amended resolution will need to be adopted at the next City Council meeting for continued operation of the light districts and to be in compliance with state law.

**FINANCIAL IMPACT**

SILMD assessments for FY 2016 will generate approximately \$2,445,290 in revenues which is the amount calculated to recover the estimated costs of electricity, maintenance, and administration fees and to maintain an adequate cash balance in each light district fund.

**RECOMMENDATION**

Staff recommends that the City Council conduct a public hearing and approve the proposed resolution adopting the annual Special Improvement Lighting Maintenance District assessments for Fiscal Year 2016.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

FY 16 SILMD Resolution

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**RESOLUTION 15 - \_\_\_\_\_**

**A RESOLUTION LEVYING AND ASSESSING PROPERTY IN  
SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICTS  
OF THE CITY OF BILLINGS, PROVIDING FOR NOTICE, HEARING  
AND ADOPTION.**

WHEREAS, certain lighting maintenance districts have been created within the City of Billings, and WHEREAS, State Law provides for assessing the costs of maintaining lights and furnishing electrical current annually within these lighting maintenance districts; and

WHEREAS, Section 7-12-4332, M.C.A. provides that the City shall pass a resolution levying and assessing maintenance costs.

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

1. DISTRICTS AND ASSESSMENTS. The lighting maintenance districts and assessments to defray one hundred percent (100%) of all the costs of maintenance and lighting are hereby levied and assessed as listed on EXHIBIT "A" attached hereto, and by this reference, said exhibit is made a part hereof.

2. PERIOD OF ASSESSMENT. That said assessment is to defray costs for the fiscal year 2016 (July 1, 2015 through June 30, 2016).

3. DISPOSITION OF COLLECTIONS. That the assessments as collected shall be placed in the respective lighting maintenance funds and shall be used to defray the costs of maintenance and lighting as provided by law.

4. NOTICE OF HEARING. On Monday, **September 14, 2015**, at 6:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the adoption of this resolution. The City Clerk is hereby directed to publish notice thereof twice, at least five (5) days prior to the hearing, in the Billings Times.

5. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the  
14th day of September 2015.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, CITY CLERK

*Exhibit A*

<b>District Number</b>	<b>FY 15 Assessment</b>
8	\$7,800
9	\$8,000
10	\$22,000
13	\$167,000
14	\$81,000
17	\$19,300
18	\$2,700
95	\$15,750
97	\$175,000
99	\$26,000
100	\$37,500
107	\$24,000
109	\$60,000
113	\$6,350
114	\$12,400
115	\$3,100
116	\$8,000
117	\$46,000
118	\$3,600
119	\$2,550
121	\$34,500
122	\$2,700
123	\$4,700
124	\$13,250
125	\$5,300
126	\$2,700
127	\$9,900
128	\$7,000
129	\$4,550
130	\$1,700
131	\$11,800
133	\$3,400
134	\$7,750
135	\$7,350
136	\$6,400
137	\$5,250
138	\$10,500
139	\$3,500
143	\$7,900
144	\$375
145	\$6,600
146	\$5,000
147	\$6,500
149	\$32,000
150	\$10,500
151	\$8,600
152	\$59,000

153	\$7,550
154	\$17,000
155	\$6,850
157	\$13,000
158	\$11,200
159	\$15,150
160	\$9,900
161	\$15,000
162	\$1,100
163	\$19,000
164	\$5,350
165	\$12,400
167	\$3,400
171	\$8,000
172	\$7,700
173	\$16,500
174	\$14,000
175	\$4,650
176	\$680
178	\$3,450
179	\$6,700
180	\$5,000
181	\$23,200
182	\$8,000
183	\$16,000
184	\$5,400
185	\$2,000
186	\$12,500
187	\$3,400
188	\$4,050
189	\$3,350
190	\$17,000
191	\$5,950
192	\$4,350
193	\$10,600
194	\$5,150
195	\$4,600
196	\$3,450
197	\$2,100
198	\$1,700
200	\$2,800
201	\$7,000
202	\$16,300
203	\$540
204	\$12,000
205	\$590
206	\$4,700
207	\$5,100
208	\$9,300
209	\$7,500

210	\$2,500
211	\$1,570
212	\$1,580
213	\$980
214	\$6,550
216	\$2,000
217	\$11,000
220	\$5,250
221	\$150
222	\$1,870
223	\$5,700
224	\$26,000
225	\$7,300
226	\$6,300
227	\$12,500
228	\$11,100
229	\$5,800
230	\$13,300
231	\$8,100
232	\$35,000
233	\$30,000
234	\$8,500
235	\$8,900
236	\$3,000
237	\$5,700
238	\$230
239	\$1,240
240	\$8,300
241	\$8,460
242	\$1,150
244	\$1,490
245	\$1,200
246	\$4,650
247	\$16,000
248	\$34,000
249	\$37,500
250	\$5,800
251	\$53,000
252	\$7,600
253	\$27,000
254	\$4,300
255	\$4,000
257	\$18,000
258	\$38,000
259	\$36,000
261	\$6,900
262	\$43,500
263	\$18,000
264	\$3,800
265	\$4,500

266	\$900
269	\$0
270	\$10,000
271	\$13,700
272	\$38,000
273	\$2,750
274	\$1,250
276	\$10,000
277	\$11,200
278	\$4,600
279	\$875
280	\$14,000
281	\$1,200
283	\$7,500
285	\$4,700
286	\$3,300
287	\$2,450
288	\$25,000
289	\$5,500
290	\$2,800
292	\$7,400
293	\$2,900
294	\$5,900
295	\$1,320
296	\$16,700
297	\$2,700
298	\$2,290
299	\$4,500
300	\$5,270
301	\$58,000
302	\$8,000
305	\$15,800
306	\$7,500
307	\$55,000
308	\$4,000
309	\$8,650
310	\$6,800
311	\$8,000
312	\$13,500
313	\$6,300
315	\$0
316	\$13,500
317	\$4,500
318	\$10,000
320	\$2,780

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing & Resolution on Encroachments

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

The annual encroachment assessments have been completed by the Finance Department and are ready to be spread on the tax rolls by resolution, following a public hearing. An encroachment is any private occupancy of the public right of way, such as fences, signs or downtown street side patios.

**ALTERNATIVES ANALYZED**

The Council may:

- Approve the resolution; or
- Not approve the resolution, and the Public Works Engineering Fund would be responsible to pay for the assessments.

**FINANCIAL IMPACT**

The standard encroachment fee is \$1/sq. ft./year and a list of the assessments is attached

**RECOMMENDATION**

Staff recommends that the City Council conduct a public hearing and adopt the encroachment assessment resolution.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Resolution Encroachments

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RESOLUTION 15 \_\_\_\_\_

A RESOLUTION FIXING THE AMOUNT OF THE ANNUAL SPECIAL ASSESSMENT TAX FOR THE FISCAL YEAR 2016 TO BE PAID BY PERSONS, FIRMS, AND CORPORATIONS, MAINTAINING ENCUMBRANCES, OBSTRUCTIONS, OR ENCROACHMENTS ON, OVER, ACROSS, OR ABOVE THE STREETS, AVENUES, SIDEWALKS, OR ALLEYS OF THE CITY OF BILLINGS AND LEVYING AND ASSESSING SAID SPECIAL ASSESSMENT TAX.

WHEREAS, Chapter 13 of the Billings, Montana City Code provides that every person, firm, or corporation that has or maintains any encumbrances, obstructions, or encroachments on, over, across, or above any street, avenue, sidewalk, or alley shall pay an annual rental fee, and

WHEREAS, Billings, Montana City Code, Section 13-303 provides that the City Council shall annually, by resolution, make a special assessment for such rental upon certain lots abutting on that part of the street, avenue, sidewalk, or alley upon which encumbrance, obstruction, or encroachment on the owner of such abutting lot or lots.

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

1. ANNUAL ASSESSMENT FOR RENTAL: That for the purposes of collecting said rents for the fiscal year 2016 for said encumbrances, obstructions, and encroachments on, over, across, or above the streets, avenues, alleys, and sidewalks of the City of Billings, there is hereby fixed, levied and assessed a special assessment tax upon the lots or parcels of land provided in the schedule attached, described as EXHIBIT "A" and by this reference made a part hereof.

2. DISPOSITION OF COLLECTIONS. All monies collected from said taxes shall be paid to the General Fund of the City of Billings, Montana.

3. NOTICE OF HEARING. That on Monday the 14<sup>th</sup> day of September, 2015 at 6:30 p.m. or as soon thereafter as the matter may be considered on the agenda in the council chambers of the city hall, billings, Montana, the council will hear objections to the final adoption of this resolution. The City Clerk published notice hereof twice, on August 27<sup>th</sup> and September 3<sup>rd</sup>, 2015 in the Billings Times.

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

ADOPTED and APPROVED by the City Council on the 14<sup>th</sup> day of **September**,  
**2015.**

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, CITY CLERK

Exhibit A

11 ANTELOPE TRL	HLO	014	001-2	A09148	ENCH	\$220.00
FRIED, WILLIAM JR & SALLY AN	8701		10914800	RE		
1443 AVENUE D	EVE	007	023 W15F &	A06751	ENCH	\$6.50
GLYNN, ANDREW J & AMALIA ANN	6389		10675100	RE		
2720 BEARTOOTH DR	BEA	002	013	A02920	ENCH	\$5.00
COFFMAN, STEPHEN L & VICTOR	2604		10292000	RE		
2840 BETH DR	SFF	000	001	A13885	ENCH	\$1.00
THOMAS FAMILY LIVING TRUST,	13416		11388500	RE		
430 S BILLINGS BLVD	SRS	000	008 S326F	D01389	ENCH	\$675.00
HANSER AUTOMOTIVE CO INC	35929		40138900	RE		
928 BROADWATER AVE	BDW	002	028-37	A03302	ENCH	\$12.00
ZIMMERER, STEPHEN L & BRENDA	2998		10330200	RE		
1127 CALICO AVE	TE2	009	024	A24843	ENCH	\$50.00
KOHN, JAY A & JUDY K	24218		12484300	RE		
322 CAMEL PL	SS2	001	061	A23703	ENCH	\$58.50
VALKENBURG, CORNELIUS A & LI	23120		12370300	RE		
CENTRAL AVE	Y55	026	001-11 &	A19326	ENCH	\$10.00
ABS MT-O LLC	18816		11932600	RE		
1625 CENTRAL AVE	WWH	001	004-8 &	A17571	ENCH	\$48.00
GRAND LANES INC	17099		11757100	RE		
3040 CENTRAL AVE	SRD	000	002	A31495	ENCH	\$30.00
HUNTERS POINTE APARTMENTS LL	39020		14610	RE		
1301 DIVISION ST	BLG	003	017-20 &	A00028	ENCH	\$10.00
ATWOOD, SCOTT	17		10002800	RE		
2300 ELIZABETH ST	STH	003	001	A13999	ENCH	\$25.00
SCHAEFER, JOSHUA T & COREY R	13542		639	RE		
3202 FAIRMEADOW DR	FAI	001	016	A20610	ENCH	\$98.00
VAN WAGONER, JEREMY T	20037		12061000	RE		
138 FLORINE LN	FLA	000	007 14&15A	A07017	ENCH	\$15.00
JACOBSON, RICHARD LEE &	6655		14651	RE		
4148 FRANCES AVE	HRM	000	001	A08646	ENCH	\$25.00
BRYSON, JEFFERY A	8092		10864600	RE		
828 GOVERNORS PL	KH3	021	011	A20220	ENCH	\$34.00
POWELL, ROSS D & JILL C	19673		12022000	RE		
2528 GRAND AVE	LP2	002	002 001	A20713	ENCH	\$1.00
BOGGS, JUSTIN DALE	20144		13300	RE		
2700 GRAND AVE B	SVM	001	001 00B	A28233B	ENCH	\$91.70
GRAND AVE INVESTOR LLC	42305		3296	RE		
2700 GRAND AVE C	SVM	001	001 00C	A28233C	ENCH	\$11.58
GRAND AVE INVESTOR LLC	42306		3297	RE		
2700 GRAND AVE D	SVM	001	001 00D	A28233D	ENCH	\$11.28
GRAND AVE INVESTOR LLC	42307		4550	RE		
2700 GRAND AVE E	SVM	001	001 00E	A28233E	ENCH	\$13.10
GRAND AVE INVESTOR LLC	42308		26245	RE		

2700 GRAND AVE F	SVM	001	001	00A	A28233A	ENCH	\$19.34
GRAND AVE INVESTOR LLC	42304			12823300	RE		
1323 GRANITE AVE	LER	000	013		A10613	ENCH	\$102.00
STOUGHTON, ALICE CASADY	10105			11061300	RE		
3221 GREEN TERRACE DR	CDF	007	024		A05687	ENCH	\$41.00
ROSE FAMILY TRUST	5385			10568700	RE		
2760 GREGORY DR S	GR3	002	010		A19680	ENCH	\$50.00
COZZENS, LAWRENCE B & JEANNI	19127			11968000	RE		
4103 JANSMA AVE	SW4	012	011		A22975	ENCH	\$50.00
MOFFETT, DAVE	22382			12297500	RE		
4780 KING AVE E	MLC	001	001		A28994	ENCH	\$25.00
BK RE 11036 LLC	28086			1874	RE		
2883 KING AVE W	662	000	000		D00527	ENCH	\$1,000.00
RMR I LLC	35758			11622	RE		
4009 LAREDO PL	MYP	004	002		C06176	ENCH	\$112.50
ZIMNY, GERARD P & MICHELLE A	32925			30617600	RE		
3218 LEEANN BLVD	W5A	003	014A1		A20842	ENCH	\$10.00
TEICHERT, LYLE W & VALERIE R	20240			12084200	RE		
595 MAIN ST	HLR	000	001	W10F &	A09171	ENCH	\$50.00
MAIN STREET PARTNERS	8745			10917100	RE		
5435 MIDLAND RD	VAQ	001	001		C07319	ENCH	\$706.00
MAGGA LLC	33243			30731900	RE		
1117 MILES AVE	BDW	012	009-10		A03492	ENCH	\$10.00
MILLER, JANEL R	3187			10349200	RE		
2624 MINNESOTA AVE	BLG	189	018		A01273	ENCH	\$135.00
L & L DEVELOPMENT VENTURE LP	1061			10127300	RE		
2702 MINNESOTA AVE	BLG	190	007-8		A01281	ENCH	\$27.00
MORLEDGE, KARL	1069			10128100	RE		
2712 MINNESOTA AVE	BLG	190	012A		A01285	ENCH	\$46.00
MCKAY, BARBARA J	1072			10128500	RE		
2804 MINNESOTA AVE	BLG	191	007-16		A01294	ENCH	\$421.00
MONTANA RESCUE MISSION	1080			10129700	RE		
2303 MONTANA AVE	BLG	113	001-2		A00832	ENCH	\$607.50
D B SQUARED LLC	683			10083200	RE		
2319 MONTANA AVE	BLG	113	005A &		A00833	ENCH	\$442.00
COMPUTERS UNLIMITED	685			10083300	RE		
2401 MONTANA AVE	BLG	112	001		A00817	ENCH	\$50.00
REX HOTEL PARTNERSHIP	668			10081700	RE		
2413 MONTANA AVE	BLG	112	007		A00822	ENCH	\$114.00
NELSON, ANDY & BERT	674			10082200	RE		
2415 MONTANA AVE	BLG	112	008		A00823	ENCH	\$25.00
COMPUTERS UNLIMITED	675			10082300	RE		
2501 MONTANA AVE	BLG	111	001-2		A00806	ENCH	\$1,261.00
COMPUTER UNLIMITED	657			10080600	RE		
2505 MONTANA AVE	BLG	111	003		A00807	ENCH	\$53.00
RPS, LLC	658			10080700	RE		

2817 MONTANA AVE NELSON, BERT A & ANDREW	BLG	108	008	W2/3 & 10078100	A00781 RE	ENCH	\$126.00
2911 MONTANA AVE MIGNONE, FRANCIS J	BLG	107	006A		A00765 RE	ENCH	\$224.34
3217 MONTANA AVE MONTANA AVE LOFTS LLC	BLG	104	009-12	101 12144	A00735A RE	ENCH	\$25.00
3517 MONTANA AVE MARKS, STEVE	BLG	101	008-12		A00708 RE	ENCH	\$5.00
1159 MOON VALLEY RD BERRY, GALE & AMY	MVA	000	034		A11091 RE	ENCH	\$50.00
NORTHWESTERN CORPORATION TAX NORTHWESTERN ENERGY	CEN	000	000	E004 13584	E00004 RE	ENCH	\$168.00
533 PARK LN ROBERTSON, MATTHEW W	MV2	001	001		A11193 RE	ENCH	\$5.00
1918 PARKHILL DR DEAVER, FRANKLIN KENNEDY JR	HLI	005	001		A09085 RE	ENCH	\$3.00
4015 POLY DR ELLIS, SHELLEY M		3209	000	002	D04718 RE	ENCH	\$20.00
127 REGAL ST JONES FAMILY HOLDINGS LLC	KNG	000	003 &	W136F 12035700	A20357 RE	ENCH	\$30.00
4067 RIFLE CREEK TRL WAGLER, AMY L & GUIDO C	RBR	003	015		A30109 RE	ENCH	\$130.00
801 RIMROCK RD LE BAR, JAMES H & ELINOR J	T1N	R26E	SEC 30	E 75F 40564100	D05641 RE	ENCH	\$5.00
1625 RIVER STONE ST SERMON, EDWARD J & REGINA L	CWG2	012	015		A33004 RE	ENCH	\$3.00
2953 ROCKRIM LN RUDE, KARL J & MARGARET	VLV	000	007C		A17196 RE	ENCH	\$25.00
2901 SHADOW OAKS PL COLLETT, GORDON C & SIV D	OKS	004	001		A24268 RE	ENCH	\$25.00
2902 SILVERWOOD ST KOCH, BRENT D	SLW	001	022		A21196 RE	ENCH	\$10.00
1490 SOURDOUGH LN WILLIAMS, JOHN E	GOL	003	002A		A20913 RE	ENCH	\$5.00
2706 TREASURE DR POPP, GREGORY A & SHELLY	PVT	004	029		A12971A RE	ENCH	\$25.00
UNASSIGNED BILLINGS CLINIC	FOA	042	013-18		A07279 RE	ENCH	\$20.00
UNASSIGNED EGGBRECHT FAMILY LIMITED PT	SHI	008	000	PARK#2 30866000	C08660 RE	ENCH	\$1.00
2010 VIRGINIA LN WILGUS, MARK A & JOSI D	CCA	004	039-43		A04983A RE	ENCH	\$25.00
3815 WAR BONNET TRL DAVIES, WILLIAM L & NANCY A	WBS	003	011A		C03210 RE	ENCH	\$25.00
230 WYOMING AVE EMERICK, MARIKO G &	WSI	015	031-32		A17942 RE	ENCH	\$9.00

1105 1 AVE N	1758	000	001	D05903	ENCH	\$100.00	
ROOKHUIZEN, EDWARD J & DIANN	36904		40590300	RE			
1123 1 AVE N	384	000	000	FRAC	D05900	ENCH	\$1,440.00
B WHO U R, LLC	36901		40590000	RE			
1617 1 AVE N	BLG	081	013-24	A00537	ENCH	\$220.00	
J & S PROPERTIES INC	432		10053700	RE			
2442 1 AVE N	BLG	112	018	A00827	ENCH	\$17.00	
FOXLEY, SANDRA M TRUSTEE	679		10082700	RE			
2511 1 AVE N	BLG	090	015-24	A00618	ENCH	\$362.00	
CLOCK TOWER INN, LLC	499		90015300	RE			
2651 1 AVE N	BLG	091	001-4 &	A00620	ENCH	\$5.00	
CITY OF BILLINGS	500		966	RE			
2708 1 AVE N BSMT	BLG	109	019-20 BSMT	A00796A	ENCH	\$4.50	
SECURITIES BUILDING LLC	41306		20420	RE			
2708 1 AVE N 004A	BLG	109	019-20 004A	A00796H	ENCH	\$0.69	
SECURITIES BUILDING LLC	41313		20427	RE			
2708 1 AVE N 004B	BLG	109	019-20 004B	A00796I	ENCH	\$0.67	
SECURITIES BUILDING LLC	41314		20428	RE			
2708 1 AVE N 004C	BLG	109	019-20 004C	A00796J	ENCH	\$0.70	
SECURITIES BUILDING LLC	41315		20429	RE			
2708 1 AVE N 004D	BLG	109	019-20 004D	A00796K	ENCH	\$0.45	
SECURITIES BUILDING LLC	41316		20430	RE			
2708 1 AVE N 004E	BLG	109	019-20 004E	A00796L	ENCH	\$0.63	
SECURITIES BUILDING LLC	41317		20431	RE			
2708 1 AVE N 004F	BLG	109	019-20 004F	A00796N	ENCH	\$0.61	
SECURITIES BUILDING LLC	41318		20432	RE			
2708 1 AVE N 005A	BLG	109	019-20 005A	A00796O	ENCH	\$0.69	
SECURITIES BUILDING LLC	41319		20433	RE			
2708 1 AVE N 005B	BLG	109	019-20 005B	A00796P	ENCH	\$0.67	
SECURITIES BUILDING LLC	41320		20434	RE			
2708 1 AVE N 005C	BLG	109	019-20 005C	A00796Q	ENCH	\$0.70	
SECURITIES BUILDING LLC	41321		20435	RE			
2708 1 AVE N 005D	BLG	109	019-20 005D	A00796R	ENCH	\$0.45	
SECURITIES BUILDING LLC	41322		20436	RE			
2708 1 AVE N 005E	BLG	109	019-20 005E	A00796S	ENCH	\$0.63	
SECURITIES BUILDING LLC	41323		20437	RE			
2708 1 AVE N 005F	BLG	109	019-20 005F	A00796T	ENCH	\$0.61	
SECURITIES BUILDING LLC	41324		20438	RE			
2708 1 AVE N 101	BLG	109	019-20 101	A00796B	ENCH	\$3.17	
SECURITIES BUILDING LLC	41307		20421	RE			
2708 1 AVE N 102	BLG	109	019-20 102	A00796C	ENCH	\$1.33	
SECURITIES BUILDING LLC	41308		20422	RE			
2708 1 AVE N 200	BLG	109	019-20 200	A00796D	ENCH	\$2.39	
SECURITIES BUILDING LLC	41309		20423	RE			
2708 1 AVE N 201	BLG	109	019-20 201	A00796E	ENCH	\$1.35	
SECURITIES BUILDING LLC	41310		20424	RE			

2708 1 AVE N 300 WEBHEN LLC	BLG 41311	109	019-20 300 20425	A00796F RE	ENCH	\$2.56
2708 1 AVE N 301 SECURITIES BUILDING LLC	BLG 41312	109	019-20 301 20426	A00796G RE	ENCH	\$1.20
2902 1 AVE N NEAL C LA FEVER TRUST &	BLG 634	107	019-20 10077400	A00774 RE	ENCH	\$1,720.00
2925 1 AVE N TEAL, LLC	BLG 534	094	021-24 10065600	A00656 RE	ENCH	\$59.58
3220 1 AVE N RIDER, THEODORE J & (ETAL)	BLG 605	104	014 N6I & 10073700	A00737 RE	ENCH	\$10.00
3303 1 AVE N HOLIDAY FURNITURE CO INC	BLG 556	098	001-9 10068700	A00687 RE	ENCH	\$3.00
3520 1 AVE N MARKS, STEVE	BLG 579	101	013-18 10071000	A00710 RE	ENCH	\$5.00
2921 1 AVE S BRINKMAN, M DEAN	BLG 8	00A	019-24 10001000	A00010 RE	ENCH	\$16.00
2800 10 AVE N DEACONESS MEDICAL CENTER OF	DMC 5664	001	001-3 & 457	A05968 RE	ENCH	\$304.00
2929 10 AVE N BILLINGS CLINIC	NEL 10972	002	035-48 & 11155000	A11550 RE	ENCH	\$342.84
320 N 11 ST TRAIL CREEK PROPERTIES LLC	BLG 91	028	006 10012300	A00123 RE	ENCH	\$50.00
216 N 14 ST CARROLL BRO'S LLC	BLG 398	071	001-12 10014000	A00495 RE	ENCH	\$40.00
1340 15 ST W IDAHO-WASHINGTON POLE OIL CO	LIQ 19032	000	001 11957000	A19570 RE	ENCH	\$56.00
315 N 15 ST MCDONNELL FAMILY IRREVOCABLE	BLG 110	031	017-18 W 70F 10014600	A00146 RE	ENCH	\$80.00
1201 2 AVE N FRANK FAMILY LIMITED PARTNER	BLG 409	073	001-12 10051000	A00510 RE	ENCH	\$960.00
2520 2 AVE N CITY LOFT APARTMENTS	BLG 497	090	013 10061600	A00616 RE	ENCH	\$24.00
2810 2 AVE N THE BABCOCK LLC	BLG 43473	093	007-12 001C 21948	A00642C RE	ENCH	\$3.24
2812 2 AVE N THE BABCOCK LLC	BLG 43472	093	007-12 001B 20037	A00642B RE	ENCH	\$97.20
2812 2 AVE N 1A THE BABCOCK LLC	BLG 43471	093	007-12 001A 4332	A00642A RE	ENCH	\$61.56
2814 2 AVE N ROYER PROPERTY LLC	BLG 522	093	013-17 E50F & 5968	A00644 RE	ENCH	\$154.00
810 2 ST W BALLOU, CAROLYN J	WSI 17478	016	001-4 N54F 11794900	A17949 RE	ENCH	\$12.00
301 S 23 ST CONOCOPHILLIPS COMPANY	BLG 974	145	001-24 & 10118000	A01180 RE	ENCH	\$160.00
1108 24 ST W LUTHERAN CHURCH OF THE GOOD	LS2 9688	001	001 11020200	A10202 RE	ENCH	\$2,813.00

1211 24 ST W	A2S	000	006,7 N277.3	A02434A	ENCH	\$15.00
BIG SKY FLORAL SUPPLY LLC		2116	10243401	RE		
124 N 24 ST	BLG	089	011-12	A00604	ENCH	\$7.00
MOUNTRAIL PROPERTIES LLC		486	10060400	RE		
420 N 24 ST	BLG	011	007-12	A00068A	ENCH	\$10.00
B L M TIRE CO		39	10006801	RE		
124 S 24 ST	BLG	143	001-3 &	A00964	ENCH	\$40.00
HATZELL PROPERTIES LLP		782	10096400	RE		
322 N 25 ST	BLG	042	011-12	A00243	ENCH	\$120.00
BLGS U S EMPLOYEES FED CR UN		196	10024300	RE		
S 25 ST	BLG	186	016-18	A01251	ENCH	\$20.00
CONOCOPHILLIPS COMPANY		1040	10125100	RE		
N 26 ST	BLG	090	014	A00617	ENCH	\$24.00
CITY LOFT APARTMENTS		498	10061700	RE		
505 N 26 ST	BLG	267	021A	A01963A	ENCH	\$220.00
YELLOWSTONE ART MUSEUM		1672	5839	RE		
10 S 26 ST	BLG	189	007	A01264	ENCH	\$42.00
INTERFAITH HOSPITALITY NETWO		1052	10126400	RE		
24 S 26 ST	BLG	189	001-6	A01259	ENCH	\$6.00
CITY OF BILLINGS		1047	10125900	RE		
724 S 26 ST	BLG	227	001-24 &	A01699	ENCH	\$25.00
STATE OF MT DEPARTMENT OF AD		1454	10169900	RE		
27 N 27 ST	BLG	110	007-18	A00804	ENCH	\$130.00
MAKENNA HOTEL INVESTMENTS LL		656	4323	RE		
175 N 27 ST	BLG	091	013-18	A00624	ENCH	\$13.00
SFH II LLC		505	10062400	RE		
210 N 27 ST	BLG	058	001-12	A00368	ENCH	\$28.00
CITY OF BILLINGS		289	1602	RE		
515 N 27 ST	FOA	051	018 &	A07362	ENCH	\$47.26
SOUTH CENTRAL MONTANA REGION		6904	10736200	RE		
802 N 27 ST	FOA	025	001-12	A07120	ENCH	\$100.00
BILLINGS CLINIC		6743	10712000	RE		
1315 N 27 ST	SDS	021	002 N100F	A16557	ENCH	\$15.00
INDUS PROPERTIES LLC		16204	11655700	RE		
101 S 27 ST	BLG	141	001-12 &	A00949	ENCH	\$10.00
YELLOWSTONE HEALTH PARTNERSH		772	10094900	RE		
24 N 28 ST	BLG	108	001-6	A00778	ENCH	\$602.00
GLACIER BANK		638	10077800	RE		
101 N 28 ST	BLG	092	023-24	A00639	ENCH	\$48.00
LAD ENTERPRISES LLC		517	4330	RE		
111 N 28 ST	BLG	092	020 &	A00637	ENCH	\$388.00
ACME LIMITED PARTNERSHIP		515	3181	RE		
117 N 28 ST	BLG	092	015-16	A00636	ENCH	\$351.00
ROBERTSON, JEFF & DONNA		513	10063600	RE		
213 N 28 ST	BLG	058	017-18	A00374	ENCH	\$48.00
LO, CHIA WEI & LIN LIN		292	10037400	RE		

222 N 28 ST CORMIER, PATRICK C-TRSTE	BLG	057	009-10	A00363	ENCH	\$500.00
	281		2487	RE		
		056	019,20			
313 N 28 ST BOBKATZ HOLDINGS, LLC	FOA	W62.72		A00260	ENCH	\$273.00
	210		10026000	RE		
1138 N 28 ST SISTERS OF CHARITY OF LEAVEN	NS3	008	014-22 &	A12226	ENCH	\$720.00
	11549		11222600	RE		
20 S 28 ST YELLOWSTONE PAPER COMPANY	BLG	191	001-6	A01293	ENCH	\$30.00
	1079		4402	RE		
101 S 28 ST SOUTHERN FOODS GROUP LP	BLG	140	001-24	A00939	ENCH	\$126.00
	770		6306	RE		
14 N 29 ST BARBAZON APARTMENTS LP	BLG	107	023-24	A00776	ENCH	\$105.00
	636		10077600	RE		
15 N 29 ST NEAL C LA FEVER TRUST &	BLG	108	014A	A00783	ENCH	\$108.00
	642		10078300	RE		
223 N 29 ST TWO VALLEYS REALTY INC	BLG	057	013-15	A00365	ENCH	\$20.00
	283		10036500	RE		
415 N 29 ST KARLSEN, VIRGINIA G	FOA	053	013-20	A07370	ENCH	\$17.00
	6911		10737000	RE		
704 N 29 ST BILLINGS CLINIC	FOA	035	001-3 E85F &	A07192	ENCH	\$20.00
	6790		10719200	RE		
801 N 29 ST BILLINGS CLINIC	BCS	001	001A &	A07131	ENCH	\$1,123.00
	6748		28971	RE		
904 N 29 ST DEACONESS MEDICAL CENTER OF	NS1	001	001-24 &	A12102	ENCH	\$223.00
	11517		11210200	RE		
1002 N 29 ST BILLINGS CLINIC	NS3	006	001-2 &	A12194	ENCH	\$57.14
	11532		11219400	RE		
1245 N 29 ST STATE OF MT - DEPT OF INSTIT	NML	002	032	A11354	ENCH	\$9.00
	10801		11135400	RE		
24 S 29 ST SEAL, LEVERN D	BLG	00A	001-6	A00001	ENCH	\$11.00
	1		10000100	RE		
1190 S 29 ST W WEBER PROPERTIES LLC	PIS	001	005B	C10469A	ENCH	\$10.00
	34980		31046901	RE		
1411 3 AVE N SHIPTON SUPPLY CO INC	BLG	031	001-6	A00140	ENCH	\$40.00
	106		6579	RE		
2804 3 AVE N GRAY, MICHAEL J	BLG	057	011-12	A00364	ENCH	\$334.00
	282		30650	RE		
2825 3 AVE N MILLER TROIS LLC	BLG	045	013-24 &	A00264	ENCH	\$125.00
	214		2852	RE		
2922 3 AVE N BILLINGS MONTANA PARKING COM	BLG	056	007-17 &	A00352	ENCH	\$18.00
	276		4454	RE		
2305 3 AVE S PHILLIPS 66 COMPANY	BLG	160	001-4	A01010	ENCH	\$80.00
	816		10101000	RE		
810 N 30 ST BILLINGS CLINIC	FOA	028	001-8	A07153	ENCH	\$320.00
	6753		10715300	RE		
1144 N 30 ST SISTERS OF CHARITY OF LVNWRT	NEL	006	018-24	A11592	ENCH	\$15.00
	11003		3201	RE		

1233 N 30 ST	NEL	004	025-48 &	A11565	ENCH	\$33.34
SISTERS OF CHARITH OF LEAVEN	10979		11156500	RE		
217 N 31 ST	BLG	055	013-18	A00349	ENCH	\$137.00
ROMAN CATHOLIC BISHOP OF GRT	274		10034900	RE		
924 S 31 ST	BLG	239	001-4	A01809	ENCH	\$50.00
COMMUNITY LEADERSHIP DEVELOP	1536		10180900	RE		
1305 4 AVE N	BLG	022	001-6	A00096	ENCH	\$213.32
W B Y -LLC	70		10009600	RE		
3000 7 AVE N	FOA	044	010-12	A07297	ENCH	\$60.00
MILLER LAND CO	6854		10729700	RE		
2323 7 ST W	CDN	006	001	A05812	ENCH	\$25.00
ARAGON, KATHLEEN J	5513		10581200	RE		

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing and Resolution Road Maintenance District No. 6

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

The annual Road Maintenance District #6 (RMD #6) assessment resolution has been completed by the Finance Department and is ready to be spread on the tax files. This district is for maintaining a secondary fire access road in the Briarwood Subdivision. The assessments must be set no later than October 1 in order for the County Treasurer to collect them in November 2015 and in May, 2016.

**ALTERNATIVES ANALYZED**

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution. If Council does not approve the resolution, the district will not collect enough money to maintain the road and this would create a conflict with the Subdivision Improvement Agreement and the Fire Code.

**FINANCIAL IMPACT**

The total assessment of \$2,875 (52 properties at \$55.28) reflects the cost of providing maintenance and repairs as required to meet Fire Code requirements.

**RECOMMENDATION**

Staff recommends that the City Council hold the public hearing and approve the resolution setting the annual RMD 6 assessment.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Resolution RMD 6

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**RESOLUTION 15-\_\_\_\_\_**

**A RESOLUTION LEVYING AND ASSESSING ROAD MAINTENANCE DISTRICT NO. 6 FEES FOR PROPERTIES WITHIN ROAD MAINTENANCE DISTRICT NO. 6 IN THE CITY OF BILLINGS, PROVIDING FOR NOTICE, HEARING AND ADOPTION.**

WHEREAS, the City, by Resolution, has defined the boundaries and established road maintenance district as provided by State Law, and

WHEREAS, Billings Montana City Code and Title 7, Chapter 12, Parts 41 and 44, as amended of the Montana Code Annotated authorizes the City of Billings to adjust the road maintenance district rate and charge to provide for the sufficient collection of revenues adequate for the payment of the reasonable expense of the district.

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

1. METHOD OF ASSESSMENT. The City hereby determines that each lot or parcel of land within Road Maintenance District No. 6 shall be assessed for that portion of the whole cost which each lot or parcel of land in the respective district bears to the total area of the respective.

2. ASSESSMENT. Each lot or parcel within the boundaries of Road Maintenance District No. 6, is hereby assessed **\$55.28** per lot for fiscal year 2016.

3. LOTS AND PARCELS ASSESSED. A list which describes each lot or parcel of land assessed within the respective district, with the name of the owner thereof, and the amount levied thereon set is available in the office of the City Clerk, 210 North 27<sup>th</sup> St, Billings, Montana.

4. COLLECTION OF ASSESSMENTS. Said special assessments shall be placed upon the assessment rolls and collected in the same manner as other taxes.

5. NOTICE OF HEARING. On Monday, **September 14<sup>th</sup>**, at 6:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the adoption of this resolution. The City Clerk is hereby directed to publish notice thereof twice, at least five (5) days prior to the hearing, in the Billings Times.

6. EFFECTIVE DATE. This resolution shall be effective upon final adoption.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 14th day of September 2015.

BY: \_\_\_\_\_

Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_

Billie Guenther, CITY CLERK

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing and Resolution for Setting GO Debt and PS II Mill Levy Rates

**PRESENTED BY:** Patrick M. Weber, Financial Services Director

**Department:** City Hall Administration

**PROBLEM/ISSUE STATEMENT**

This resolution sets the FY 16 City property tax mills for the Public Safety Levy (PSII) at 46.13 mills, General Obligation Debt Service Parks at .73 mills, General Obligation (GO) Debt Service Streets of 2.01 mills, General Obligation Debt Service Library at 5.48 mills and General Obligation Debt Service Series A Baseball Stadium at 4.83 mills. These levies are based on the certified taxable valuation from the Montana Department of Revenue. The table below shows a comparison to last year's levy. The PS II mills are higher than the prior year because in FY 15 the City levied only \$7 million of the authorized \$8.2 million due to receiving a large protested tax settlement.

The GO debt mills generate enough revenue to pay the principle and interest (expense) on the debt service. Lowering the number of mills would result in not paying the debt service payment or borrowing money to make the debt service payment.

	FY 15	FY 16
PS II	44.59	46.13
GO Parks	0.81	0.73
GO Streets	2.26	2.01
GO Library	6.25	5.48
GO Ballpark	<u>5.21</u>	<u>4.83</u>
<b>Total</b>	<b>59.12</b>	<b>59.18</b>

**ALTERNATIVES ANALYZED**

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution, which would result in not making the debt service payments or using General Fund reserves to make debt service payments for FY 16.

**FINANCIAL IMPACT**

These mills are set in order to generate the necessary revenues to make the debt service payments and fund Public Safety II. The total FY 16 mills are 59.18 compared to the FY 15 mills of 59.12.

**RECOMMENDATION**

Staff recommends that the City Council hold the public hearing and approve the resolution setting the mill levy rates for GO Bonds and Public Safety Levy 2 for FY 16.

**APPROVED BY CITY ADMINISTRATOR**

---

**Attachments**

2015 Resolution Mills for G.O. Debt

---

RESOLUTION 15-\_\_\_\_\_

A RESOLUTION ESTABLISHING THE MILL LEVIES FOR PUBLIC SAFETY,  
GENERAL OBLIGATION DEBT FOR PARKS, STREET, LIBRARY, AND  
BASEBALL STADIUM DEBT SERVICE FOR TAX YEAR 2015.

WHEREAS, pursuant to law, the City of Billings is required to make annual mill levies.

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

1. That a Public Safety Mill Levy, which voters approved in November of 2004 in the amount of \$8.2 million, (46.13 mills), is hereby imposed on all taxable property within the City of Billings, Montana, for the Fiscal Year **July 1, 2015 through June 30, 2016**.
2. That additional Mill Levies in the amounts stated are hereby imposed on all taxable property within the City of Billings, Montana, to provide payment for the following:
  - A. .73 mills-General Obligation Debt Service Parks
  - B. 2.01 mills-General Obligation Debt Service Streets
  - C. 5.48 mills-General Obligation Debt Service Library
  - D. 4.83 mills-General Obligation Debt Service Baseball Stadium Series A
3. That when said taxes are collected, the same shall be placed in respective funds for the City and expended pursuant to the annual budget.
4. This Resolution shall be effective upon adoption.

ADOPTED and APPROVED by the City Council on the **14<sup>th</sup> day of September, 2015**

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, CITY CLERK

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing for the FY2014-2015 Draft Comprehensive Annual Performance Evaluation Report (CAPER)

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

**Department:** Planning & Community Services

---

**PROBLEM/ISSUE STATEMENT**

Each year the City of Billings is required to report on the results of its federally funded Community Development Block Grant (CDBG) and HOME Investment Partnership programs and submit a report to HUD within 90 days of the end of the program year; June 30. As part of this report process, the City of Billings must make the report available for public comment for a minimum 15-day period and hold a public hearing on this performance during this period. The full report is attached to this staff report and can be viewed online at [www.ci.billings.mt.us/caper](http://www.ci.billings.mt.us/caper).

The public hearing will be undertaken in conjunction with the public review and comment period extending from August 28 through September 14, 2015. A notice of the availability of the draft report has been published and provided to community partners. No further action is required.

**ALTERNATIVES ANALYZED**

City Council must hold the public hearing in order to comply with Federal law.

**FINANCIAL IMPACT**

The Annual Performance Report reports on the City's progress in achieving the goals of its Five Year Consolidated Plan. The period covered by this year's report represents progress under the City's one-year Action Plan for fiscal year 2014-2015. The City received \$556,352 in new federal CDBG funding and \$301,712 in new HOME funding for FY2014-2015 activities.

**RECOMMENDATION**

Staff recommends that Council hold a public hearing on September 14, 2015 to receive input on the City's Draft Comprehensive Annual Performance Evaluation Report. No further action is required.

**APPROVED BY CITY ADMINISTRATOR**

---

**Attachments**

Drafted FY14-15 CAPER - Council

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City Council Excerpt - the full report can  
be downloaded at  
[www.ci.billings.mt.us/caper](http://www.ci.billings.mt.us/caper)

# FY2014-2015 Year Five

*of the FY2010-2014  
Consolidated Plan*

## City of Billings Comprehensive Annual Performance Evaluation Report



Community Development Division  
PO Box 1178  
Billings, Montana 59103

DUNS #194782780

[www.ci.billings.mt.us](http://www.ci.billings.mt.us)

406.657.8281  
Montana Relay: 711

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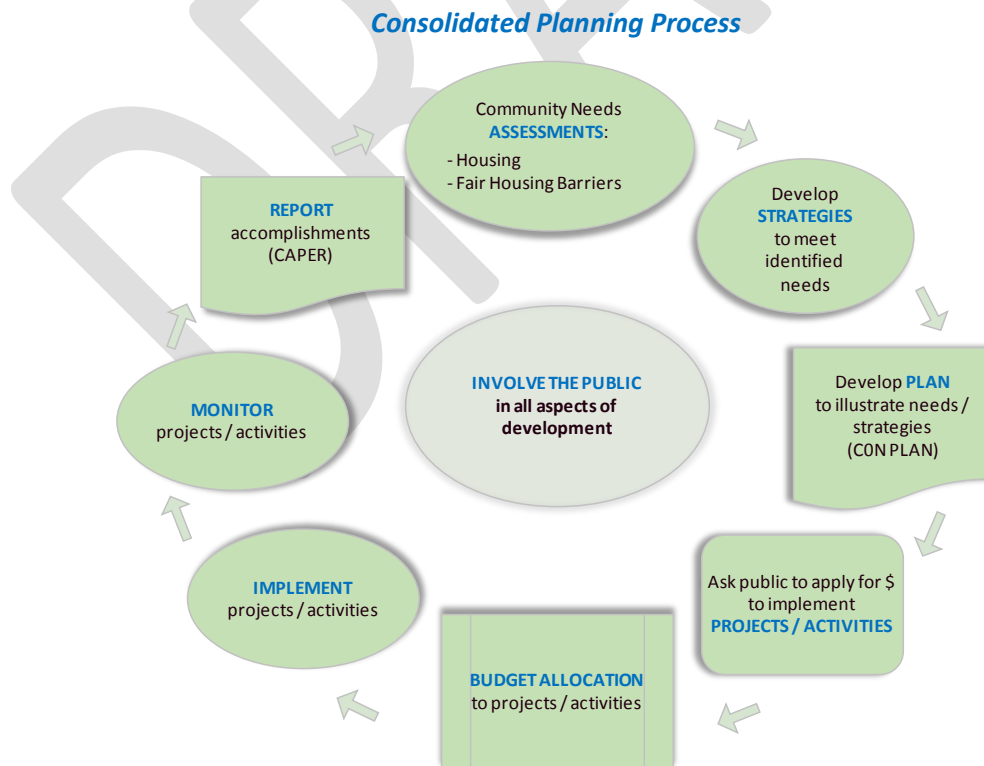
## SECTION I - Executive Summary

### Introduction

Presented herein is the City of Billings FY2014-2015 Comprehensive Annual Performance and Evaluation Report (CAPER) for the City's federally funded Community Development Block Grant (CDBG) and HOME Investment Partnership Programs (HOME). The FY2014-2015 CAPER covers the period from July 1 to June 30 and reports on the City of Billings' progress in meeting the goals established in the [FY2010-2014 Consolidated Plan](#) and the [City's Annual Action Plan](#). Reports utilized to develop the City's Consolidated Plan are also online, including the [Billings Housing Needs Assessment](#) and the [Analysis of Impediments to Fair Housing Choice](#). The City's general website address is [www.ci.billings.mt.us](http://www.ci.billings.mt.us).

The City's Consolidated Plan is a strategic planning document that identifies housing and community development needs and proposes strategies to address those needs with available resources. The Consolidated Plan initiative of the U.S. Department of Housing & Urban Development (HUD) combines the planning, application and reporting requirements of CDBG and HOME programs. Consolidated Plans and CAPERs are also submitted by the cities of Great Falls and Missoula and by the State of Montana. The State's Plan covers areas of Montana, outside Billings, Great Falls, and Missoula.

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



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

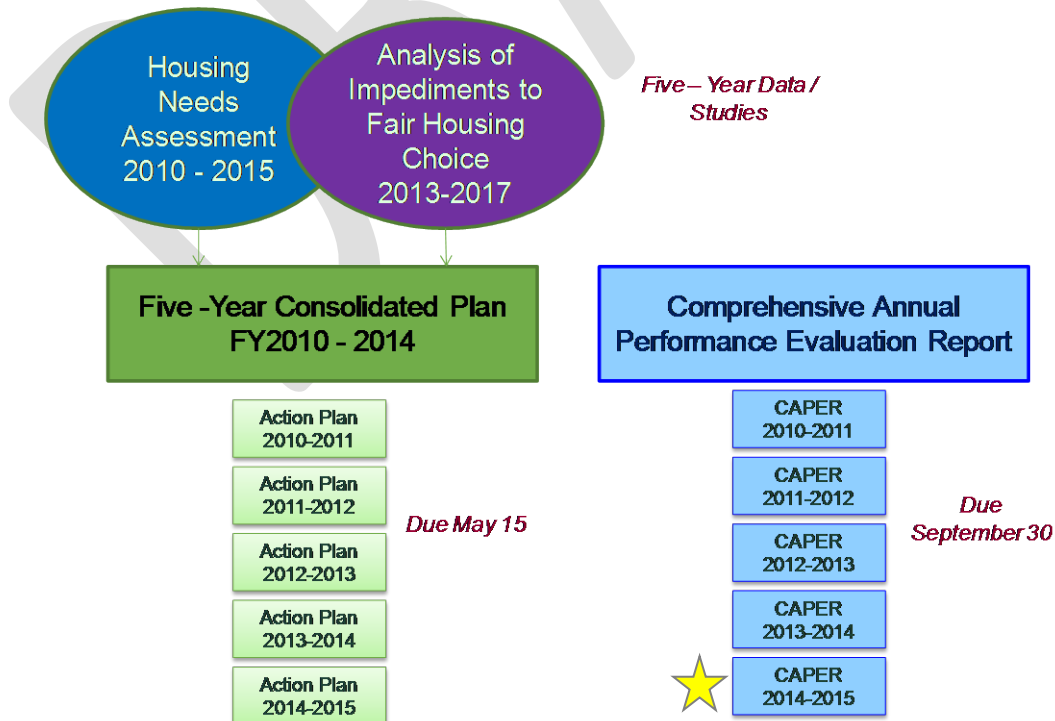
The structure and content of the Consolidated Plan and this CAPER are based on specific HUD requirements. Many terms used in this document are specific to the CAPER process and HUD programs, and the reader may consult the City of Billings Community Development office for assistance with interpretation. Although the Consolidated Plan initiative also covers the Emergency Shelter Grant program (ESG) and Housing Opportunities for Persons with AIDS program (HOPWA), the City of Billings is not an Entitlement City or Participating Jurisdiction for these programs and, as such, strategies for these programs are not included in the City’s Consolidated Plan or CAPER.

### Summary of FY2010-2014 Consolidated Plan

The Billings City Council approved the FY2010-2014 Consolidated Plan on April 26, 2010. The development process included the completion of the *Billings Housing Needs Assessment* completed by City-County Planning Division and an *Analysis of Impediments to Fair Housing Choice (AI)* completed by Montana State University - Billings in 2007 and a subsequent AI was completed in 2013 by Planning / Communications.

### Significant Aspects of the Process

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



## Consolidated Plan Strategies

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

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

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

### Strategy B. Promote new affordable housing opportunities:

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

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

- Support partnerships and regular meetings to facilitate community participation and collaboration.
  - Provide staff support and facilitation for the following focus / community needs groups:
    - Affordable Housing Task Force.
    - Adjacent Neighborhood Committee.
    - Billings Partners for American Indian Homeownership.
  - Complete the *Analysis of Impediments to Fair Housing Choice* by December 2012 to implement activities for 2014-2019.
- Support task force newsletters and further capacity-building for self-sustainability.
- Encourage activities that promote fair housing and increase awareness of the rights of protected classes.
  - Continue to support organizations with an interest in fair housing in applying for the Fair Housing Initiatives Program grant and facilitate the application if necessary to ensure an application is submitted to HUD annually on behalf of the citizens of Billings.
- Encourage housing, community development organizations, social service agencies and businesses to work together to build strong community structures to better address needs and to respond to opportunities.
  - Provide staff support and facilitation for the Mayor's Committee on Homelessness.
  - Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.

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

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

**Strategy E. Provide assistance to agencies serving lower income households and special needs populations to assist the homeless, the elderly, and those with disabilities.**

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

## Major Initiatives & Highlights

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

Strategies	FY2014-2015 Accomplishments	Five-Year Accomplishments
A: Promote the preservation of the existing supply of safe, affordable housing in the community.	<b>10 units</b> were rehabilitated through City-supported programs, including to one home through the Foreclosure Acquisition / Rehabilitation program (see below).	<b>118 total units</b> have been rehabilitated through City-funded programs.
	Of these units, <b>10 received energy-efficiency improvements.</b>	Energy-efficiency improvements were made in <b>80 of the units.</b>
	<b>3 units</b> resulted in accessibility improvements for the disabled.	<b>43 units</b> were upgraded to increase accessibility.
B: Promote new affordable housing opportunities.	<b>48 households achieved home ownership</b> through the City's HOME First Time Homebuyer program.	<b>207 households</b> achieved homeownership. The City has assisted a total of <b>691 households</b> achieve homeownership since the mid-1990s.
	<b>104 households</b> participated in eight hours of pre-purchase homebuyer education.	A total of <b>827 households</b> have received homebuyer education supported by the City of Billings.
C: Active partnerships with non-profits, neighborhood groups and others to address housing and community development specific to lower income and special needs households.	<b>City staff facilitated the following partnerships:</b> <ul style="list-style-type: none"> <li>- Affordable Housing Task Force</li> <li>- Billings Partners for American Indian Homeownership</li> <li>- Mayor's Committee on Homelessness</li> </ul>	
	<b>33 AmeriCorps VISTA members</b> were placed in Billings to support poverty / homelessness impact initiatives: 15 in July / August 2014; 14 in January 2015; and four Summer Associate members.	<b>130 VISTA members</b> have served in Billings over the past five years. A total of <b>140 members</b> have been placed in Billings since 2007 and <b>total project financial impact is valued at \$5.2 million.</b>
D: Promote the preservation and revitalization of the community's older neighborhoods.	<b>Five homes</b> have been purchased through the foreclosure acquisition rehabilitation program to date.	
E: Provide assistance to agencies serving lower income and special needs populations, particularly the homeless, the elderly, minorities and those with disabilities.	<b>3,153 individuals</b> were served through the VISTA program this fiscal year and noted assistance through newly developed anti-poverty programs.	Over the past five years, the VISTA program has served <b>5,680 new clients</b> and other Public Service activities have assisted over <b>11,500 clients.</b>

## SECTION II - Funding Resources & Distribution Summary

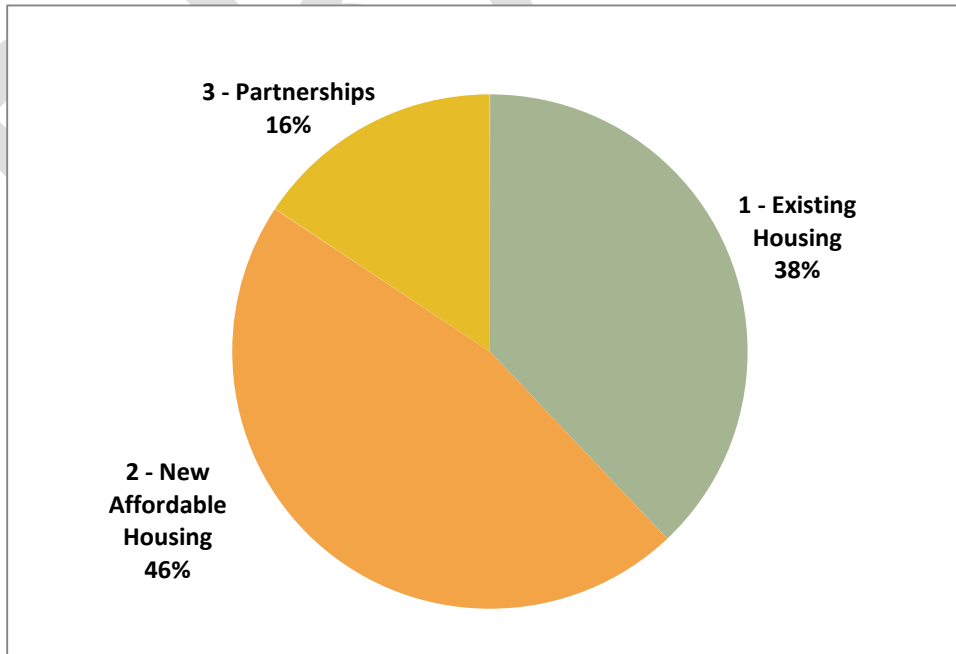
### CDBG & HOME Funding, Expenditure Limits

The Community Development Division received funding from CDBG and HOME based on Federal formula grants as an entitlement. All funding has been committed and City staff has drawn \$1,309,619 for all eligible expenditures for activities conducted within the City of Billings limits.

Source		Amount	Committed	Expenditures in FY2014-2015		
				Previous Year Allocations	FY14-15 Allocations	Total Expenditures
CDBG	New Entitlement	\$556,352	100%	\$230,070	\$343,370	\$573,440
	Program Income	\$34,525				
	Reprogrammed Funding	\$2,474				
	<b>TOTAL BUDGET:</b>	<b>\$593,351</b>				
HOME	New Entitlement	\$301,712	100%	\$15,165	\$721,014	\$736,179
	Program Income	\$0				
	Recaptured / Repayment	\$370,724				
	<b>TOTAL BUDGET:</b>	<b>\$672,436</b>				

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

**Funding Commitments for CDBG and HOME by Consolidated Plan Strategy**



*Please refer to previous page for Consolidated Plan Strategies*

### **CDBG & HOME Administration / Public Service Allocations**

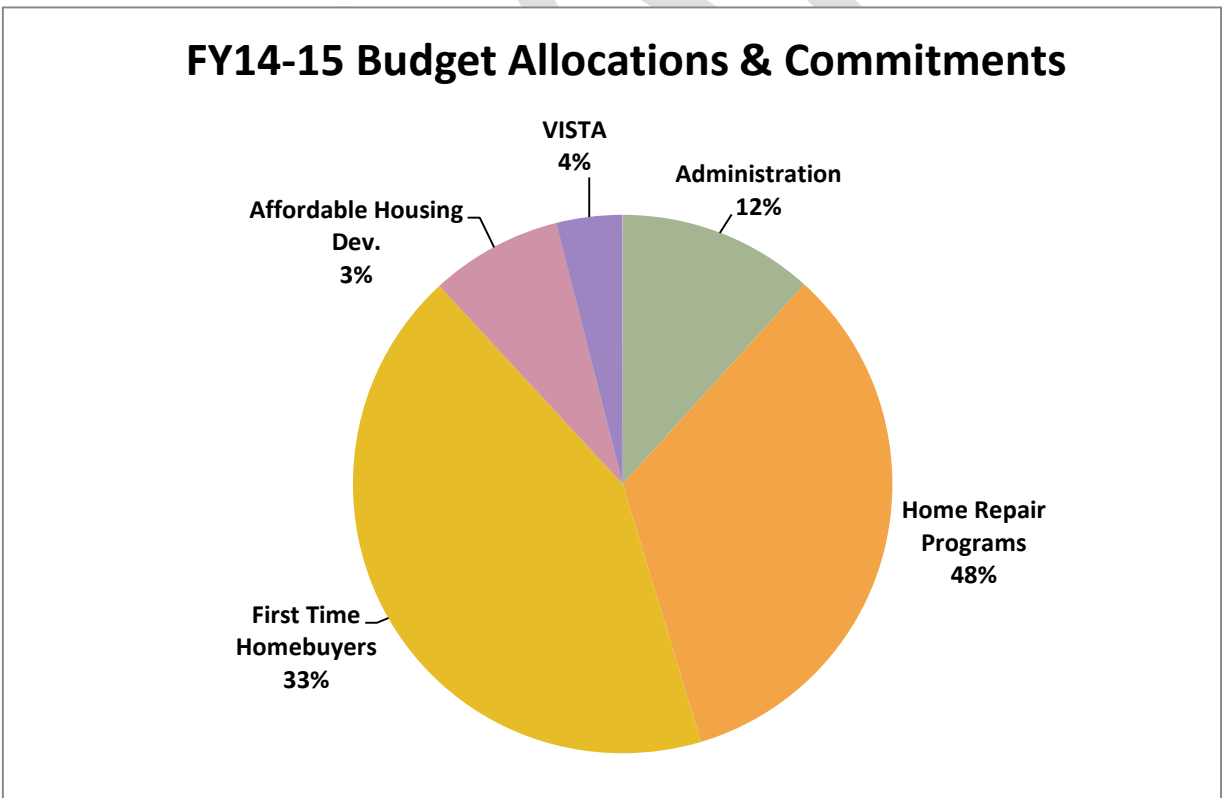
CDBG administration and planning activities were budgeted at \$118,175 which is 20% of the new CDBG allocation in addition to eligible program income left over from the previous year and including income from the current year (see previous page). The budget also included funding in projects which were cancelled or completed and reimbursements from the Minor Home Repair program, which cannot be included in administration cost calculations. One hundred percent of available funding was targeted to benefit the low to moderate income households.

HOME administration activities were budgeted \$30,171 which includes 10% of new HOME revenue (see previous page). As First Time Homebuyer funding returned to the City prior to the affordability period expiring is considered “recaptured” funding, no additional “program income” has been received and considered eligible for additional administration expenses.

A total of \$50,000 was allocated to CDBG Public Service Activities, which is well below the \$95,915 Public Service Cap. An additional \$1,200 was budgeted from reprogramming Public Service prior year commitments.

### **CDBG & HOME Program Allocations**

The majority of funding received from CDBG and HOME was allocated to the City’s Housing Rehabilitation and Manufactured Home Repair loan programs. The First Time Homebuyer program for down payment and closing cost assistance was also highly funded. The Affordable Housing Development program funding was reserved for allocation and commitment prior to June 30, 2016.



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

#### **CDBG:**

- **Administration, \$118,175:** General administration expenditures, salary and benefits to support staff managing CDBG funding and activities.
- **Housing Rehabilitation Loan Program, \$375,176:** Housing rehabilitation financing to support low-income homeowners to make needed repairs to their homes. Loans are 0% interest, no-payments due until the house is sold / refinanced.
- **Foreclosure Acquisition / Rehabilitation Loan Program, Original Allocation \$0:** Funding to support the purchase of vacant and foreclosed properties for the purpose of rehabilitation and direct homeownership assistance to income qualified homebuyers as their primary residence. The purpose of the program is to stabilize neighborhoods, stem the decline of house values of neighboring homes due to foreclosure, and to preserve decent affordable housing.
- **Manufactured Home Repair Loan Program, \$50,000:** This loan program supports low-income manufactured home owners and provides affordable financing to make needed improvements. This program is intended to revitalize established neighborhoods and preserve the existing affordable housing stock through the completion of repairs to manufactured housing.
- **VISTA Support, \$50,000:** This public service activity would support costs to implement the Billings Metro VISTA Project. These AmeriCorps members work on poverty impact issues in the community including hunger, homelessness, education, and veterans / military family support.

#### **HOME:**

- **Administration, \$30,171:** General administration expenditures, salary and benefits to support staff managing HOME funding and activities.
- **Community Housing Development Organization, \$45,257:** Support is allocated to Homeward's Pheasant Home affordable rental housing project. A minimum of 15% of the HOME annual allocation is required by HUD to be reserved for Community Housing Development Organizations (CHDOs) for new housing development activities.
- **First Time Homebuyer Loan Program, \$542,008:** This program provides financial resources to support low-income first time homebuyers with down payment and closing costs. Assistance is based on household size and income. Loans are 0% interest, no-payments due until the home is sold / refinanced.

### ***Substantial Amendment to the Consolidated Plan***

A substantial amendment to the FY2014-2015 Annual Action Plan / Consolidated Plan was completed in January 2015 to allocate both repaid funds and program income received during the current fiscal year to previously approved activities.

**Program Income:** Following HUD's review of the City's FY2013-2014 Comprehensive Annual Performance Evaluation Report, staff was tasked to immediately utilize program income received in both the CDBG and HOME programs. In previous years, City staff has allocated actual program income received during a calendar year to the following fiscal year to rely solely on actual income received. HUD is now requiring the City to

estimate and allocate program income in advance of receipt to expeditiously utilize funding as it becomes available to the City.

**HOME Program:** The City is in receipt of \$130,436 in HOME funds which was to be repaid to HUD due to an unsuccessful affordable housing project. HUD representatives indicated approval of the City’s request to deposit these funds in the City’s line of credit to be utilized for eligible HOME activities. In addition, the City amended the FY2014-2015 Annual Action Plan to include the use of an estimated \$250,000 in HOME program income received from July 1, 2014 to June 30, 2015 for eligible activities including First Time Homebuyer and Affordable Housing Development programs.

**CDBG Program:** The City also proposed to allocate an estimated \$150,000 in CDBG program income received from July 1, 2014 to June 30, 2015 for previously approved and eligible activities as described in the FY2014-2015 Annual Action Plan including Administration, Housing Rehabilitation, Manufactured Home Repair, First Time Homebuyer, Foreclosure Acquisition Rehabilitation, Affordable Housing Development and the Billings Metro VISTA Project.

**Funding Status of CDBG & HOME Program Accounts**

<i>Fiscal Year</i>	<i>CDBG</i>	<i>As of June 30, 2015</i>
<b>2013-2014</b>	First Time Home Buyer	<b>\$32,370</b>
<b>2014-2015</b>	Billings Metro VISTA Program	<b>\$15,816</b>
	Housing Rehabilitation Loan Program	<b>\$151,736</b>
	Manufactured Home Loan Program	<b>\$30,833</b>
	Foreclosure Acquisition / Rehabilitation Program	<b>\$24,988</b>
<i>Fiscal Year</i>	<i>HOME</i>	<i>As of June 30, 2015</i>
<b>2014-2015</b>	Affordable Housing Development	<b>\$25,860</b>
	Community Housing Development Organization Reserve	<b>\$45,257</b>

**CDBG & HOME Revenue**

Revenue received for the completed FY2014-2015 includes:

<b>CDBG</b>	
Housing Rehabilitation Repayment	\$120,334
Rental Rehabilitation Repayment	\$30,000
Interest on Deferred Loans	\$48
<b>TOTAL FY2014-2015 CDBG Revenue</b>	<b>\$150,382</b>
<b>HOME</b>	
First Time Homebuyer Recaptured Funds	\$179,908
Other Income	\$1,023
<b>TOTAL FY2014-2015 HOME Revenue</b>	<b>\$180,931</b>

## ***Neighborhood Stabilization Program Resources***

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

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

The City of Billings was awarded \$569,314 from MDOC and has utilized program funding in a manner that complies with regulations established by HUD. This includes obligating funding via contract for service within 18 months of HUD's approval of the MDOC's Action Plan Amendment and full expenditure of obligated funds within 48 months of HUD's approval date.

## ***Neighborhood Stabilization Program Income***

Approximately \$100,000 in program income was anticipated from the sale of vacant and foreclosed homes to low income households as acquisition funds are repaid to the City. The City received \$90,242 from the sale of one properties (North Park homes) during FY2014-2015. Funding was utilized to further the goals of the NSP program and an additional property was purchased this fiscal year for rehabilitation and sale to a low income household.

## ***Billings City Council - Loan Program Allocation***

On March 25, 2013 the Billings City Council voted to allocate a total of \$250,000 in non-federal funding to support a *Home Reinvestment Loan Program*. Funds have been dedicated to the City's First Time Homebuyer program and the program was opened for beneficiary allocation on May 1, 2013. The program has been managed in the same manner as HOME funds have been utilized in order to preserve the integrity of the program. This allocation marks the first significant financial investment the Billings City Council has made to Community Development programs. A total of \$200,000 has been expended in this fund to date. An additional \$50,000 remains for allocation to eligible projects.

## Geographic Area

91.220(d)

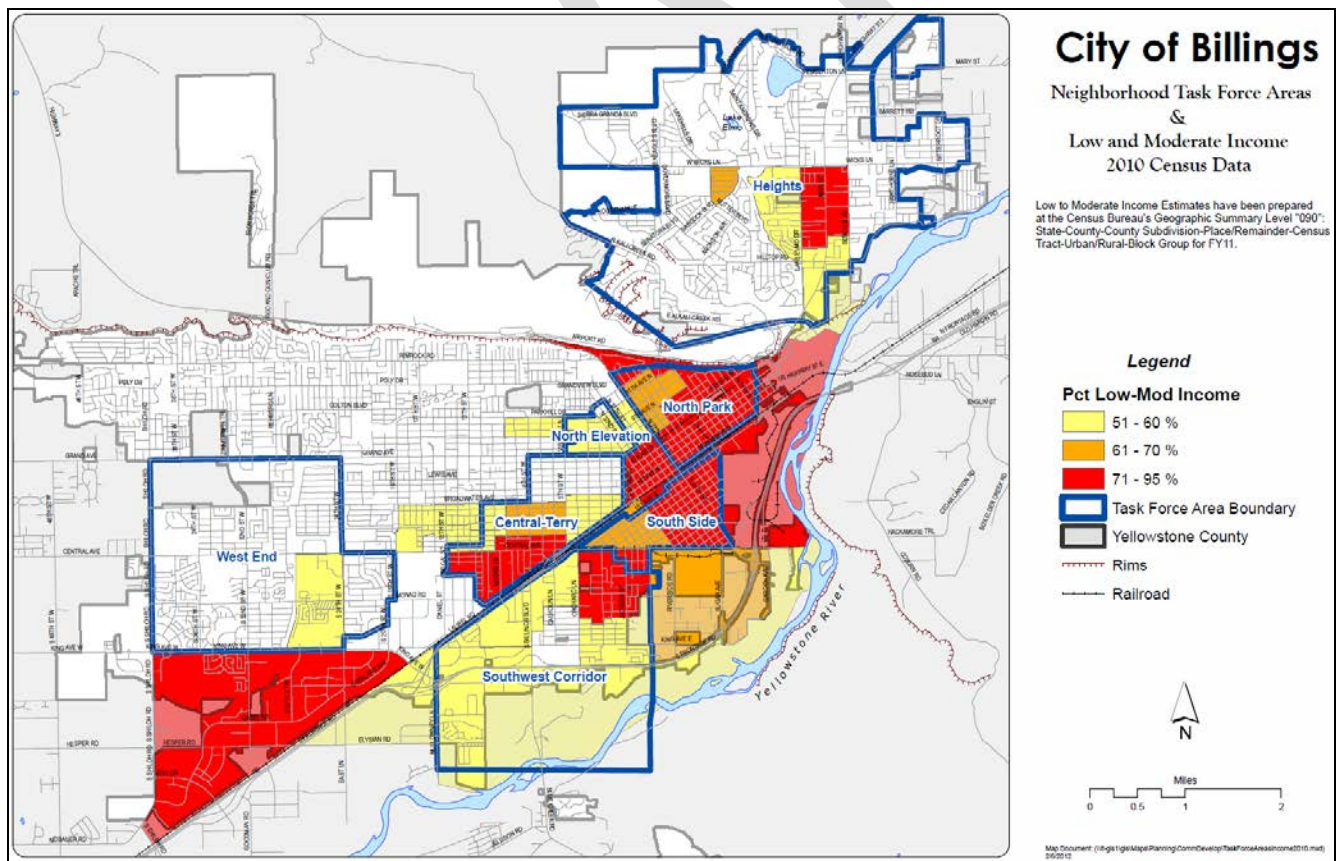
The geographic area served by the Consolidated Plan is defined by the current City of Billings limits. The City has focused distribution of investments on a citywide basis in order to support diversity and mixed-income development across the community. The City's performance in serving predominantly low income households is clear via Integrated Distribution Information System reporting; nearly 100%.

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

## Lower-Income Household Concentration

The strategies identified in the Consolidated Plan will be addressed on a citywide basis to encourage the distribution of low-income affordable housing and other assistance to lower income households throughout the community. Strategy D targets assistance provided through CDBG and related programs to lower income neighborhoods of the communities where the majority of the City's affordable housing stock is located. The map below identifies areas of the community with lower income population concentrations to allow further prioritization of limited resources. The low income areas identified on the map maintain the presumption of affordability for the purposes of affordable housing development, recapture / resale and federal investment.

**Lower Income Areas in Billings**

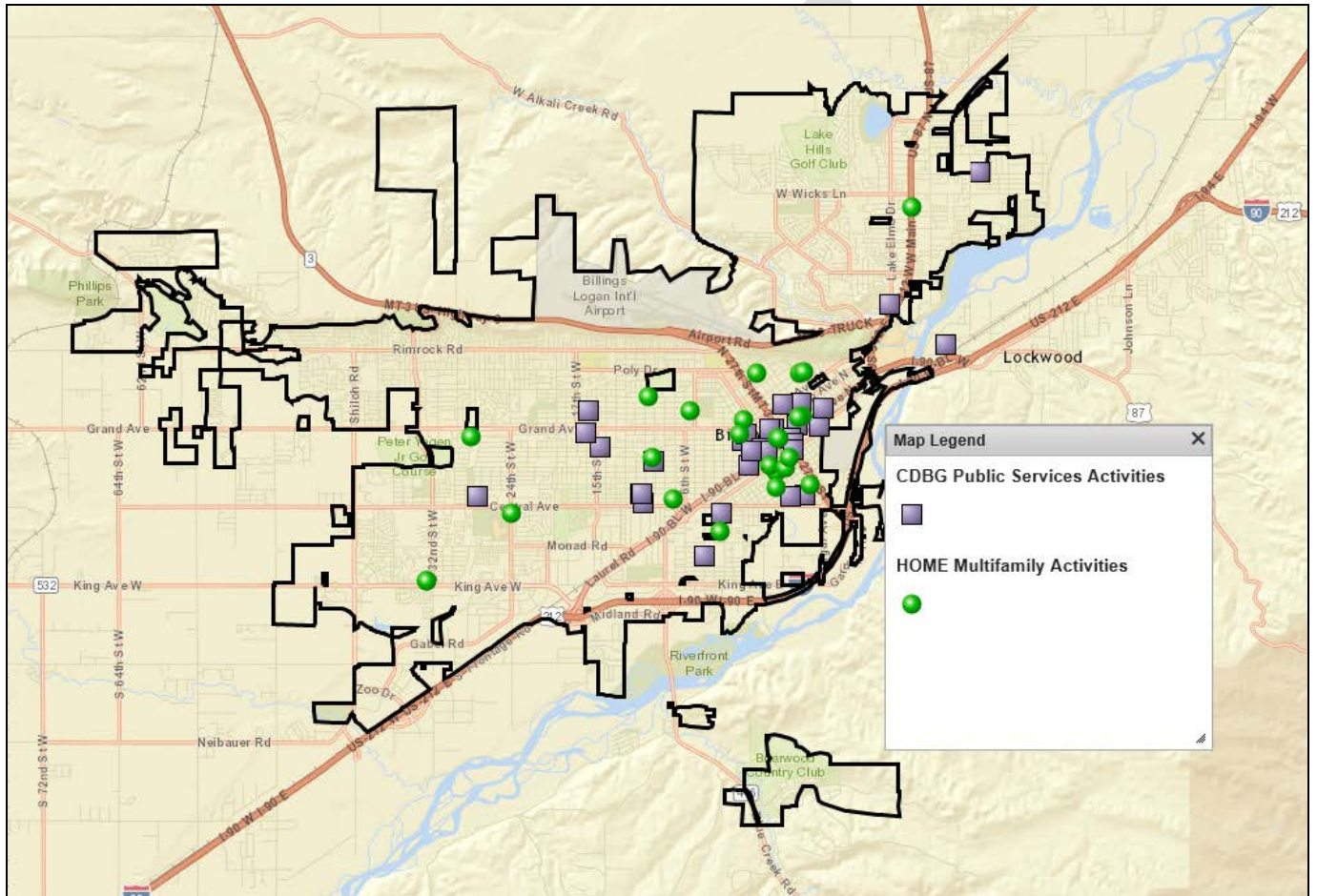




## Geographic Investments

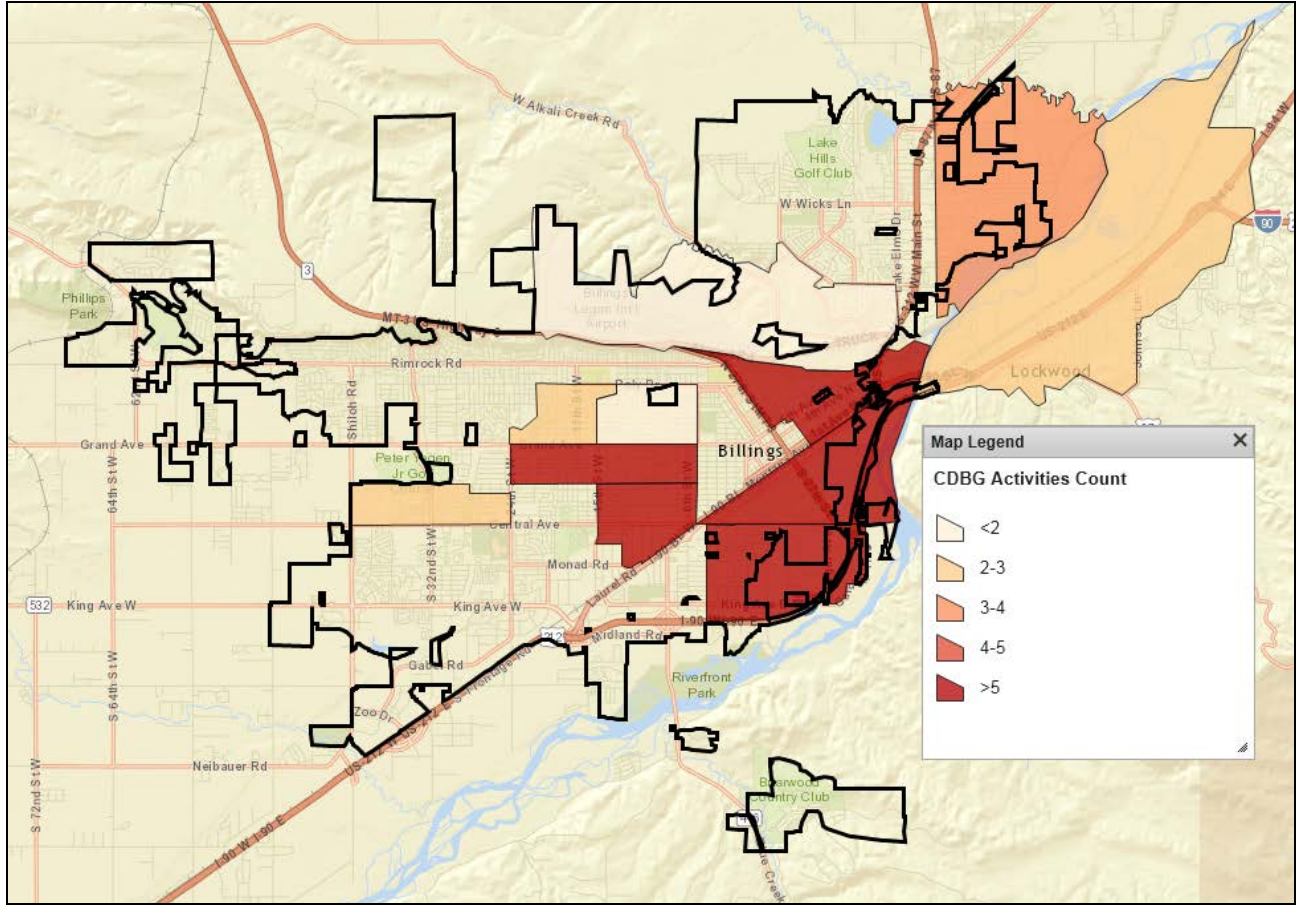
The City of Billings is the largest city with the highest population in the state. However, the city only has an estimated population of nearly 104,000 in 2008, according to the 2010 Billings *Housing Needs Assessment*. Billings would be classified as a smaller city on a national scale. **Therefore, the City focuses distribution of investments on a citywide basis in order to support diversity, equal opportunity, integrated living patterns and mixed-income development across the community.**

### Geographic Distribution for CDBG Public Service & HOME Multifamily Activities



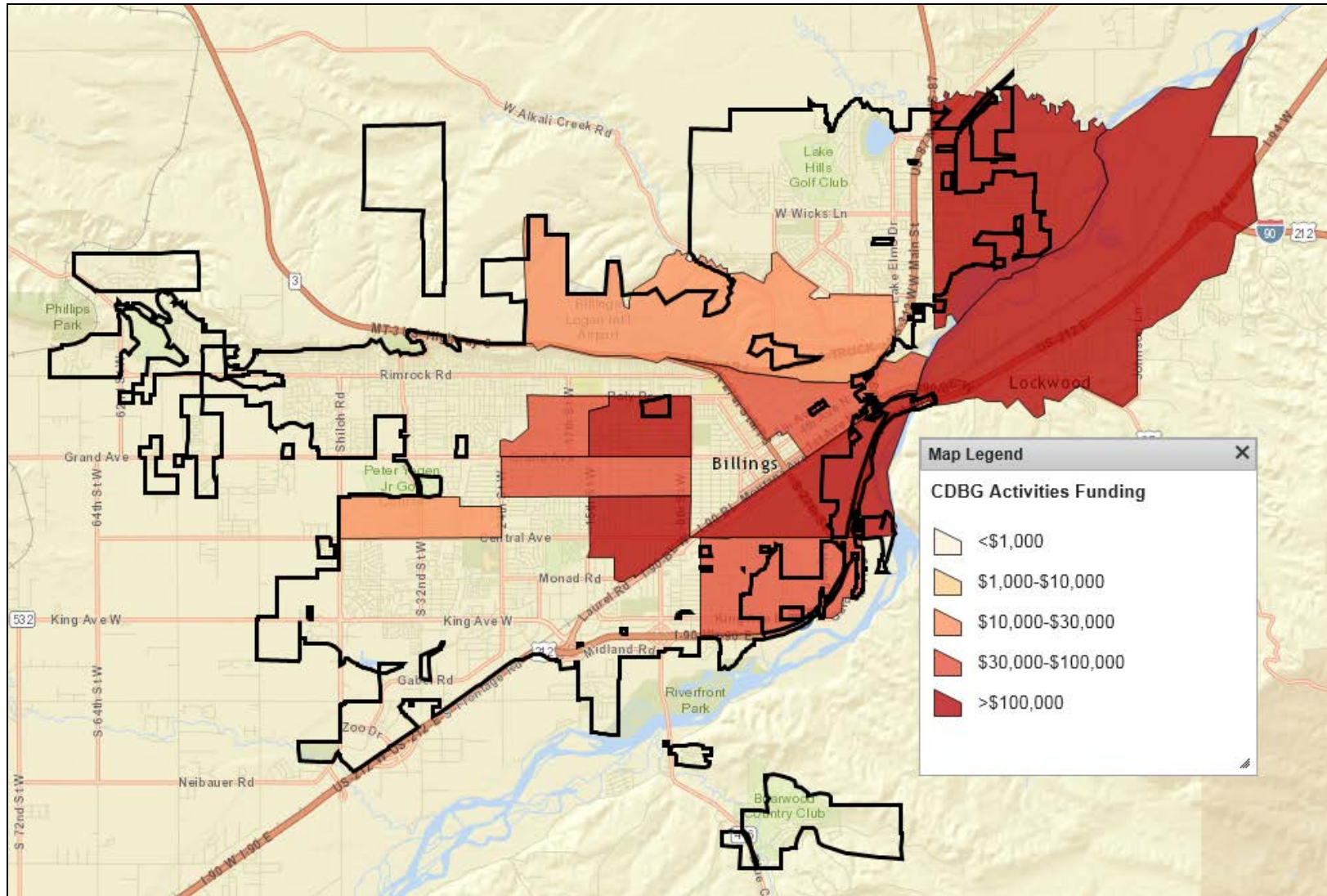
Retrieved August 21, 2015: <http://eqis.hud.gov/cpdmaps>

**Geographic Distribution for CDBG Activities by Count**



Retrieved August 21, 2015: <http://egis.hud.gov/cpdmmaps>

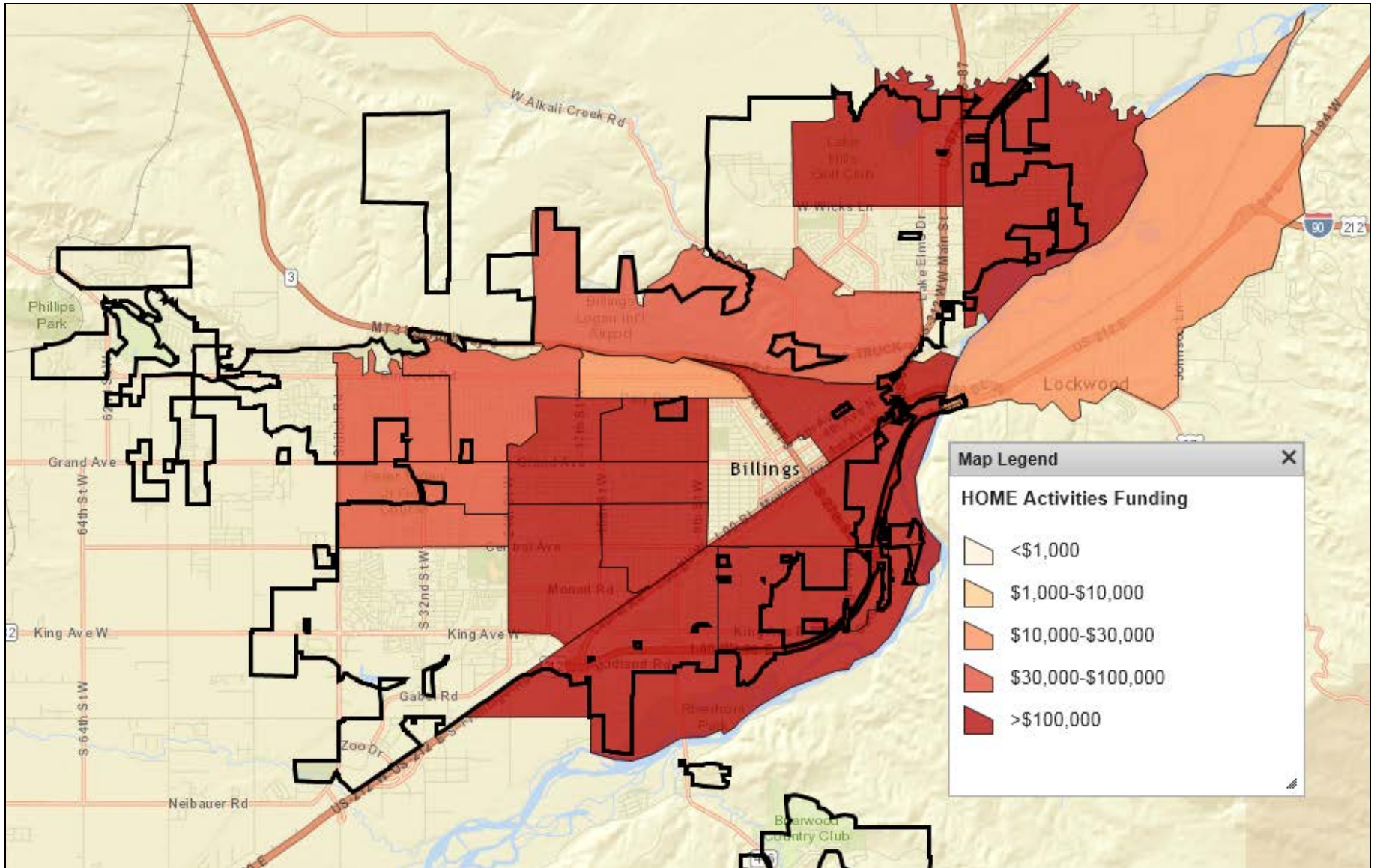
### CDBG Activities Funding



Retrieved August 21, 2015: <http://eqis.hud.gov/cpdmaps>

Projects in the Lockwood area (eastern section of map) were not funded through the City of Billings.

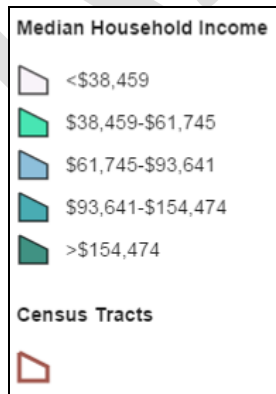
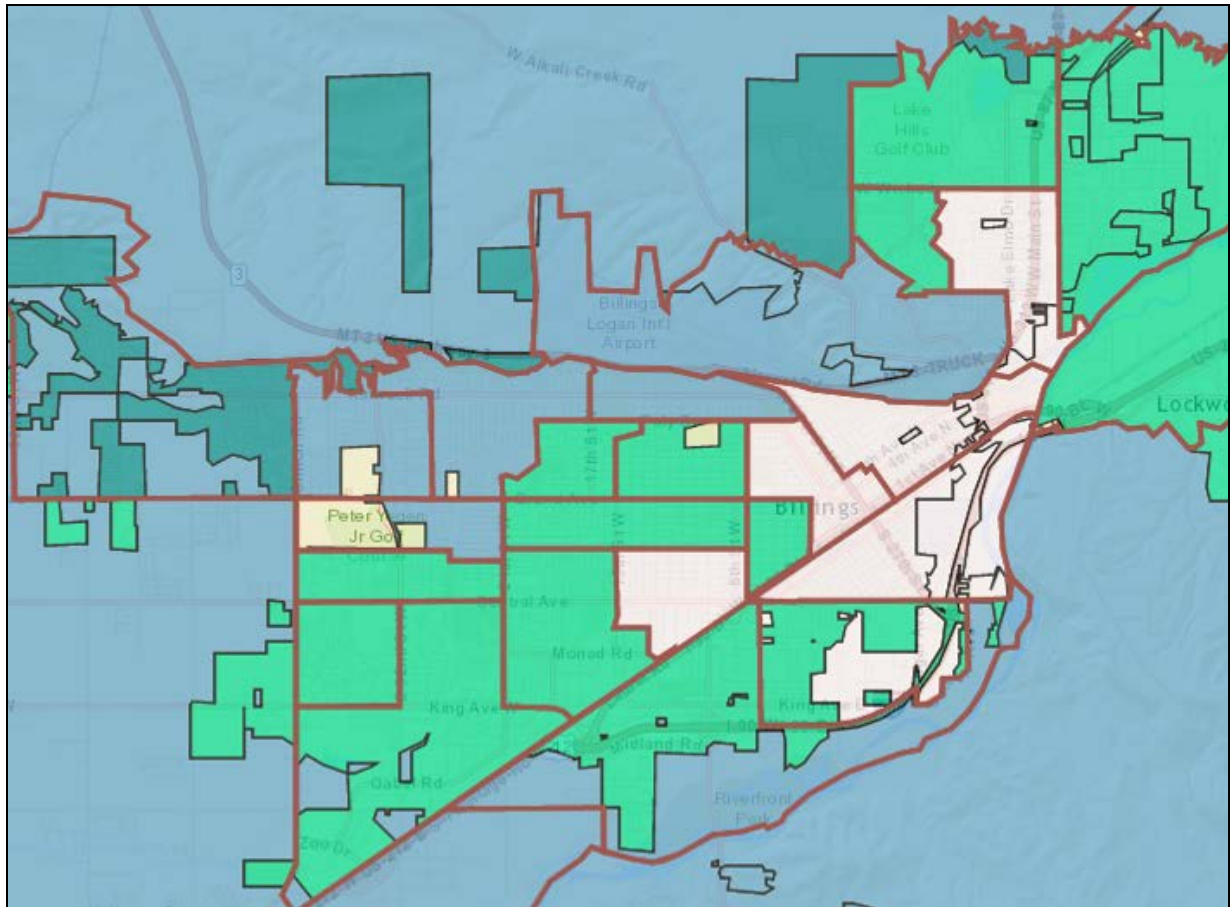
### HOME Activities Funding



Retrieved August 21, 2015: <http://eqis.hud.gov/cpdmaps>

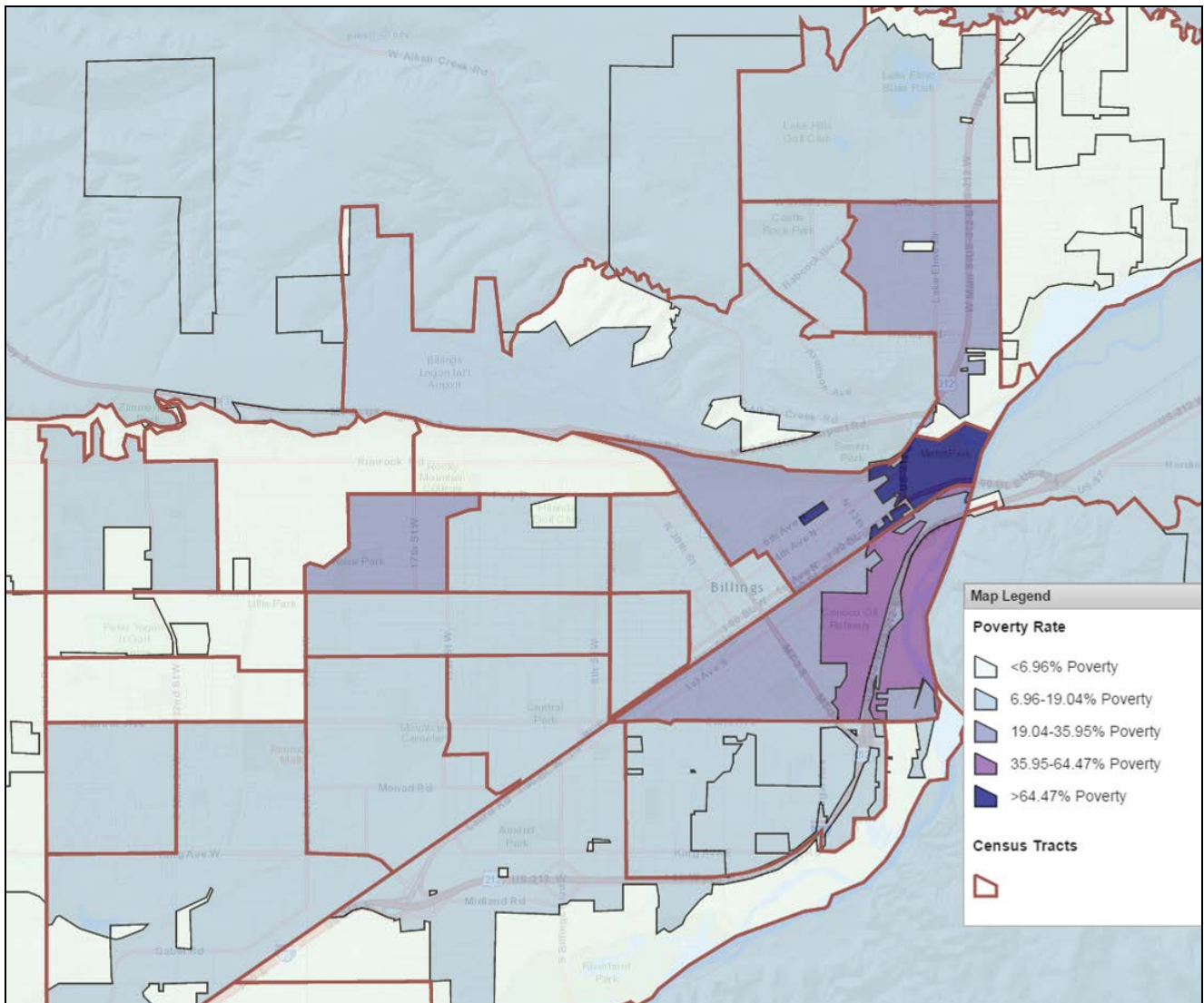
### Median Household Income - 2010 Census Tracts

Median Household Income is \$59,500 for a household of four individuals as of May 1, 2014



Retrieved August 21, 2015: <http://eqis.hud.gov/cpdmaps>

**Poverty Rate - 2010 Census Tracts**



Retrieved August 21, 2015: <http://eqis.hud.gov/cpdmaps>

## SECTION III - Overall Accomplishments

HUD has developed specific tables to assist in clarifying reporting for activities undertaken by jurisdictions receiving CDBG and HOME funding. HUD’s **Table 3A, Version One**, *Summary of Specific Annual Objectives*, is a summary of specific annual objectives which organizes objectives by type, including rental housing, owner housing, special needs, community development, public facilities, public services, and economic development. The table identifies sources of funds, performance indicators, expected numbers, actual numbers and the identification of HUD’s established outcomes / objectives.

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

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

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

Version Two also identifies sources of funds, performance indicators, expected number, actual number and percent completed.

The Table 3A provided herein meets the requirements of both versions (One and Two, described above). Goals related to capacity-building for non-profit organizations and administrative support tasks such as newsletter distribution for low-income neighborhood task forces do not relate well to the established HUD Outcomes / Objectives matrix, and are therefore identified in the table as “Admin” for respective programs.

**SUMMARY OF SPECIFIC OBJECTIVES & ACCOMPLISHMENTS - TABLE 3A**

July 1, 2014 through June 30, 2015

Strategy	Objective	Activity	HUD Objective Category	Measurement Type	Five-Year Goals	FY14-15 Goals	FY14-15 Outcomes	# 5-Yr Goal Met	% 5-Yr Goal Met	HUD Objectives / Outcomes	Funding Source	
A: Promote the preservation of the existing supply of safe, affordable housing in the community.	Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs.	Housing Rehabilitation Loan Program	Owner Housing	Housing Units	50	15	6	52	104%	SL-2	CDBG	
		Acquisition / Weatherization	Owner Housing	Housing Units	1	Program Ended	-	1	100%	SL-3	CDBG-R	
		Manufactured Home Repair Program	Owner Housing	Housing Units	100	5	4	44	44%	SL-2	CDBG	
		Foreclosure Acquisition / Rehabilitation	Owner Housing	Housing Units	4	1	0	5	50%	EO-2	NSP & CDBG	
		Painting Program	Owner Housing	Housing Units	10	-	5	50%	SL-2	CDBG		
	Provide financing and assistance through partnerships to facilitate needed repairs for special needs populations.	Wheelchair and accessibility ramps	Rental & Owner Housing	Ramps - Housing Units	30	Needs to be met through above loan programs due to low funding	-	17	57%	DH-1	CDBG	
		Rehabilitation for special needs populations	Owner Housing	Housing Units	15		-	9	60%	DH-2	CDBG	
	Benchmark Performance Measures	# units rehabilitated through City programs:					-	10	10	-	-	-
		# units rehabilitated through partnership programs:					-	0	0	-	-	-
		% of total funding allocated to enhance existing housing:					-	38%	-	-	-	-
# units resulting in energy-efficiency improvements:					-	10	80	-	-	-		
# units resulting in ADA improvements:					2	3	43	-	-	-		

Strategy	Objective	Activity	HUD Objective Category	Measurement Type	Five-Year Goals	FY14-15 Goals	FY14-15 Outcomes	# 5-Yr Goal Met	% 5-Yr Goal Met	HUD Objectives / Outcomes	Funding Source
B: Promote new affordable housing opportunities.	Encourage the development of new affordable single-family, multi-family and special needs housing in the community through private developers and non-profit organizations.	Affordable Housing Development Program	Rental & Owner Housing	Housing Units	100 Renter 14 Owner	16 Total / 4 CHDO Units	16 / 4	16 / 4 Renter 14 Owner	16% 100%	SL-2	CDBG & HOME
		Support the efforts of the Housing Authority of Billings	Rental & Owner Housing	Five-Year Plan Implemented	1	1	1	1	100%	DH-2	CDBG & HOME Admin
		Meet CHDO commitment / expenditure deadlines	Rental & Owner Housing	Years in compliance	5	1	1	5	100%	SL-2	HOME
	Provide affordable financing and support to promote homeownership opportunities.	First Time Homebuyer Program	Owner Housing	Households	175	40	48	207	118%	SL-2	CDBG & HOME
			Owner Housing	Cumulative Households (June 1, 2009: 484)	659	-	691	-	-	-	-
		First Time Homebuyers - MBOH Loan Use	Owner Housing	Households	35	3	21	69	197%	DH-2	-
			Owner Housing	Leveraged Funding	\$4M	\$0.3M	\$2,820,548	\$8,660,868	217%	-	-
		Homebuyer Education	Rental & Owner Housing	Households	1,000	100	104	827	83%	EO-3	CDBG & HOME
		Billings Partners American Indian Homeownership	Rental & Owner Housing	Homeownership Rate (1992 benchmark: 22%)	40%	.08	35%	-	-	EO-1	CDBG & HOME Admin
	Benchmark Performance Measures	% of total funding allocated to promote new housing opportunity:					-	46%			-

Strategy	Objective	Activity	HUD Objective Category	Measurement Type	Five-Year Goals	FY14-15 Goals	FY14-15 Outcomes	# 5-Yr Goal Met	% 5-Yr Goal Met	HUD Objectives / Outcomes	Funding Source
C: Active partnerships with non-profits, neighborhood groups and others to address housing and community development specific to lower income and special needs households.	Support partnerships and regular meetings to facilitate community participation and collaboration.	Affordable Housing Task Force	Rental & Owner Housing	Monthly Meetings	50	4	4	31	62%	DH-2	CDBG & HOME Admin
		Billings Partners American Indian Homeownership	Community Development, Special Needs	Monthly Meetings	50	4	4	32	64%	EO-1	CDBG & HOME Admin
		Analysis of Impediments to Fair Housing Choice completed in December 2012 to implement activities	Community Development, Special Needs	Analysis / Plan completed	1	1	1	1	100%	SL-1	CDBG & HOME Admin
	Support task force newsletters and further capacity-building for self-sustainability.	Task Force newsletter support	Community Development, Special Needs	Newsletters / Post Cards	50,000	Inadequate Funding	-	13,812	28%	SL-1	CDBG Admin
	Encourage activities that promote fair housing and increase awareness of the rights of protected classes.	Continue to support organizations with an interest in fair housing to apply for FHIP, facilitate application if necessary	Community Development, Special Needs	Annual submission of FHIP grant representing residents of Billings	5	0 or 1	0	1	20%	SL-1	CDBG Admin
	Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Mayor's Committee on Homelessness	Community Development, Special Needs	Meetings	50	6	6	42	84%	EO-3	CDBG Admin
		Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.	Community Development, Special Needs	Completed Annual Action Plans	5	1	1	5	100%	SL-1	CDBG Admin
			Community Development, Special Needs	Completed Annual Performance Reports	5	1	1	5	100%	SL-3	CDBG Admin
		Facilitate AmeriCorps VISTA application and pursue project status	Community Development, Special Needs	Annual submission of VISTA grant application / VISTA member placements	5	1 100 Clients	1 3,215 Clients	5 5742 Clients	100%	EO-1	CDBG and VISTA Admin
	Benchmark Performance Measures	% of total funding allocated to support partnerships:					-	16%	-	-	-

Strategy	Objective	Activity	HUD Objective Category	Measurement Type	Five-Year Goals	FY14-15 Goals	FY14-15 Outcomes	# 5-Yr Goal Met	% 5-Yr Goal Met	HUD Objectives / Outcomes	Funding Source	
D: Promote the preservation and revitalization of the community's older neighborhoods.	Preserve housing stock in older, lower-income neighborhoods.	See objectives / activities / goals outlined in Strategy A				-	-	-	-	-	SL-1	-
	Infill development of vacant lots and redevelopment of substandard properties.	Affordable Housing Development Program	Rental & Owner Housing	See goals for Strategy B		-	-	-	-	-	SL-3	CDBG & HOME
		Redevelopment 27th Street Corridor	Neighborhood Revitalization	Redevelopment Projects	1	No Longer In Com Dev	-	3	300%	SL-3	CDBG Admin	
	Support activities that provide amenities, neighborhood stabilization and maintain infrastructure needs.	Tree Program	Owner Housing	Individuals	50	Inadequate Funding	-	-	-	SL-3	CDBG	
		Neighborhood improvements through the Capital Improvement Plan (CIP)	Infrastructure, Neighborhood Revitalization, Public Facilities	CIP Years Implemented	5	1	1	5	100%	SL-3	-	
		Special Assessment Grants	Owner Housing, Infrastructure	Housing Units	20	Inadequate Funding	-	5	25%	SL-2	CDBG	
	Benchmark Performance Measures	% of total funding allocated to preserving older neighborhoods:				Inadequate Funding	-	-	-	-	-	
E: Provide assistance to agencies serving lower income and special needs populations, particularly the homeless, the elderly, minorities and those with disabilities.	Provide CDBG Public Service funding and HOME Tenant-Based Rental Assistance (TBRA) for deposits to non-profit organizations and provide assistance for supportive services, including job creation.	CDBG Public Service and HOME TBRA funding allocations for basic needs assistance and supportive services	Economic Development, Special Needs, Public Services	Years Funding Committed	5	Inadequate Funding	-	2	40%	EO-1	CDBG & HOME	
			Economic Development, Special Needs, Public Services	Organizations	20	Inadequate Funding	-	8	40%	EO-3	CDBG & HOME	
	Benchmark Performance Measures	% of total funding to support basic needs of special and lower-income populations:				3%	3%	-	-	-	CDBG & HOME	

<b>Benchmarks</b>		<b>Five-Year Goals</b>	<b>FY14-15 Goals</b>	<b>FY14-15 Outcomes</b>
Overall Benchmark Performance Measures	Total Budget Allocated	-	-	\$1,265,787
	Leveraging & Leveraging Ratio for Reporting Year Only	-	-	\$13,073,587 1:10
	CDBG Timeliness Compliance	< 1.5	< 1.5	0.93
	# active CHDOs	-	-	1
	# of faith-based organizations funded	-	-	-
	% of previous year's HOME funding committed (for FY13-14, measure FY12-13), as of June 30	-	-	95.83%
	% of HOME CHDO funding reserved, two years ago (for FY13-14, measure FY11-12), as of June 30	-	-	
	% of completed HOME rental disbursements to all rental commitments, benchmark subject to HUD adjustment	> 85.5%	> 95.86%	100%
	% of completed CHDO disbursements to all CHDO reservations, benchmark subject to HUD adjustment	> 60.4%	> 80.92%	99.94%
	% of renters below 50% of the area median income	> 70%	> 70%	91.04%
	<i>Note: 90% of rental and TBRA units must assist households less than 60% of the area median income</i>			
	% of occupied HOME rental units to all rental units, benchmark subject to HUD adjustment	> 92.15%	> 95.85%	100%
	Allocation years not distributed for HOME, benchmark subject to HUD adjustment	< 2.98	< 4.050	0.79
	# of minority, disabled, elderly and female-headed households served	-	-	732

## ***Five-Year Consolidated Plan Goals / Objectives Assessment***

The City of Billings is required to assess efforts to carry out planned actions described in the Annual Action Plan for the most recent completed year, in addition to reporting on overall progress made on the five year Consolidated Plan. The City of Billings has met many of the goals established in the five year Consolidated Plan. Projects funded with CDBG and HOME resources can be viewed in this section.

Challenges faced by the City in achieving established goals in FY2014-2015 continue to include limited federal funding and housing costs in Billings. The local availability of affordable housing for lower-income households, particularly rentals, has decreased. The affordable housing goals have also been impacted by redevelopment activities that have resulted in the loss of affordable housing in our community. Policy recommendations following the analysis of achievements are stated below and are based on *Table 3A - Summary of Specific Objectives and Accomplishments* (following page).

***Focus funding and staff efforts on strong, core programs:*** The City of Billings has had many programs which were underutilized over the past decade and very strong core programs, which should be continued and strengthened. Staff recommends planning to match capacity with an emphasis on core programs, including:

- Housing Rehabilitation
- Manufactured Home Repair
- First Time Homebuyer
- Affordable Housing Development

***Priority budgeting to eliminate non-funded initiatives:*** Unfortunately, continued funding decreases has limited staff availability to provide support for organizational efforts which do not provide funding for administration. Therefore, staff recommends continued evaluation of funding sources, initiative review and priority-based budgeting to ensure effectiveness and cost management.

***Adjust Action Plan goals to reflect limited funding and eliminated programs:*** Several programs planned for funding during the five-year Consolidated Plan process have not come into fruition due to historically low funding levels. Therefore, staff recommends annual adjustment of Action Plan goals to adequately plan for fluctuations in federal funding levels.

***Continue to seek alternative funding sources to further the goals of the Consolidated Plan:*** The City has been fortunate to secure additional funding sources to supplement CDBG and HOME funding, including (but not limited to): NSP; HUD Economic Development Initiative grants; AmeriCorps VISTA administrative funding; and Fair Housing Initiatives Program (FHIP) funding. Careful evaluation of staff availability to manage multiple grant activity and reporting requirements must be completed prior to application.

## ACCOMPLISHMENTS & RECOMMENDATIONS - **TABLE 3A**

July 1, 2014 through June 30, 2015

Strategy	Activity	Measurement Type	Five-Year Goals	FY14-15 Goals	FY14-15 Outcomes	# & % 5-Yr Goal Met	Notes / Recommendations for Next Action Plan
A: Promote the preservation of the existing supply of safe, affordable housing in the community.	Housing Rehabilitation Loan	Housing Units	50	15	6	52 104%	Goal exceeded. No alterations needed.
	Minor / Manufactured Home Repair Program	Housing Units	100	5	4	44 44%	Reconsider program for funding next fiscal year. Program design continually monitored for effectiveness.
	Neighborhood Stabilization / Foreclosure Acquisition & Rehabilitation	Housing Units	4	1	0	5 125%	City has exceeded this five-year goal. No alterations needed.
B: Promote new affordable housing opportunities.	Affordable Housing Development Program	Housing Units	100 Renter 14 Owner	16 Units / 4 CHDO	16 / 4 CHDO	16 Renter 16% 14 Owner 100%	Project completion in 2015; total 16 units. No alterations needed.
	Support the efforts of the Housing Authority of Billings	Five-Year Plan Implemented	5	1	1	5 100%	Met five-year goal. No alterations needed.
	Meet CHDO commitment / expenditure deadlines	Years in compliance	5	1	1	5 100%	Met five-year goal. No alterations needed.
	First Time Homebuyer Program	Households	175	40	48	207 118%	Exceeded 5-year goals. No alterations needed.
	First Time Homebuyers - MBOH Loan Use	Households Leveraged Funding	35 \$4M	3 \$0.3	21 \$2,820,548	69 197% \$8,660,868 217%	
	Homebuyer Education	Households	1,000	100	104	827 83%	No alterations required.
	Billings Partners American Indian Homeownership	Homeownership Rate	40%	0.08	35%	-	Data is not available. No changes required.
C: Active partnerships with non-profits, neighborhood groups and others to address housing and community development specific to lower income and special needs households.	Affordable Housing Task Force	Monthly Meetings	50	4	4	31 62%	Number of meetings reduced due to lower funding levels. No changes required.
	Billings Partners American Indian Homeownership	Monthly Meetings	50	4	4	32 64%	
	Analysis of Impediments completed in December 2012	Analysis / Plan completed	1	1	0	1 100%	Goal met. No changes required.
	Support fair housing organizations w/FHIP	Annual grant submission	5	0 or 1	0	1 20%	No changes required.
	Mayor's Committee on Homelessness	Monthly Meetings	50	6	6	42 84%	Number of meetings reduced due to lower funding levels. No changes required.
	Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.	Completed Action Plans	5	1	1	5 100%	Goal has been met. No changes required.
		Completed Performance Reports	5	1	1	5 100%	
	Facilitate AmeriCorps VISTA application and pursue project status	Annual Application	5	1	1	5 100%	
Redevelopment 27th Street Corridor	Redevelopment Projects	1	CDBG lands fully transferred		Transferred	No changes required.	
D: Promote preservation and revitalization of the community's older neighborhoods.	Neighborhood improvements through the Capital Improvement Plan (CIP)	CIP Years Implemented	5	1	1	5 100%	Adequate progress meeting 5-year goals. No alterations needed for CIP. Special Assessment Grants were eliminated due to low funding and low usage.
	Special Assessment Grants	Housing Units	20	Inadequate Funding		5 25%	

## SECTION IV - Fair Housing & Equal Opportunity

### **Affirmatively Furthering Fair Housing**

In order to affirmatively further fair housing, the City of Billings is required to:

- Conduct an analysis to identify impediments to fair housing choice in the public and private sector.
- Take appropriate actions to overcome the effects of impediments identified.
- Maintain records reflecting the analysis and actions taken to impact impediments.

The City also supports efforts to eliminate housing discrimination in Billings, promoting fair housing choice for all persons, providing equal opportunities for inclusive patterns of housing occupancy, promoting accessible housing for all persons, particularly those with disabilities. The City supports creating housing that can be visited by a person with a disability (“visit-able”), therefore having an accessible bathroom and front entry way.

### **Fair Housing Needs**

As the City conducts *Housing Needs Assessment* and *Analysis of Impediments to Fair Housing Choice (AI)* studies on different timelines, City staff must clarify that an earlier AI was utilized to develop strategies for the City’s five-year Consolidated Plan. The City’s most recent AI was completed in March 2013 to plan for FY2014-2015 activities by Planning / Communications. The study can be found online at [www.ci.billings.mt.us/comdev](http://www.ci.billings.mt.us/comdev) on the Reports and Planning page, or the entire document can be downloaded [here](#).

The previous AI was completed five years ago by Montana State University-Billings and listed the following impediments in order of severity - the most critical issues are therefore at the top of the list:

1. Many members of protected classes do not appear to understand their housing rights under fair housing regulations.
2. Some landlords, property owners, and realtors do not act consistent with knowledge of fair housing regulations.
3. Income, credit, and housing affordability issues are tied to fair housing issues.
4. Lack of funding hampers the effectiveness of local services working on behalf of fair housing protected classes.
5. The lack of hard data concerning the effectiveness of specific fair housing programs hampers the goal of improving the delivery of fair housing services.

### **Initial Strategy Response to Fair Housing Needs**

The City’s five-year Consolidated Plan strategies were developed to address the fair housing needs identified in the previous AI and are identified following each objective, also found in Section I.

1. Assist in the production and dissemination of consumer education on fair housing issues. *(Strategy C)*
2. Re-evaluate the effectiveness of existing fair housing educational materials. *(Strategy C)*
3. Plan for increasing significance of age-related disabilities. *(Strategy C)*
4. Assist in the education of landlords, property owners and realtors on Fair Housing responsibilities. *(Strategy C)*
5. Increase awareness among American Indians and other protected classes regarding the location of available housing units. *(Strategy C)*
6. Improve housing affordability. *(Strategies A, B, and E)*
7. Provide credit education. *(Strategy E)*
8. Revise existing fund model for fair housing education. *(Strategies C and E)*
9. All fair housing outreach and education efforts should include measureable goals. *(Strategy E)*

## **Actions Taken to Overcome Impediments**

**Routine Fair Housing Activities:** The Community Development Division staff is dedicated to supporting fair housing efforts and initiatives in Billings to address the impediments listed above. Further, the City has identified a plan to further address impediments with the results of the new AI. This includes ensuring that activities, projects and programs funded utilizing CDBG and HOME funding are carried out without discrimination, directly or indirectly, on the basis of race, color, religion, gender, national origin, age, familial status, sexual orientation, gender identity, disability or creed. This also includes efforts to affirmatively further fair housing, such as:

- Staff facilitation and administration of fair housing initiatives.
- Facilitating capacity-building efforts for organizations with an interest in fair housing issues.
- Facilitating specific grant-writing activities to further local educational efforts.
- Promoting fair housing choice and equal opportunity for all persons.
- Ensuring equal opportunity and choice, including reasonable accommodation, for clients with a desire to receive assistance through City programs.
- Working to alleviate housing discrimination in Billings.
- Promoting housing that is accessible / usable by persons with disabilities.
- Providing opportunities for all persons to live in any given housing development.
- Ensuring fair housing educational materials are on-site and staff members are trained in fair housing rights and responsibilities to support clients and community stakeholders.
- Ensuring advertisements include fair housing and equal opportunity information.
- Supporting non-English speaking persons with actions outlined in the City's Language Assistance Plan.
- Ensuring access to Montana's Relay phone number (711) on all materials produced.
- Ensure the City's website and physical office site is accessible for those with disabilities.
- Implementing record-keeping activities to document compliance and efforts to affirmatively further fair housing choice and inclusivity.
- Implementing standards for accessibility in affordable housing development.

**Integrated Living Patterns:** The City of Billings supports program development in a manner that targets affordable housing stock for investment on a city-wide basis in order to further inclusion and integrated living patterns. Please refer to maps indicating geographic distribution of investments in Section II. This illustrates a city-wide approach to funding and integrated living patterns for those served with federal funds.

**Annual Action Plan:** The City facilitated an extensive process to garner a new AI and developed a plan to undertake fair housing activities designed to impact impediments to fair housing choice. Please see the City's FY2014-2015 Annual Action Plan for additional information located at [www.ci.billings.mt.us/cdreports](http://www.ci.billings.mt.us/cdreports).

**ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

*Action Plan*

<b>Selected Impediments</b>	<b>Strategies</b>	<b>FY2014-2015 Actions &amp; Outcomes</b>
<p><b>A.</b> Concentrations of minorities that would not exist in a free market not distorted by discrimination suggest that Billings has a dual housing market; one for non-Hispanics, whites and Asians and another for all other minorities.</p>	<p><b>A1:</b> Produce and disseminate consumer education on Fair Housing issues through ongoing publicity campaigns to make people aware that they can move anywhere in the area they can afford.</p> <p><b>A2:</b> Work to expand housing choices of existing and potential new residents beyond neighborhoods identified by their own race or ethnicity.</p>	<p>Staff utilized the City’s website to provide education to the public on fair housing issues, how to file a discrimination complaint, housing resources, etc.</p> <p>Hard copy materials on fair housing issues are available on-site at the Community Development office.</p> <p>Staff program development efforts focused on activities ensuring diversity and citywide benefit: home repair; acquisition; and development. Programs are implemented on a city-wide basis to avoid segregation. Programs administered by the City of Billings contain proper non-discrimination notifications.</p> <p>Staff support has been offered to further capacity-building efforts for organizations with an interest in fair housing education.</p> <p>Staff pursued a partnership with NeighborWorks Montana and co-sponsored a VISTA position to develop a Housing Center. Staff created a VISTA Assignment Description and garnered approval for the project via the Corporation for National and Community Service. Sophie DeMartine began as a VISTA member dedicated to this initiative in August 2013 and worked through August 2014.</p> <p>A strategic plan has been developed and approved by organizations promoting the Housing Center and fundraising is underway. The Home Center officially opened its doors in July 2015.</p>
<p><b>B.</b> Discriminatory real estate industry practices such as racial and ethnic steering distort the free market in housing.</p>	<p><b>B1:</b> Continue to partner with enforcement agencies providing testing of the real estate industry practitioners to identify discriminatory practices in rental and for-sale housing.</p>	<p>Montana Fair Housing conducts routine testing of real estate industry practitioners in the Billings area.</p>
<p><b>C.</b> Discrimination against Latinos in issuing government-backed mortgage and refinancing loans continues unabated in Billings as it does throughout the nation.</p>	<p><b>C1:</b> Support the efforts of local housing counseling agencies, especially to Latinos, before they apply for a mortgage.</p> <p><b>C2:</b> Continue to provide brochures containing information apprising potential home buyers of the availability of housing counseling and how to spot / report discriminatory lending practices.</p>	<p>Local housing counseling is provided by District 7 HRDC, Rural Dynamics and Homeward. All organizations have been invited to participate in the development of a Housing Center in Billings.</p> <p>See above notes on the provision of fair housing information.</p> <p>Fair housing education is also provided during home buyer education classes; sponsored and attended by the City of Billings staff.</p>
<p><b>D.</b> The relatively high cost of housing continues to pose a barrier to fair housing choice in Billings.</p>	<p><b>D1:</b> Continue to work toward the provision of affordable housing through Community Development programs.</p>	<p>The City’s Affordable Housing Development program has funded a 16 unit affordable rental housing project that was completed this fiscal year. The program will continue to be offered to further the development of affordable housing options.</p>

Selected Impediments	Strategies	FY2014-2015 Actions
<p><b>E.</b> Review Unified Zoning Regulations and review requirements to foster compliance with fair housing law and to promote inclusionary zoning.</p>	<p><b>E1:</b> Support the efforts of the Planning Division in reviewing:</p>	<p>Attempted in 2008 revision of the Growth Policy and was met with considerable opposition. The next revision process has begun and staff will include best practices for inclusionary zoning.</p>
	<p>(a) Minimum percentage of affordable housing units per development with five or more units.</p>	
	<p>(b) Housing Authority of Billings first right of refusal for inclusionary units.</p>	
	<p>(c) Amendments for neighborhood plans to promote stable, socio-economically diverse neighborhoods throughout Billings.</p>	<p>Funding to support a Neighborhood Planner has been suspended due to budget issues. No current plans are in process. All recent neighborhood plans represent a comprehensive approach for stable and diverse neighborhoods.</p>
	<p>(d) Affirmative marketing and billboard advertising requirements.</p>	<p>The City of Billings does not currently include requirements or review of billboard content, with the exception of obscene material.</p>
	<p>(e) Developer brochure distribution requirements.</p>	<p>Zoning and subdivision codes must be enforceable by the Planning Division. The distribution of brochures is not an enforceable activity within the City's jurisdiction.</p>
	<p>(f) Fair Housing logo / language requirements for agreements.</p>	<p>Staff will review the possibility of including a standard special review condition statement to include equal opportunity housing.</p>
	<p>(g) Occupancy requirements and equal treatment for group living for the disabled.</p>	<p>Community residential facilities are a protected group per State law. Montana Code Annotated stipulates community residential facilities for 8 or fewer residents under 24 hour care can be located in any residential zoning district. The Code cannot be construed to prohibit the city from requiring a conditional use permit.</p> <p>Zoning requirements must be enforceable. Complaints relative to over-crowding are checked against available public records, which does not include square footage of bedrooms. The City's Legal Department has reviewed occupancy standards and the current regulation aligns with State law.</p>
	<p>(h) Accessory dwelling units / cottage cluster homes.</p>	<p>Two attached or detached units are currently allowed in lots of 7,000 square feet or greater, depending on zoning. Additional dwelling units can be covered in the regulations.</p>
<p><b>F.</b> There is a serious shortage of housing affordable to holders of Housing Choice Vouchers in the areas of Billings where the proportion of public school students from low-income neighborhoods is relatively low.</p>	<p><b>F1:</b> Support efforts promote economic diversity in all schools to ensure every school has a majority of pupils coming from middle-class / higher-income households.</p>	<p>The Billings Livability Partnership is currently utilizing the <a href="#">Smart School Siting Tool</a> from the Environmental Protection Agency as a product of Smart Growth Implementation Assistance. A major component of this tool involves balancing diversity (race, ethnicity, and socioeconomic status) with walkability when choosing school locations.</p>
	<p><b>F2:</b> Support the Housing Authority's efforts to expand the geographic range where holders of Housing Choice Vouchers look for housing.</p>	<p>During eligibility briefing meetings, the Housing Authority of Billings (HAB) provides a census map of the City, a list of property management companies with listings all over the City and a list of accessible units is provided when a voucher is issued. Staff encourages renters to consider all areas of the City for residency. HAB performs outreach activities by attending Landlord Association and Yellowstone Property Managers Association meetings throughout the year. HAB advertises to recruit landlords in the Billings Gazette once a year. The HAB also plans on revising the flyer, <i>Advantages of Moving to Areas that are Not High Poverty Areas for Housing Choice Voucher Program Families</i>, to include the Montana protected classes. Counseling is provided to facilitate housing opportunities Citywide.</p>

**Regular City Council Meeting**

**Meeting Date:** 09/14/2015

**TITLE:** Public Hearing and Resolution Setting Annual Mills

**PRESENTED BY:** Patrick M. Weber, Finance Director

**Department:** City Hall Administration

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**PROBLEM/ISSUE STATEMENT**

At the August 24, 2015 meeting, Council directed staff to provide two options for tax year (TY) 2015 tax levies. The TY 2015 levies support the City's Fiscal Year (FY) 2016 budget. Option 1 is to levy 109 mills for the General, Library, Transit and Public Safety 1 Funds. This is the maximum number of mills permitted by the Charter for these purposes. This option anticipates hiring additional public safety personnel in FY 2017. No action is needed if the Council chooses this option because it passed Resolution No. 15-10467 in June, which set the levy at 109 mills for the FY 2016 budget.

Option 2 would reduce the levy to 99.66 mills. This option would produce the same tax dollars as last year, plus about \$636,000, which is the amount of money that is produced by the TY 2015 newly taxable property (growth). It would reduce the planned use of approximately \$1 million in General Fund reserves in this year's budget. It does not include hiring additional public safety personnel. Council can choose Option 2 by adopting the attached amending resolution.

A separate resolution will set the number of mills for General Obligation Debt and Public Safety II. It is independent of the options described above.

**ALTERNATIVES ANALYZED**

The Council must hold a public hearing and then may:

- Approve the resolution that amends Resolution No. 15-10467 and reduces the General, Library, Transit and Public Safety 1 Funds combined levy from 109 mills to 99.66 mills; or
- Amend and approve the resolution that amends Resolution No. 15-10467; or
- Table, indefinitely, the resolution that amends the previously adopted Resolution No. 15-10467. If the Council chooses this option, the previously adopted Resolution will remain in effect and the levy will remain at 109 mills. Council could also direct the City Administrator to proceed with the plan to hire additional public safety personnel.

**FINANCIAL IMPACT**

The decrease of mills to 99.66 would equate to a 3.5% increase in tax revenue over the prior fiscal year.

**RECOMMENDATION**

Staff recommends holding the public hearing, indefinitely tabling the resolution, and directing staff to prepare the FY17 budget to include hiring additional public safety personnel.

**APPROVED BY CITY ADMINISTRATOR**

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**Attachments**

Amended Mill Levy Resolution

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RESOLUTION 15 \_\_\_\_\_

A RESOLUTION AMENDING RESOLUTION NO 15-10467  
RESTATING THE ANNUAL ALL-PURPOSE MILL LEVY AND MILL  
LEVIES FOR LIBRARY OPERATING, TRANSIT OPERATING, AND  
PUBLIC SAFETY FUNDS FOR THE FISCAL YEAR 2015-2016.

WHEREAS, pursuant to law, the City of Billings is required to make annual mill levies.

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

1. That an All-Purpose Annual Mill Levy in the amount of 67.64 Mills is hereby  
imposed on all taxable property within the City of Billings, Montana, for the Fiscal Year  
**July 1, 2015 through June 30, 2016.**

2. That additional Mill Levies in the amounts stated are hereby imposed on all  
taxable property within the City of Billings, Montana, to provide payment for the following:

- A. 9.17 Transit Operating Fund
- B. 4.57 Library Operating Fund
- C. 18.28 Public Safety Fund

3. That this Resolution shall be in full force and effect from and after its passage and  
approval. This Resolution amends, restates, and supersedes Resolution NO. 15-10467 that Council  
adopted on June 8, 2015.

PASSED AND APPROVED by the City Council this 14<sup>th</sup> day of September, 2015.

CITY OF BILLINGS:

BY: \_\_\_\_\_  
Thomas W. Hanel, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Billie Guenther, CITY CLERK