

JOURNAL OF COMMISSION WORK SESSION
July 15, 2008

City Commission Work Session

Mayor Stebbins presiding

CALL TO ORDER: 5:30 p.m.

ROLL CALL: City Commissioners present: Dona Stebbins, John Rosenbaum, Bill Bronson, Bill Beecher and Mary Jolley. Also present were the City Manager, Assistant City Manager, Directors of Community Development, Fiscal Services, Planning and Park and Recreation, Assistant Library Director, Acting Director of Public Works, the City Attorney, Fire Chief, Police Chief, and the City Clerk.

1. BID BUDGET AND WORK PLAN

Tonya Jorgensen reported that the budget is self-explanatory. She stated that there is a waiting list because of so many grant requests. There has been \$50,000 set aside for a grant project that is expected to be paid out by December, 2008. If the project does not go through, that money will be available for other grants. Ms. Jorgensen reported that the BID website is up and running. The Board chose to wait until the BID renews in 2009 to begin its expansion efforts. Incubation is at 90% capacity and has been a great success. She explained the work plan, partnerships and programs. Commissioner Rosenbaum inquired how receptive the business owners were to expansion. Ms. Jorgenson responded that there are a lot of new property owners in the area that want to expand.

2. WATER RIGHTS – HARLEY HARRIS, LUXAN & MURFITT, AND DAVE SCHMIDT, WATER RIGHTS SOLUTIONS

Dave Schmidt provided a history of the Water Use Act, SB 76 and how the adjudication process and rules have changed in the past 26 years. He reported that the deadline to object to the 41QJ decree is coming up in mid-August. He explained that the original volume was excessive. The amendment was made to lower the volume to avoid objections by other water users or DNRC. The parties discussed the level of population taken into consideration, and that DNRC documented the City's earlier water amount as excessive. He explained that, if the Commission was not happy with that prior amendment, it could request an extension or file an objection.

Mr. Harris discussed his background, the Great and Growing Cities Doctrine, and the PPL settlement. He stated that DNRC applies a standardized set of criteria and that report/work sheet is used by the water court to create a preliminary decree. If the City thinks it has a bigger historic use, it has to have evidence to back it up. Without the evidence, the request needs to be kept reasonable. Mr. Harris discussed the Red Lodge case, and Billings taking a more aggressive stance.

ADJOURN

There being no further discussion, Mayor Stebbins adjourned the work session of July 15, 2008, at 6:45 p.m.