



City Commission Agenda

for

January 5, 2010

Please Note: The City Commission agenda format allows citizens to speak on each issue prior to Commission action. We encourage your participation. Please keep your remarks concise and to the topic under consideration.

****REVISED****

CALL TO ORDER: 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

NEIGHBORHOOD COUNCILS

1. Councils 3 & 5, Drawing of Tie Vote of Write-In Candidates.
2. Swearing In Ceremony.
3. Miscellaneous reports and announcements.

PETITIONS AND COMMUNICATIONS *(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 5 minutes)*

4. Miscellaneous reports and announcements.

PUBLIC HEARINGS

5. Res. 9870, Conditional Use Permit to allow a Worship Facility on the South 51 feet of Lots 1 and 2, Block 373, Original Townsite to Great Falls (111 6th Street South). Action: Conduct public hearing and adopt or deny Res. 9870. *(Presented by: Mike Haynes)*

OLD BUSINESS

NEW BUSINESS

6. CDBG Policies, adopt Citizen Participation Plan, and approve the 2010-2011 Community Development Block Grant Funding Priorities. Action: Reaffirm or amend CDBG Policies. *(Presented by: Mike Haynes)*
7. Purchase of Positron Viper Public Safety Telephone System in the amount of \$230,666.94 and commit to Qwest and Positron maintenance programs for a total cost of \$178,972.59 over the next five years. Action: Approve or deny purchase and maintenance program for System. *(Presented by: Corky Grove)*

ORDINANCES/RESOLUTIONS

8. Corrected Res. 9456, Annexing Lot 1, Block 2, First Addition to Great Falls Clinic Addition. Action: Adopt or deny Corrected Res. 9456. *(Presented by: Mike Haynes)*

CONSENT AGENDA *The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.*

9. Minutes, December 15, 2009, Commission meeting.
10. Total Expenditures of \$4,066,461 for the period of December 9-30, 2009, to include claims over \$5000, in the amount of \$3,748,142.
11. Contracts list.
12. Grant list.
13. Lien Release list.
14. Approve final payment to Dick Anderson Construction, Inc. and the State Miscellaneous Tax Fund in the amount of \$8,145.70 for the Water Treatment Plant Headhouse Floor Replacement.
15. Approve purchase of trail easement from Holman Grain for the extension of River's Edge Trail in the amount of \$1,511.65.
16. Approve Mitigation Agreement with the Montana Department of Fish, Wildlife & Parks relating to the Bay Drive Trail Phase II project.

Action: Approve Consent Agenda or remove items for further discussion and approve remaining items.

BOARDS & COMMISSIONS

17. Miscellaneous reports and announcements.

CITY MANAGER

18. Miscellaneous reports and announcements.

CITY COMMISSION

19. Appointment, Mayor Pro Tempore. Action: Appoint one member to serve as the Mayor Pro Tempore.
20. Appointments, Great Falls Development Authority. Action: Appoint two ex-officio members and appoint Greg Doyon as the Staff liaison to the Great Falls Development Authority Board.
21. Miscellaneous reports and announcements.

MOTION TO ADJOURN



Item: Resolution 9870 for Conditional Use Permit to allow a Worship Facility on the South 51 feet of Lots 1 and 2, Block 373, Original Townsite to Great Falls (111 6th Street South)

From: Charles Sheets, Planner I

Initiated By: River of Hope Church, Pastor Victor Garza

Presented By: Mike Haynes, Planning Director

Action Requested: City Commission adopt Resolution 9870.

Public Hearing:

1. Mayor conducts public hearing, calling three times each for opponents and proponents.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 9870.”

2. Mayor calls for a second, discussion and calls the vote.
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Zoning Commission Recommendation: At the conclusion of a public hearing held November 10, 2009, the Zoning Commission passed a motion recommending the City Commission grant a conditional use permit to allow the South 51 feet of Lots 1 and 2, Block 373, Original Townsite to Great Falls, addressed as 111 6th Street South, to serve as a worship facility.

Background: River of Hope Church leases the building, addressed as 111 6th Street South, from the Stanley C Anderson, Trust, which is represented by Steven Allen Anderson. The leasee and owner have applied for a conditional use permit to allow the worship facility at this location.

Subject property is zoned C-4 Central business core district wherein a worship facility is permitted upon processing and approval of a conditional use permit. (See attached Vicinity/Zoning map.)

The definition in the Unified Land Development Code for worship facility is “a place and/or building, or portion thereof, that has tax-exempt status and that is used or is intended as a place where people can regularly assemble for religious worship and associated activities. The term includes sanctuaries, chapels, cathedrals, churches, synagogues, and temples and other onsite accessory buildings such as parsonages, friaries, convents, fellowship halls, Sunday schools, rectories, and day care centers within the same structure.”

The applicants have stated that the church currently has 30 members and anticipates a growth of 10 to 20 members. The church members gather on Sundays 11:00 a.m. – 2:00 p.m., Tuesdays 7:00 p.m. – 8:30 p.m. and Saturdays 6:00 p.m. – 7:30 p.m. The subject building has two off street parking spaces normally used by the pastors. Members of the church use the on street parking. The services conducted on Tuesdays and Saturdays after normal business hours, so as not to conflict with surrounding businesses. The owner and worship facility have obtained permission from the manager of KTGF and Pats Auto Body to use the parking lots just south of the alley.

Neighborhood Council No. 7 has discussed the conditional use permit application. As of the time of writing this report, the Council had not provided comment. However, the City Neighborhood Council Coordinator stated that Council 7 was supportive of the conditional use permit allowing a worship facility at 111 6th Street South if the City parking requirements are met.

Attached is a Memorandum from the City Parking Supervisor, dated October 22, 2009, stating that the City parking requirements are met. (See attached memo.)

Casinos are a permitted use in the C-4 Central business core zoning district. Approval of the conditional use permit for a worship facility will preclude a casino from locating within 600 feet of the subject property although any existing legal gaming operation within that range would be allowed to continue operation.

The procedure for processing a conditional use is identical to that for a City zone change. Following a public hearing and recommendation by the Planning Board, the City Commission shall conduct a public hearing and arrive at a final decision regarding the conditional use application. The City Commission may, through a written agreement with the applicant, establish such conditions and restrictions upon the construction, maintenance and operation of the conditional use as is deemed necessary for the protection of the public interest and to secure compliance with standards and requirements.

The City Zoning Code lists the seven following criteria to be applied to a request for a conditional use for evaluation purposes.

1. The conditional use is consistent with City’s growth policy and applicable
2. That the establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the neighborhood.

4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
5. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.

A goal in the land use element of the Growth Policy is “to preserve and enhance the character, quality, and livability of existing neighborhoods”. The Growth Policy states proposed land use changes should be evaluated according to the type of neighborhood affected, which in this case, is established and stable. Land use changes should be compatible with the type, scale, and physical character of the neighborhood.

The on streets parking spaces in the vicinity of the worship facility appear to incur minimal use. In addition, there are existing off-site parking lots to the north and south of the worship facility that can absorb additional parking.

Staff concludes no significant negative aspects, associated with the seven above mentioned criteria, should result from the approval of the conditional use permit, provided that the Church and the neighboring businesses continue to share parking.

Vacant commercial structures in the vicinity of the central business district have been an attraction for new and/new growing religious congregation searching for floor space.

During the public hearing held by the Zoning Commission, Mr. Steve Anderson, representing the owner of the property, and Mr. Victor Garza, pastor of the River of Hope Church, spoke in support of the conditional use permit. No opponents spoke. The State and local code requirement for a 600 foot separation between churches and casinos was discussed at length by the Zoning Commission. The Zoning Commissions primary concern was whether or not property owners within the C-4 zoning district and within 600 feet of the subject property realize that approval of the conditional use permit allowing the church would preclude placement of any new casinos within that radius. The Zoning Commission, at the conclusion of the public hearing, passed a motion recommending approval of the conditional use permit with strong emphasis on noting the impact that allowing smaller worship facilities downtown may have on establishments involved with serving alcohol and/or gaming. A copy of the minutes of the Zoning Commission hearing will be provided to the City Commission prior to the hearing on January 5, 2010.

Concurrences: Representatives from the Community Development Department have been involved throughout the review and approval process for this project.

Fiscal Impact: No change in providing services due to conditional use permit.

Alternatives: If there are justifiable reasons to do so, the City Commission could deny the requested action to the extent allowed in City Code and State Statute.

Attachments/Exhibits: Resolution 9870
Vicinity/Zoning Map
Memo from City Parking Supervisor, dated October 22, 2009
Zoning Commission, Public Hearing minutes, November 10, 2009

Cc: Community Development Department
Kim McCleary, City Parking Supervisor
River of Hope Church, P.O. Box 6234, Great Falls, MT 59406
Steven Allen Anderson, 701 51st St S, Great Falls, MT 59405

RESOLUTION 9870

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
TO ALLOW A WORSHIP FACILITY
ON THE SOUTH 51 FEET OF LOTS 1 AND 2, BLOCK 373,
ORIGINAL TOWNSITE TO GREAT FALLS,
ADDRESSED AS 111 6TH STREET SOUTH

* * * * *

WHEREAS, the Stanley C Anderson, Trust, represented by Steven Allen Anderson, presently own the South 51 feet of Lots 1 and 2, Block 373, Original Townsite to Great Falls, addressed as 111 6th Street South; and

WHEREAS, said South 51 feet of Lots 1 and 2 are occupied by a commercial structure, which previously accommodated a window sales and repair shop; and

WHEREAS, River of Hope Church, Pastor Victor Garza, recently leased subject building to utilize as a worship facility; and

WHEREAS, said South 51 feet of Lots 1 and 2 is presently zoned C-4 Central business core district wherein a worship facility is permitted upon processing and approval of a conditional use application; and

WHEREAS, Steven Allen Anderson and River of Hope Church have applied for a conditional use permit to allow the commercial structure on subject South 51 feet of Lots 1 and 2 to serve as a worship facility; and

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on November 10, 2009, to consider said conditional use permit application and at the conclusion of said hearing, passed a motion recommending a conditional use permit be granted to allow a worship facility on the South 51 feet of Lots 1 and 2, Block 373, Original Townsite to Great Falls, addressed as 111 6th Street South.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

That a conditional use permit to allow a worship facility on the South 51 feet of Lots 1 and 2, Block 373, Original Townsite to Great Falls, addressed as 111 6th Street South is hereby passed and approved; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED by the City Commission of the City of Great Falls,
Montana, on this 5th day of January, 2010.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk


(SEAL OF CITY)




Approved for legal content:

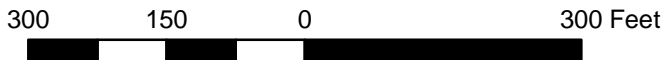
City Attorney

VICINITY/ZONING MAP




 111 6TH STREET SOUTH, REQUESTED TO BE GRANTED A
CONDITIONAL USE PERMIT TO ALLOW A WORSHIP FACILITY

 R-9 Mixed residential  C-4 Central business core  C-5 Central business periphery



Community Development Department

Memo

To: Charlie Sheets, Planner 1
From: Kim McCleary, Parking Supervisor 
Date: 10/22/2009
Re: River of Hope Church, 111 6th St S

The City Land Development Code allows for shared parking facilities provided that there is no substantial conflict or overlap in the principal operating hours, and the location of the shared parking facilities are within 400 feet of each other. Since the church has demonstrated that their services are opposite hours of the surrounding businesses that have given their approval for sharing their parking facilities, and I have assurance from the current property owner that he will handle any parking conflicts created by the tenant (church), I believe the City parking requirements for the new use of the building located at 111 6th St South are met.

If you have any questions or need additional information, please let me know.

cc: Property file (111 6th St South)

GREAT FALLS ZONING COMMISSION
MINUTES OF THE PUBLIC HEARING FOR
CONDITIONAL USE PERMIT FOR WORSHIP FACILITY
AT 111 6th STREET SOUTH

November 10, 2009

The public hearing was called to order at 3:02 p.m. in the Commission Chambers of the Civic Center by Chairman John Harding.

ROLL CALL & ATTENDANCE

Zoning Commission Members present:

Mr. Michael Bates
Ms. Danna Duffy
Mr. John Harding
Mr. Ron Kinder
Mr. Bill Roberts
Mr. Thor Swensson
Mr. Wyman Taylor

Zoning Commission Members absent:

Mr. Terry Hilgendorf
Mr. Joe Schaffer

Planning Staff Members present:

Mr. Andrew Finch, Senior Transportation Planner
Mr. Mike Haynes, Planning Director
Ms. Deb McNeese, Administrative Assistant
Mr. Bill Walters, Senior Planner

A copy of the attendance list, as signed by those present, is attached and incorporated by reference.

EXPLANATION OF HEARING PROCEDURES

Mr. Harding advised that agendas are available on the table at the back of the room and the agenda will be followed. He requested that everyone present sign the attendance list, which was also on the table. There will be an opportunity for proponents and opponents to speak. Mr. Harding asked those intending to speak to come to the rostrum, state their name, address and whom they represent. He requested remarks be on the subject before the Board at this hearing and be limited to a reasonable length of time to allow everyone equal opportunity to speak. The Chairman reserves the right to determine reasonable time. The hearing is recorded on tape as an aid in preparing minutes. He asked that cell phones and electronic devices be turned off.

READING OF PUBLIC NOTICE

As there was no response to Mr. Harding's question on whether anyone present wished to have the public notice read, the public notice was not read.

PLANNING STAFF REPORT & RECOMMENDATION

After reviewing the staff report and recommendation, Mr. Walters said he would be glad to respond to any questions from the Board.

Mr. Taylor asked if all current uses at the Elk's Club would be allowed to continue, and if a notice of this hearing had been mailed to them. Mr. Walters responded that existing liquor and/or casino establishments within the 600-foot area of the proposed church location would be allowed to continue as legal non-conforming uses and that notices had been mailed to all property owners within 150 feet of the subject property. Mr. Swensson noted that the parking agreement with KTGF might change with the possible sale of the property, and Mr. Harding remarked that the Planning Board had approved a similar conditional use permit earlier this summer in the general vicinity of this request.

PETITIONER'S PRESENTATION

Mr. Steve Anderson, 5405 7th Avenue South, the owner of 111 6th Street South, said that Mr. Tune-Up, the owner of the adjoining property, has also provided written permission for the Church to use the parking lot immediately north of the Church. With 60 off-street, and 16 on-street parking spaces along 6th Street South, Mr. Anderson said the location of the Church would enhance the downtown area and parking should not be an issue.

Mr. Victor Garza, 3805 7th St NE #93, pastor of the River of Hope Church, apologized for starting the church without the proper permitting in place. Mr. Garza proclaimed his love of God, Great Falls and the people of Great Falls. He stated the purpose of the Church is to help

downtown residents and make downtown a better place to live. Mr. Garza also stated he would abide by whatever decision the Board made.

PROponents OPPORTUNITY TO SPEAK

There were no proponents.

OPponents OPPORTUNITY TO SPEAK

There were no opponents.

OTHER PUBLIC COMMENT

There was no other public comment.

PETITIONER'S RESPONSE

There was no additional response.

ZONING COMMISSION DISCUSSION & ACTION

There followed a lengthy discussion of the 600-foot area that would be affected by the approval of the conditional use. Mr. Walters explained that current gaming and alcohol sales within the 600-foot area would become legal non-conforming uses and that the City Land Development Code would permit those uses to continue. Mr. Walters described how State criteria regarding alcohol and gaming differs from City standards. Mr. Taylor asked what would happen if this request is not approved. Mr. Walters said the Church is in need of a Safety Inspection Certificate (SIC) which is a City license that cannot be issued in this case until he conditional use permit is approved. The Church will have to shut down without a SIC. A discussion followed regarding State requirements of notices, advertising and posting of the property. Members of the Board stated that all property owners potentially affected by the approval of the conditional use permit should be notified of the public hearing, not only those within 150-feet as dictated by State statute. Mr. Harding suggested moving this matter forward as recommended by staff, with strong emphasis on noting the impact that allowing smaller worship facilities downtown may on establishments involved with serving alcohol and/or gaming that is not apparently being recognized.

MOTION: That the Zoning Commission recommend to the City Commission that a conditional use permit be granted to allow the property, addressed as 111 6th Street South and legally described as the South 51 feet of Lots 1 & 2, Block 373, Original Townsite to Great Falls, to serve as a worship facility.

Made by: Mr. Kinder
Second: Ms. Duffy

Vote: The motion passed with Mr. Roberts and Mr. Taylor dissenting.

Mr. Walters said the Zoning Commission is advisory to City Commission and the Board's recommendation along with the minutes of today's hearing will be forwarded to the City Commission, for their consideration. First reading is expected in December with the public hearing following in January.

ADJOURNMENT

The hearing adjourned at 3:45 p.m.

CHAIRMAN

SECRETARY



Item: 2010/2011 Community Development Block Grant (CDBG) Policies and Funding Priorities

From: Community Development Department

Initiated By: Chris Imhoff, CDBG/HOME Administrator

Presented By: Chris Imhoff, CDBG/HOME Administrator

Action Requested: Approve Motion

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission reaffirm the CDBG Policies, adopt the Citizen Participation Plan, and approve the 2010-2011 Community Development Block Grant Funding Priorities.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls the vote.

Staff Recommendation: Staff recommends the City Commission reaffirm the Community Development Block Grant Policies, adopt the Citizen Participation Plan and approve the 2010-2011 CDBG Funding Priorities.

Background:

CDBG and HOME programs are federal programs administered by US Department of Housing and Urban Development (HUD) to help fund local community development programs including affordable housing, anti-poverty and community infrastructure projects. The primary goal of these programs is to assist low and moderate income (LMI) persons in their respective communities. State and local governments receive funding from HUD based on a formula derived from population statistics.

HUD rules require that larger cities and urban counties or “Entitlement Communities” submit a Consolidated Plan that establishes community goals for the use of CDBG funds and hold public meetings to determine community needs and establish funding priorities.

This year the 2010-2015 Consolidated Plan will be submitted. The deadline for submittal to HUD is May 15, 2010 so the schedule for setting funding priorities, reviewing applications and approving funding recommendations is set and maintained accordingly.

The Community Development Council (CDC) is a 10-member citizen advisory board appointed by the City Commission to review applications for CDDBG funds and develop and present funding recommendations to the City Commission. This is done in February/March each year. The schedule for 2010 is as follows: City Commission will consider CDC funding recommendations on March 16, 2010. A public hearing on the proposed 2010-2015 Consolidated Plan will be held on April 20, 2010 with final approval by the City Commission scheduled for May 4, 2010.

Significant Impacts

Funding priorities will lay out the base for the Annual Action Plan required by the Department of Housing and Urban Development (HUD) as part of the Consolidated Plan.

Citizen Participation

Community Needs Public Hearing Minutes from the December 15, 2009, City Commission meeting are attached.

Purpose

The CDBG policies, adopted in previous years and most recently amended in December 2005 by the City Commission, are attached for the Commission's review. The Citizen Participation Plan adopted in February of 2005 and reaffirmed annually since then is attached for review. Staff is asking acceptance of these policies and the Plan for use in the 2010-2011 CDBG allocation process.

Based on testimony given at the Community Needs Public Hearing held by the City Commission on December 15, 2009 and knowledge of the range of projects applying for CDBG funding this year, staff is recommending the attached priorities. Proposed projects must meet the National CDBG Program objectives to be eligible. At least 70% of the funds must serve low to moderate income persons. As always, there will be competing interests for the available funds. In recommending funding percentages, staff balances the percentage distribution of the funds based on proposed projects, so the funding percentages change somewhat from year to year.

Twenty percent of the projected funds are recommended for the Administration priority. This is the HUD capped percentage allowed to cover the City's costs for salaries and overhead to administer the CDBG, Home Investment Partnerships (HOME), Neighborhood Stabilization and City Affordable Housing Revolving Loan programs, Fair Housing efforts and required environmental review activities.

Fifteen percent of the projected funds are the HUD capped amount allowed to be used for public service activities that provide benefit primarily to low to moderate income persons and households. Examples of such services include meals for elderly and disabled, day care and parenting education for young parents, summer and after school programs for lower income children and youth, and legal services for abused or abandoned children.

Public services is a very competitive grant area, so staff recommends the full 15% of funds allowed be used for the Public Service priority.

Five percent of the funds are being recommended for use in the Economic Development priority, which historically is not very competitive, but has been accommodated for applicants with projects willing to create jobs specifically for persons living in low to moderate income households.

Twenty-seven percent of the projected CDBG funds are recommended for the Affordable Housing priority. The Affordable Housing allocation historically funds the City Community Development Rehabilitation Specialist's position, and a NeighborWorks Great Falls revolving loan fund used for rehabilitation or new construction of housing for purchase by low to moderate income First-time Homebuyer families. At times the funding is utilized for other housing related projects or to bolster the City's Affordable Housing revolving loan funds as is the case this year.

Thirty-three percent or the remainder of this year's projected CDBG funding is recommended for allocation to the Public Facility Improvements/Handicap Accessibility priority. These funds are used for public facility improvement including improvements to non-profit facilities that openly serve the public. At least 51% of the public served in the facility must be proven to have a household income that is low to moderate. The funds may also be used for street, sewer, water, sidewalk, and other infrastructure improvements where the majority of the area users have low to moderate incomes. Public Facility Improvements/Handicap Accessibility is a very competitive grant area.

Evaluation and Selection Process

Projects will be considered that fall in to the guidelines established by these funding priorities and are eligible for CDBG funding. A ten member board with staggered three year terms is appointed by the City Commission to make funding recommendations for CDBG project applications. This board known as the Community Development Council (CDC) will read the grant applications and visit project sites when possible (especially infrastructure project sites) to better comprehend the project scope and ability to proceed. Staff will explain the objectives, requirements, and policies of the CDBG program to the CDC, and aid the CDC in any way possible to undertake the ranking of the projects in each priority area and the recommendation of funding amounts for the projects.

Applicants are invited to make 15 minute presentations to the CDC over the course of three or four nights. CDC members have a chance to question applicants about their proposed projects. The CDC members score each project on a fairly complex matrix designed to highlight the need, community benefit, agency sustainability and capacity, and budget and leveraging addressed by the project. The matrix scores are tallied by staff and averaged for each project. The projects are prioritized for funding by score. The CDC meets a final evening to determine the funding recommendations. Staff and CDC will meet with the City Commission in a work session to recommend funding for the CDBG and HOME projects.

The allocation schedule for CDBG and HOME funds (attached to the Agenda Report for the CDBG & HOME Grant/Consolidated Plan Community Needs Public Hearing held by

the City Commission on December 15, 2009) is set up working backwards on a time line from the day the Consolidated Plan/Annual Action Plan is due to HUD in Denver. It is a tight schedule having City Commission dates as an important parameter because the City Commission must approve or adopt each step of the process.

Conclusion

The majority of the current CDBG policies were adopted by the City Commission during the block grant allocation process in 1994. The policies were amended in 2005, and have been reaffirmed annually. The Citizen Participation Plan was adopted with the Consolidated Plan in 2005. It has been reaffirmed annually and must be readopted this year with a new Consolidated Plan. Acceptance of CDBG policies and a Citizen Participation Plan for use in the 2010-2011 CDBG allocation process is required by HUD.

Funding priorities will lay out the base for the Annual Action Plan required by HUD as part of the Consolidated Plan. Projects will be considered that fall into the guidelines established by these funding priorities and meet national CDBG objectives making them eligible for use of CDBG funds.

Fiscal Impact: Meeting HUD requirements for receipt of CDBG funding will bring \$978,000 to the City to benefit low/moderate income citizens and families.

Alternatives: The Commission could change the funding priorities, CDBG City Commission policies or the Great Falls Citizen Participation Plan.

Attachments/Exhibits:

- CDBG Policies
- 2010-2011 CDBG Funding Priorities
- Community Needs Public Hearing Minutes
- Citizen Participation Plan

**City of Great Falls
Community Development Block Grant
City Commission Policies
January 5, 2010**

1. City Commission will determine the allocation of all CDBG projects.
2. The City Commission will conduct a Community Needs public hearing to allow citizens (especially low/moderate income persons) and city staff the opportunity to express their opinion as to the needs of the community that should be addressed with block grant funding.
3. The City Commission will determine priorities and allocate funding percentages to priority categories following the Community Needs public hearing.
4. The Community Development Department will make recommendations to the City Commission for any grant proposal applications not reviewed by the Community Development Council.
5. The Community Development Council will review and make funding recommendations for grant proposal applications, as directed by the City Commission.
6. The Community Development Council will review, prioritize, and make funding recommendations to the City Commission for all public service grant applications based on solicitation for proposals in an amount to be approximately 15% of the grant entitlement amount. The minimum grant request will be for \$5,000.
7. The City Commission will not fund proposals from agencies/departments whose last fiscal year or older CDBG funded projects will not be 75% complete by March 31st of the current year, unless a special public purpose exists for waiving the policy.
8. Private non-profit agencies will not be funded for staff salaries, benefits, office consumables, and rent payments for agency office space or utility costs.
9. City Commission will fund activities to further fair housing as a part of block grant administration.

10. Projects that leverage and/or match the CDBG funds will be given priority consideration for funding.
11. Handicap accessible projects that serve the largest number of the public will be given priority consideration for funding.

City of Great Falls Community Development Block Grant
2010/2011 Funding Priorities

We are expecting the annual CDBG budget to be \$978,000, a conservative 5% above the 2009/2010 allocation of \$931,312. HUD funding has been signed into law as part of the Omnibus bill. The budget amount will not be announced until after HUD calculates the amount for each entitlement city.

<u>10/11 CDBG Priorities</u>	<u>Funding Percentage</u>	<u>10/11 Funding Amount</u>
Public Facility Improvements/ Handicap Accessibility (Includes Infrastructure, Park Facilities, Public Building Rehab)	33%	\$321,752
Affordable Housing (Housing for low/moderate income Families: Rehab Services, New Construction, Rehabilitation including Historic Preservation)	27%	\$263,948
Economic Development (Resulting in Job Creation for low/moderate income persons)	5%	\$50,000
Public Service Activities (maximum) (Benefiting low/moderate income persons)	15%	\$146,700
Administration (maximum) (Includes CDBG Grant Administration, Environmental review, City Housing RLF, Fair Housing)	20%	\$195,600
Total Allocation	100%	\$978,000

Community Needs Public Meeting
City Commission Meeting
December 15, 2009

A public meeting was held as part of the regular City Commission meeting on December 15, 2009, at 7 p.m. in the Commission Chambers at the Civic Center. The meeting was held to provide an opportunity for citizens to advise the City Commission on the needs of low income people in the community and how CDBG and HOME grant funds could be used to address those issues and eliminate community needs. The following listing is a summary of the comments involving current community needs which were expressed in the meeting.

Sheila Rice, NeighborWorks Great Falls

Ms. Rice described a housing planning process that has been going on for the past two years. In September 2007 a citywide meeting was held with 42 participants. This meeting resulted in the development of a housing planning group which subsequently undertook a series of steps to identify the housing and community development needs in Great Falls and Cascade County. Surveys were distributed to public agencies. Comprehensive surveys were sent to 8,000 randomly selected households in the county; 1,500 were returned, making the results statistically valid. Surveys were also sent to 1,400 clients served by various social service agencies; 600 were returned. In addition, a homeless survey was conducted. After the results of the surveys were available, small focus groups were formed to discuss the identified needs. Subsequent to these informational gathering activities the groups have been working on developing a comprehensive housing and community development plan and anticipate it will be completed within the next few months. This plan will be presented to the city and county commissions and will be incorporated into the Consolidated Plan.

Ms. Rice emphasized the need for affordable housing. She noted the housing cost problem in Great Falls is a wage problem, as well. She thanked the City Commission for their past support for providing affordable housing. She described several projects currently being undertaken by NWGF, including the development of resident-owned manufactured housing communities. This involves people living in manufactured homes in one setting (previously called trailer parks) forming a coop to purchase the land where their homes are already placed. This population is vulnerable as they own their houses but not the land and they can be forced to move.

Kim Theil-Schaaf, Great Falls Development Authority

Ms. Theil-Schaaf spoke of two community needs that are of concern to the Development Authority. The first involved the \$50,000 CDBG allocation made last year for an economic development project for job creation to benefit low income people. The Development Authority was the successful applicant and used the funding to start a new revolving loan fund. The \$50,000 was loaned to a local business and created several new jobs for low to moderate income people. The Development Authority recently had a number of applicants who would be eligible for the loan funds to create jobs that would benefit low income people. The Development Authority anticipates applying for additional funds and requested the City Commission provide another \$50,000 allocation for the economic development revolving loan fund. Secondly, Ms. Theil-Schaaf described a change in one of the Development Authority's funding sources and how it is adversely affecting their ability to pursue economic development activities. The State of Montana Department of Commerce operates a Small Cities CDBG economic development fund

which typically funds economic development projects to extend infrastructure to specific business that will create or retain jobs benefitting low to moderate income people. These funds are typically awarded for up to \$400,000. Cascade County previously was eligible to apply for these funds but an administrative rule change now prohibits it. The Development Authority is working on two projects which would have previously qualified for these funds—creating a shovel-ready heavy industrial site and assisting MSM with relocation to allow retention of jobs. The Development Authority asked the City Commission to consider using a portion of the CDBG allocation to fund a portion of the infrastructure economic development projects which were previously funded through the Montana Department of Commerce. This funding is needed as it allows leverage to other public and private funding. However, the Development Authority recognizes CDBG funding is limited and is not advocating for allocation of the entire \$400,000 CDBG funds available to economic development projects in any one funding year, but rather consider an option such as having the funds available over the course of several years.

Shannon Marra, Children’s Museum of Montana

Ms. Marra related the Children’s Museum intends to apply for \$5,000 in CDBG funds for scholarships and 28,500 for building renovations. She noted the museum satisfies the City’s community development needs by helping to serve low to moderate income families on a daily basis.

Kris Kleinschmidt, Accessible Space, Inc.

Ms. Kleinschmidt reported she has worked with the disabled population for over 30 years. Currently she comes into contact on a daily basis with seniors and physically disabled people who desperately need affordable, accessible housing. There is a definite need for more such housing in Great Falls. ASI currently has 50 people on the waiting list for Southwinds Estates (includes full-time personal care attendant services), 20 people on the waiting list for Meadowlark Apartments and 25 people on the waiting list for the Portage (senior housing). She noted there are over 90 people waiting for affordable, accessible housing in Great Falls.

Kevin Hager, Great Falls Housing Authority

Mr. Hager shared his perspective regarding affordable quality housing in Great Falls. The Housing Authority has 483 families on the Section 8 housing choice voucher and public housing waiting lists. Section 8 clients who have subsidy voucher and trying to rent in the private market are finding it very difficult to find quality housing. In some cases, Section 8 voucher holders are currently public housing residents who are looking for places to rent in the private market. These people are turning their vouchers back in after 60 days rather than getting extensions because they cannot find anything of comparable quality to rent in the private market. A housing Authority board member is the principal at a local school and he relates they are starting to see an increasing number of children and their families who are becoming homeless. Another board member has a spouse who is also an educator and described the situation of a student who is staying at the Rescue Mission and arranging transportation to school. Mr. Hager asked the City Commission to look favorably toward CDBG and HOME grant applicants that would provide new quality affordable housing for low income citizens. He thanked the City Commission for their previous support to provide quality affordable housing in Great Falls and advised them on the status of HOME funds previously awarded to the Housing Authority.

**City of Great Falls, Montana
Citizen Participation Plan
for the
Consolidated Plan or the Annual Action Plan
January 2010**

PURPOSE OF CITIZEN PARTICIPATION IN DEVELOPING THE CONSOLIDATED PLAN:

A key component in creating the HUD required Consolidated Plan is citizen participation in all steps of the planning development process. To ensure citizens in Great Falls have the opportunity to take part in creating the Consolidated or the Annual Action Plan, the City of Great Falls has developed and commits to follow these elements of the Citizen Participation Plan.

THE CITIZEN PARTICIPATION PLAN:

PARTICIPATION: The City of Great Falls will provide for, and encourage, citizen participation emphasizing the involvement of low, very low, and poverty income residents in areas where housing and community development funds may be spent. The City of Great Falls will also inform and offer opportunities for comment to residents of low, very low and poverty income neighborhoods. The City of Great Falls will encourage the participation of the Great Falls Housing Authority and public and assisted housing residents of the Great Falls Housing Authority, and of Opportunities, Inc., and their assisted housing residents in Great Falls. The City will provide Consolidated Plan or Annual Action Plan development information to the Great Falls Housing Authority that will be available at the public hearing required for the Public Housing Agency Plan.

The City of Great Falls will make reasonable efforts to consult with other public, private, and non-profit agencies that provide housing, health services, and social services (including those focusing on services to children, elderly persons, persons with disabilities - including physical, mental and developmental disabilities as well as other persons in need of services). When preparing the portion of the Consolidated Plan or Annual Action Plan concerning lead-based paint hazards, the City of Great Falls will consult with the City/County Health Department in order to examine data identifying the addresses of housing units with children as containing lead. The City of Great Falls will encourage input and solicit information from each of the nine neighborhood councils, notify of all of the public hearings and the Consolidated Plan or the Annual Action Plan development process, and solicit comments.

The City Commission appoints ten citizens who reside within Great Falls to a voluntary advisory board that reviews public service and public facility projects submitted for CDBG funding. This advisory board, the Community Development Council, recommends project funding to the City Commission under the public service and public facility portions of the CDBG funding. The encouragement of lower income, minority, and disabled citizens or their representatives to apply for Community Development

Council positions occurs annually; through advance notice of board openings and application information with have adequate time to apply.

ACCESS TO MEETINGS: The City of Great Falls will afford adequate, timely notification of meetings so all citizens can attend the public hearings. This will include, as appropriate, legal notices, advertisements, press releases, public service announcements, letters or other means of notifying interested parties. The City of Great Falls will also provide reasonable accommodations for persons with disabilities to all public hearings, and local meetings. Reasonable accommodations include but are not limited to holding meetings in handicapped accessible buildings, providing for sign language interpreters, and language interpreters, etc. when requested.

ACCESS TO INFORMATION: The City of Great Falls will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan or annual Action Plan and all of its components and the City's planned use of financial assistance received under the relevant federal programs during the next year. The public will have the opportunity to receive information, review and submit comments on any proposed submission including the Consolidated Plan adoption by the City of Great Falls City Commissioners and any Plan amendments and its performance reports. The required 30-day comment period on any proposed submission, adoption of the Consolidated Plan or Annual Action Plan submission, and any plan amendments is available as occurring. Information will also be available on the range of programs, the amount of assistance the City expects to receive, the amount of funds available and the estimated amount proposed to benefit low, very low and poverty income residents. These groups will also have access to the City's plans to minimize displacement of residents and businesses and assist those displaced because of these activities. Information and public records will be available during regular business hours in the City Community Development Department. Special arrangements are available to accommodate access to information for persons with disabilities.

TECHNICAL ASSISTANCE: The City of Great Falls will provide appropriate technical assistance to all groups that request assistance in developing proposals for financial assistance under any of the programs covered by the Consolidated Plan.

PUBLIC HEARINGS: To obtain citizens views the City holds at least two public hearings conducted at a minimum of two different stages of the program. The City of Great Falls program year begins July 1 and ends June 30. These public hearings will address and respond to proposals and comments on:

1. Housing and community development needs
2. Development of proposed activities
3. Review of proposed uses for funds
4. Review of program performance

The City of Great Falls attempts to provide public meetings conveniently timed for people who might or will benefit from program funds, accessible to people with disabilities and adequately publicized with sufficient information about the subject of the hearing to permit informed comment. The public hearings occur on a weekday evening

in the Civic Center Building, which is centrally located, easily accessible with adequate parking, and handicap accessible.

Throughout the year, citizens may attend the City Commission meetings and public hearings to provide input as to the distribution of federal funds into the City. There will be two public hearings conducted by the City Commission annually. The first public hearing will give citizens the opportunity to comment and provide input on the following:

- Any housing and non-housing community development needs that they have identified and wish addressed
- How funding proposals may meet community development needs in Great Falls
- Performance of the City in administering and distributing federal funds
- Every five years, or anytime the Citizen Participation Plan has substantial revisions or re-written, citizens may comment on the adoption of the Citizens Participation Plan. Prior to adopting the plan, the City distributes the plan for review and comment for a full 15 days.

The second public hearing will offer the opportunity for the citizens to comment on the following:

- Adoption of the Consolidated or Annual Action Plan
- Use of federal funds
- Performance of the administration and implementation of funded projects

TIMELY RESPONSE: The City of Great Falls will consider any comments or views of citizens, agencies, units of general local government, or other interested parties concerning the Consolidated Plan or Annual Action Plan, any amendments to the Plan and all performance reports. The Community Development Department will address any complaints with written responses to written complaints within 15 working days, where practical. Depending on the nature of the complaint, staff may refer the issue to the City Manager or the City Commission if the response from staff is unsatisfactory to the complainant. As appropriate, an attachment of summary of comments and responses to complaints to the final submission of the Consolidated Plan, the Consolidated Plan Amendments, or the Annual Performance Report will take place.

NON-ENGLISH SPEAKING RESIDENTS: In the event that a significant number of non-English speaking residents can reasonably be expected to participate, the City will provide accommodations for non-English speaking residents in the case of public hearings, if such accommodations are available.

SUBSTANTIAL AMENDMENTS: Substantial changes in the City's planned or actual activities will require an amendment to the Consolidated Plan or Annual Action Plan. The following criterion determines substantial change and governs Consolidated Plan or Annual Action Plan amendments:

1. If a new project that has not previously received funding, is being created with unprogrammed funds, or created from financial changes from other funded projects.

2. If there is a change in the project site location, or the project affects an area, an amendment will be required if the project location changes to a different census tract.
3. If there is a change in project purpose or beneficiaries, such as a project eliminates or reduces by over 50% the proposed impact on the original beneficiaries, and/or if less than 51% of the beneficiaries are determined to be low, very low, or poverty income an amendment will be required. The CDBG administrator will determine on a case-by-case basis if an Amendment is required when the beneficiaries change from one targeted group to another.
4. If the project changes in scope the activity from the original proposal.
5. If a project budget increases by twice the total allocation and the increase exceeds 10% of the City's total current Block Grant allocation.

The City will advertise a notice in the *Great Falls Tribune* and make available any amendments to the Consolidated Plan for citizen comment for a 30-day period.

ANNUAL PERFORMANCE EVALUATION REPORT

The Annual Performance Report is available to all citizens at the Public Library and the City Community Development Office through a notice in the daily newspaper notifying the public of the availability of this report for review and comment for a minimum of 15 days. Any comments received regarding the Annual Performance Report are considered and a summary of all comments is attached to the performance report.

SOLICITATION OF CITIZEN COMMENTS ON THE CITIZEN PARTICIPATION PLAN:

Prior to its adoption and approval by the Great Falls City Commission, the City of Great Falls will publish a legal notice in the *Great Falls Tribune* and *Consumer's Press*. The notices of the plan and/or any amendments to this plan are available for a 15-day comment listing the sites that a citizen may obtain a copy of the plan. The plan and any amendments to this plan are available to citizens at the Great Falls Public Library, the Great Falls city web page (www.greatfallsmt.net) and the City Community Development Office in the Civic Center.

SOLICITATION OF CITIZEN COMMENTS IN PREPARING THE CONSOLIDATED OR THE ANNUAL ACTION PLAN:

1. The City of Great Falls will contact local agencies, the housing authority, the local neighborhood revitalization agency, and the neighborhood councils to obtain information and comments to make citizens aware of the Consolidated or Annual Action Plan process.
2. The proposed Consolidated Plan or Annual Action Plan is available to all citizens at the Public Library, the City Community Development Office, the City's web page (www.greatfallsmt.net). To inform the citizens of the proposed Consolidated Plan or Annual Action Plan, a notice published in the daily newspaper, the free weekly publication, and distributed to various

agencies describes the availability of this plan and the 30-day period to receive public comment.

3. City Commission will conduct two public hearings requesting input from the citizens and representatives of low, very low and poverty level people as to the needs of the community, including but not limited to housing, community development, infrastructure, economic development and homeless assistance. A second public hearing conducted to receive citizen comments on the proposed Consolidated Plan or Annual Action Plan occurs after completion of the Plan.

The City will provide a reasonable number of free copies of the Consolidated Plan or Annual action Plan to citizens and groups upon request.



Item: Replace 9-1-1 Telephone System

From: Cloyd A. Grove, Chief of Police

Initiated By: Pamela Johnstone, Communications Manager

Presented By: Cloyd A. Grove, Chief of Police

Action Requested: Approve Purchase of Positron Viper Public Safety Telephone System in the amount of \$230,666.94 and commit to Qwest and Positron maintenance programs for a total cost of \$178,972.59 over the next five years.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/reject) the purchase of the Positron Viper Public Safety Telephone System in the amount of \$230,666.94 and commit to Qwest and Positron maintenance programs for a total cost of \$178,972.59 over the next five years.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls the vote.

Staff Recommendation: Staff recommends the City Commission approve the purchase of the Positron Viper Public Safety Telephone System.

Background: The current 9-1-1 Telephone System was purchased in April 2003 with implementation completed in April 2004. In March 2009, Qwest Communications advised that as of July 1, 2009 they would no longer be able to provide a maintenance contract on existing Plant equipment for the 9-1-1 Telephone System. Plant would not be able to furnish parts and all repairs handled by Qwest would be on a time and materials basis. Qwest, being a sole source provider, has presented the City of Great Falls/Cascade County 9-1-1 Center with two options for a new telephone system, the Positron Viper Public Safety Telephone System and the Plant Sentinel Patriot System.

Significant Impacts

The existing 9-1-1 Telephone System is failing rapidly and parts are not available. All of the Qwest maintenance contracts have expired and Qwest will only provide services at cost. Operating a communications system today requires advanced technology to provide

digital and VoIP service. As our community members become more reliant on mobile technology we must have the ability to identify the device and location of the caller.

Workload Impacts

The one touch ring back function provided by this software will save dispatchers valuable seconds when trying to contact possible victims of crime, injured motorists, etc. on wireless and VoIP 9-1-1 hang-up calls. This system will also allow the dispatcher to see the location of the caller prior to answering the call, which will allow additional time to consider available resources and also ascertain if numerous calls are coming from the same area.

Purpose

To provide the best possible dispatch service to the citizens of Cascade County

Project Work Scope

It will take approximately four to six months to implement the system once the contract has been approved. Qwest will coordinate with the project manager from Positron and the 9-1-1 PSAP Manager to provide the necessary training for the dispatchers.

Evaluation and Selection Process

Qwest presented demonstrations of software manufactured by Plant CML and Positron Public Safety Systems to staff. Comparisons were done on both systems and it was determined that Positron had required features that Plant did not, such as redundant network connectivity from service to pc's to ensure no single point of network failure; one touch ring back function on wireless and VoIP 9-1-1 hang-up calls; single button transfer for all phone line types. Positron also provides a project manager, which is crucial to a successful implementation. Positron has more installations nationwide/proven product. Plant CML did not meet the required number of successful install sites for their product.

Chouteau County has the Positron Viper system so backup would be seamless between Cascade County and Chouteau County. Pricing is guaranteed through January 31, 2010.

Conclusion

The Positron Viper system will provide the most up to date technology for the citizens of Cascade County. Positron has over 600 sites and 3,000 positions installed in the field. The Positron Viper system has been successfully installed in Chouteau County, West Yellowstone, and Jefferson County.

Concurrences: All City Departments

Fiscal Impact: The 9-1-1 Quarters held by the City of Great Falls will cover the total purchase price of \$230,666.94. The State of Montana, through the Enhanced 9-1-1 Act of 2004, will reimburse \$35,231.02 of the purchase price. The maintenance contract requirements and future costs will be appropriated to all users (Police, Fire, Sheriff, EMS) of the system, which is a total cost of \$178,972.59 over five years. This new phone system requires a climate controlled area where the hardware is stored. Two informal bids have been obtained. If approved, formal bids will be obtained. The 9-1-1 fund balance as of June 2009 is \$457,753.

Alternatives: The City Commission could deny the purchase of the Positron Viper Public Safety Telephone System, which would be detrimental to the citizens of Cascade County. The current 9-1-1 system is obsolete and parts are not available for repairs.

Attachments/Exhibits: (Not available online; on file in the City Clerk's Office.)
E911 Equipment Executive Summary
Equipment Comparison



Item: Corrected Resolution 9456 Annexing Lot 1, Block 2, First Addition to Great Falls Clinic Addition

From: Charles Sheets, Planner I

Initiated By: City Planning Staff

Presented By: Mike Haynes, Planning Director

Action Requested: City Commission adopt the Corrected Resolution 9456

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Corrected Resolution 9456.”

2. Mayor calls for a second, inquires from the public and calls the motion and vote.

Planning Staff Recommendation: The Planning Staff recommends the City Commission adopt Corrected Resolution 9456.

Background: Following a public hearing held March 15th, 2005, the City Commission adopted Resolution 9456 which annexed Lot 1, Block 2, First Addition to Great Falls Clinic Addition. Officials in the Cascade County Clerk and Records Office recently informed City staff that the subdivision name used within the resolution is incomplete and will need to be corrected. Corrected Resolution 9456 corrects the subdivision name within the resolution to “**First Addition to Great Falls Clinic Addition.**”

Concurrences: Representatives from the City’s Legal Department and City Clerk’s Office have been consulted and review of the corrected resolution.

Fiscal Impact: None

Alternatives: This item is a correction of the previously approved Resolution 9456.

Attachments/Exhibits: Corrected Resolution 9456

Cc: Chad Parker, Acting City Attorney
Lisa Kunz, City Clerk

CORRECTED RESOLUTION 9456

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOT 1, BLOCK 2, ~~FIRST ADDITION TO GREAT FALLS ADDITION~~, **FIRST ADDITION TO GREAT FALLS CLINIC ADDITION**, LOCATED IN THE NW¼ OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED HEREINBELOW; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

* * * * *

WHEREAS, the City of Great Falls is a city incorporated under the laws of the State of Montana, and having a population of more than ten thousand (10,000) is a city of the first class; and,

WHEREAS, there is contiguous to said City, but without the boundaries thereof, certain tracts or parcels of land situated in the County of Cascade, State of Montana, and described as follows:

Lot 1, Block 2, ~~First Addition To Great Falls Addition~~, **First Addition to Great Falls Clinic Addition**, located in the NW¼ of Section 17, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana and containing 8.04 acres, as shown on the attached Exhibit "A" and by this reference made a part hereof, and according to the final plat of First Addition to Great Falls Clinic Addition.

WHEREAS, Section 7-2-4601, Montana Code Annotated, provides that whenever the owners of real property contiguous to any incorporated city of the first class petition to have said property made a part of the municipal corporation, such lands may be embraced within the corporate limits thereof and the boundaries of such city of the first class extended so as to include the same; and,

WHEREAS, the owner of the hereinabove described property has submitted a petition to have said property annexed to the City of Great Falls.

NOW, THEREFORE, the City Commission now finds that the herein requested annexation meets the criteria cited in Section 17.16.7.050 of the Unified Land Development Code of the City of Great Falls

and that it is to the best interest of the City of Great Falls and its inhabitants to proceed with the incorporation of said territory into the City of Great Falls; and,

WHEREAS, all of the proceedings herein have been conducted in strict compliance with and in conformity to the law and constitution of the State of Montana, and all conditions, acts, and things required to be done precedent to and in the passage and adoption of this resolution have been properly and legally done, and performed;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA;

That the boundaries of the City of Great Falls, Montana, be and the same are hereby extended so as to embrace and include within the corporate limits of said city all of the land hereinabove described, included as: "LOT 1, BLOCK 2, ~~FIRST ADDITION TO GREAT FALLS ADDITION~~, **FIRST ADDITION TO GREAT FALLS CLINIC ADDITION**, LOCATED IN THE NW¼ OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA."

BE IT FURTHER RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

The Cascade County Clerk and Recorder is hereby authorized and directed to change the appropriate district boundaries of the City of Great Falls, Montana, to include said tracts of land; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 5th day of January, 2010.

Michael J. Winters, Mayor

ATTEST:

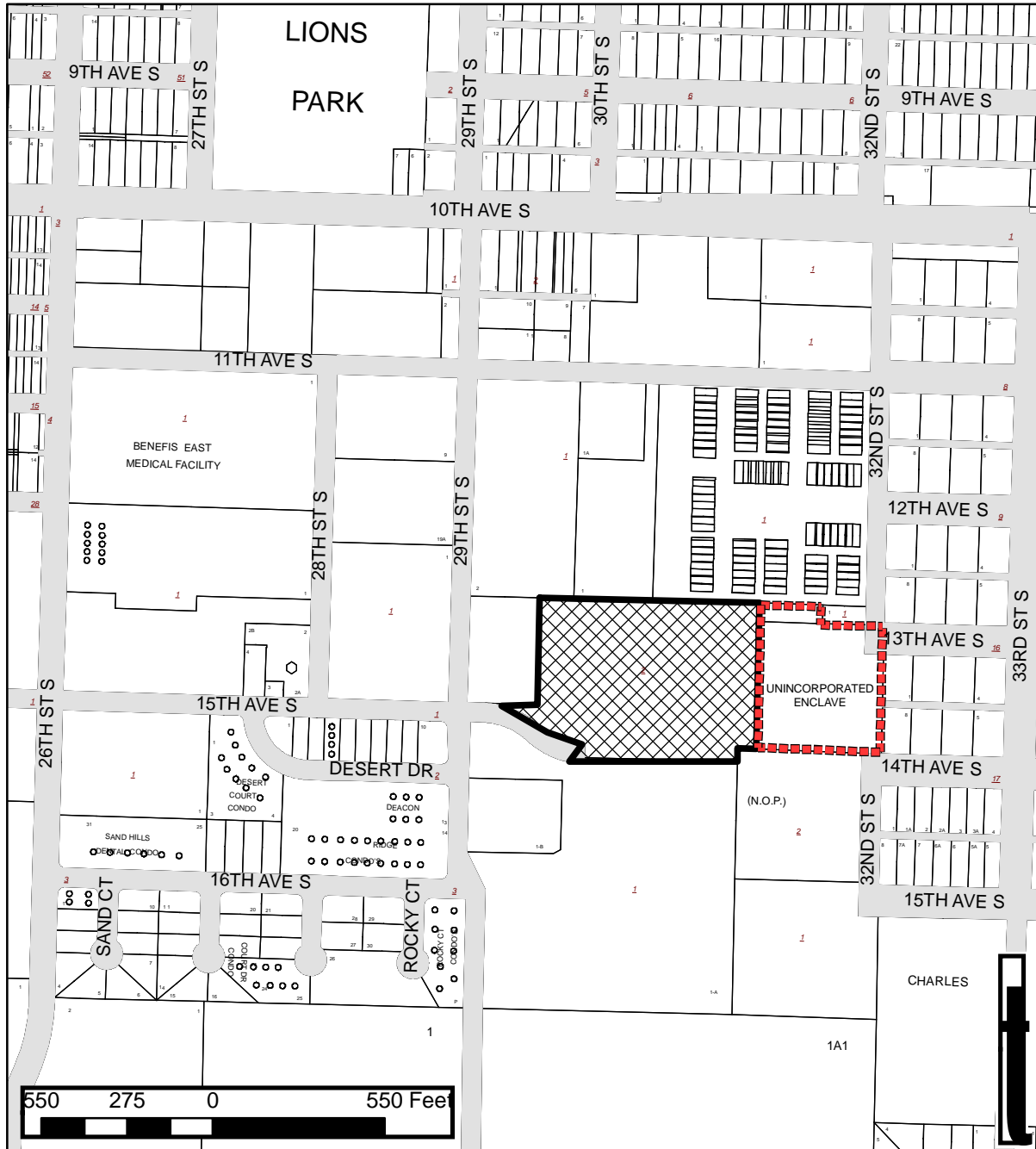
Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

City Attorney

VICINITY MAP



 SUBJECT LOT 1, BLOCK 2, FIRST ADDITION TO GREAT FALLS CLINIC ADDITION

 City Limits

EXHIBIT "A"

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

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

NEIGHBORHOOD COUNCILS

**Swearing In Ceremony
of Neighborhood Council
Representatives.**

1. SWEARING IN CEREMONY OF NEIGHBORHOOD COUNCIL REPRESENTATIVES.

Mayor Stebbins swore in four more elected, as well as seven top vote write-in candidates, as neighborhood council representatives.

NC 6.

2. Carl Donovan, NC 6, introduced Catherine Avery, a new Sunnyside area neighbor in a home made possible by Neighbor Works. Ms. Avery discussed her fantastic experience with Neighbor Works and how delighted she was with her house.

PUBLIC HEARINGS

**CDBG and HOME
Grant/Consolidated Plan
Community Needs.
Public hearing
conducted.**

3. CDBG & HOME GRANT/CONSOLIDATED PLAN COMMUNITY NEEDS.

CDBG Administrator Chris Imhoff reported that the purpose of this public hearing was to allow citizens an opportunity to provide input regarding the city of Great Falls' community needs and how CDBG and HOME funds might be used to address those needs. Ms. Imhoff projected that the city will receive approximately \$978,000 in CDBG funds and \$457,000 in HOME funds from HUD for the 2010/2011 program year. These federal dollars are designated for use in the community for projects that primarily benefit low and moderate income persons, or to eliminate slum and blight. No action by the Commission is required tonight. Ms. Imhoff requested that the Commission consider the comments received when prioritizing and allocating the 2010/2011 CDBG and HOME grant funds.

Mayor Stebbins declared the public hearing open. Those addressing the City Commission were as follows:

Sheila Rice, Neighbor Works, 509 1st Avenue South, discussed a two year planning process of developing a program that would address housing needs in Cascade County and Great Falls. Focus groups reviewed data received

from several surveys regarding housing needs in the community. The Housing Plan Sub-Group has been working on a Comprehensive Housing and Community Development Plan for Great Falls to present to the City and County Commissions for consideration of adoption. Ms. Rice emphasized the need for affordable housing in this community. She also discussed other Neighbor Works projects including high school houses, a new student built house, home improvement program, Sunnyside Development, and future townhomes to bring the cost of housing down. She reported that a new project of Neighbor Works is working with other communities to help people who live in manufactured housing communities to form a cooperative to purchase and own the park, which will be known as resident owned communities (ROC).

Ms. Rice thanked CDBG Administrator Chris Imhoff for all of her help, and the City Commission for its longtime support of affordable housing and allocations of CDBG and HOME funds.

Kim Thiel-Schaff, Great Falls Development Authority, 300 Central Avenue, Suite 406, discussed two community needs of concern for GFDA. Last year, the GFDA started a new revolving loan fund with the CDBG allocation of \$50,000. Ms. Thiel-Schaff requested that the City Commission consider the same allocation this year to continue the revolving loan fund for economic development. Second, Ms. Thiel-Schaff respectfully requested that the City Commission consider utilizing a portion of the CDBG allocation to fund infrastructure economic development programs similar to what the Department of Commerce Small City Program allows.

Shannon Marr, Children's Museum of Montana, 22 Railroad Square, reported that the Board intends to apply for CDBG funds in the amount of \$5,000 for scholarships and \$28,500 for building renovations. Ms. Marr asked that the Commission consider this request that serves low to moderate income families.

Kris Kleinschmidt, Accessible Space, Inc., reported that she has worked with seniors and the disabled population in the Great Falls community for over 30 years. As such, on a daily basis she comes into contact with seniors or the physically disabled that desperately need affordable, accessible housing. There is a definite need for more housing in this community. There are 50 people on a waiting list for Southwinds Estates, 20 people for Meadowlark Apartments and 25 people for The Portage. Ms. Kleinschmidt thanked the City Commission for its consideration.

Kevin Hager, Great Falls Housing Authority, reported that there are currently 483 families on the Section 8 housing choice voucher and public housing waiting list. The Section 8 clients who have a subsidy voucher and are trying to rent in the private market are finding it very difficult to find quality housing. Some clients are turning their vouchers back in after not being able to find comparable housing. One Board member is a local principal who reported that he is seeing more and more families who are homeless. Mr. Hager requested that the City Commission look very

favorably at CDBG and HOME grant applications that would provide new quality, affordable housing for low to moderate income citizens of our community. He also thanked the City Commission for its past support.

There being no one further to address the Commission, Mayor Stebbins declared the public hearing closed.

Ord. 3047. Adopted.

4. ORDINANCE 3047, REPEALING TITLE 8, CHAPTER 7, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS.

Commissioner Bronson reported that the Montana Legislature adopted what is commonly referred to as the “Montana Clean Indoor Air Act.” It is designed to protect public health and welfare by prohibiting smoking in enclosed public places and places of employment. The DPHHS has adopted regulations for the purpose of carrying out the intent of the Act. Based on those legislative changes being largely inconsistent with the city’s smoking ordinance, the City Commission repealed most of the provisions of the ordinance, and adopted language prohibiting smoking within a minimum distance of 20 feet from entrances, exits, windows that open, and ventilation intakes.

Last month the Commission heard a presentation from the local tavern and entertainment industry expressing concerns that some of the provisions of this ordinance may be duplicative of the intent and effect of state law. There was also concern that enforcement of the ordinance might be problematic, and that this uniform distance requirement was unrealistic in many instances.

Commissioner Bronson further reported that, after conducting the public hearing, this Commission has the options of repealing the ordinance or deferring action until the new Commission is seated.

Mayor Stebbins declared the public hearing open.

Speaking in opposition to Ordinance 3047 were:

Barbara Bessette, 917 2nd Avenue North, Substance Abuse Prevention Coordinator for Gateway Community Services, commented that the Clean Indoor Air Act and the city’s ordinance provide for a clean and healthful environment. Ms. Bessette discussed the harmful effects of second hand smoke. In conclusion, she commented that Great Falls is a great example for the rest of the state. Smoking is not a right, but a clean environment is.

Donna Zook, 2718 Carmel Drive, reminded the Commission that employers are to provide a safe and healthy workplace both inside and outside the entrance of their buildings.

Tammy Mottott, 512 2nd Avenue South, provided a list of names of persons who smoke cigarettes. She agreed that everyone is entitled to clean air. However, she requested that smokers be treated fairly, not be alienated, and to come up with a compromise to the 20 foot rule.

Kathy Gessaman, 1006 36th Avenue NE, asked if anyone has been cited to date for violation of the 20 foot rule and was informed no. Ms. Gessaman provided articles regarding the harmful effects of outdoor second hand smoke.

Lora Wier, Choteau, MT, on behalf of the Montana Public Health Association, Ms. Wier commented that this Commission showed leadership when it passed the set back ordinance. It was a positive and progressive move. For the health of this community, Ms. Wier urged the Commission not to repeal the ordinance. She concluded that public safety and health should trump all other arguments.

Alicia Thompson, 3616 7th Avenue North, Health Officer for Cascade County, acknowledged the difficult position the Commission is in. The model ordinance ensures the health of the community. The people of Cascade County overwhelmingly want this ordinance, but she noted that enforcement is a challenge. She urged the Commission to consider the health of the community and not repeal the ordinance.

Caressa Hewitt, 4139 4th Avenue South, mother of three children, discussed a recent unpleasant situation her family experienced while attempting to patronize a local restaurant. She and her children had to hold their breath to access the building. She commented that she was not asking people to quit smoking, but to move over 20 feet so that her kids and others don't have to hold their breath and suffer. Everyone has a right to breathe.

Carolyn Horst, 3808 Poker Flats Road, reported that she is asthmatic. She discussed Joe's Bar being the sponsor of her volleyball team, but not being able to gather at Joe's with her team after the game due to the smoke in and directly outside the doorways. Since the Act went into effect, Ms. Horst commented that it is nice to go into an establishment with friends and not go home smelling like an ashtray. She encouraged the Commission to not repeal the ordinance.

Daniel Dust, 1401 5th Avenue South, commented that it is common courtesy for smokers to move 20 feet from the doors so that other people don't have to breathe smoke. Since the Clean Indoor Air Act went into effect, Mr. Dust witnessed a woman smoking inside a local bar. He concluded that lack of enforcement was a major problem.

Catherine Avery, 1700 20th Avenue South, commented that she grew up with chain smokers. She fell ill and was prescribed medicine that took one year to clear up away from smoke. She continues to have a reaction upon

coming into contact with smoke. Ms. Avery noted that the law was passed for good reason. The Commission should stand its ground and everything else will adjust.

Aart Dolman, 3016 Central Avenue, pointed out that the Chamber of Commerce and Tavern Association had three years to make changes before the Clean Air Act went into effect. It gives him pleasure to walk downtown and not see smokers hanging around the front of stores. He will not patronize a business if he has to walk through smokers. Mr. Dolman commented that most people are law abiding citizens. He suggested a gradual education process.

Al Recke, 609 33rd Avenue NE, commented that his sister was a smoker for many years and is currently dying from lung cancer. Mr. Recke noted that everyone knows smoking is bad. If enforcement is the problem, address it; don't go backwards. He urged the Commission to not change the ordinance.

Ron Gessaman, 1006 36th Avenue NE, believes that it is a small group of businesses pushing for this change. He doesn't believe the Commissioners that are in favor of this change have adequately addressed Ordinance 2956 that required designated smoking areas be at least 20 feet from a public building, and that the 20 foot rule is not about addressing the pedestrian walking down the street. Mr. Gessaman suggested that Central Avenue taverns that don't have enough space designate a smoking area or combined smoking area in the alley. Mr. Gessaman urged the Commission to not change this rule.

Those speaking in favor of Ordinance 3047 were:

Aaron Weissman, 315 4th Avenue North, commented generally about unenforced ordinances being worse than having no ordinance at all. Mr. Weissman noted that complaint driven ordinances and enforcement process creates a selective application of the laws.

Steve Gillespie, 3445 4th Avenue South, commented that he is a real estate agent and views this ordinance as a private property right issue. He suggested retaining the rule for public buildings, but allow a way for the tavern and entertainment businesses to utilize the rule if they wish. The citizens could then decide if they want to patronize the establishment or not.

Doug Palagi, 121 Riverview C, commented that he is a tavern owner and the 20 foot rule was not an issue until the Clean Indoor Air Act came into effect. He estimated that 75%-80% of his customers are smokers. Mr. Palagi would prefer that smoking not be allowed in front of primary entrances. However, he would like to provide a sheltered environment for his customers that smoke, but will not do so under the current laws and while compliance is an issue.

Ron Bennett, 1801 16th Avenue South, jokingly commented that the solution is five feet from a doorstep, or change the ordinance to make non-smokers stay 20 feet away from smokers.

Ronda Wiggers, 3208 2nd Avenue South, commented that the ordinance is confusing as to who would be cited for a violation, the business owner, property owner or smoker. The ordinance also doesn't mention who the enforcement agency is or what the penalty will be. She noted that 47 states have statewide smoking bans, and six of those have footage requirements. Ms. Wiggers concluded that there is no need for a blanket city ordinance that is hard to enforce.

Steve Malicott, President of the Great Falls Area Chamber of Commerce, read a written statement in support of Ordinance 3047. Mr. Malicott noted that existing state law adequately deals with infiltration of smoke into businesses, and that there is no need to add further regulation to the business owners in the community. The Chamber of Commerce respectfully requests that the Commission repeal Title 8, Chapter 7.

John Hayes, 619 Carol Drive, President of the Cascade County Tavern Association, commented that the CCTA is a meaningful and viable part of the community. Mr. Hayes read § 50-40-102, MCA, and the definition of enclosed public place. Mr. Hayes commented that, in his industry, 80% are smokers. When the Clean Indoor Air Act came into effect, those smokers had to go outside of the establishments to smoke. Mr. Hayes showed several pictures of people who were smoking in violation of the 20 foot rule. He concluded that common sense dictates repeal of the ordinance.

Jim Kizer, 764 33rd Avenue NE, Director of the Great Falls Rescue Mission, commented that he wasn't against the ordinance; he was just opposed to an ordinance that he couldn't legally enforce. His particular situation is that he has no place on the men's shelter side to move smokers that conforms with the 20 foot rule.

Robert Hafner, 1916 Mountain View Drive, R&R Casino Manager, commented that after the Clean Indoor Air Act came in effect, he had to have an employee pick up cigarette butts in front of the business several times a day. To contain the problem, he installed a smoking urn outside. Common sense on this issue is that business owners and managers can't control the way people smoke, all they can do is bait them away from where they don't want them in front of the front door. The 20 foot rule prevents them from controlling the problem.

There being no one else to address the Commission, Mayor Stebbins closed the public hearing.

Commissioner Beecher moved to table action on Ordinance 3047 until January 19, 2010.

Motion failed for lack of a second.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3047.

Mayor Stebbins asked if there was any discussion amongst the Commissioners.

Commissioner Beecher explained that he is not in favor of repealing the existing ordinance. However, recognizing that there are enforcement issues that haven't been adequately dealt with, the existing ordinance could have been amended to make it a more common sense approach and address concerns discussed from both sides of this issue.

Commissioner Rosenbaum agreed, in principle, with Commissioner Beecher. Due to the enforcement problems and the cross-over between the Clean Indoor Air Act and the city's ordinance, Commissioner Rosenbaum suggested a re-write of the ordinance and a different set back scenario.

Commissioner Jolley commented that a couple of years ago she was surprised to learn that people couldn't smoke at an outdoor table of a Central Avenue business. At the time, she thought that the City ordinance applied only to City buildings.

Commissioner Bronson commented that he appreciates Commissioner Beecher's comments but, in this instance, believes that the solutions to the problems can be worked out by the individual business and property owners to address their particular circumstances and still comply with state law.

Mayor Stebbins commented that she is a passionate anti-tobacco person. However, she believes the only fair thing to do for the businesses is to repeal the 20 foot rule.

Motion carried 4-1 (Commissioner Beecher dissenting).

OLD BUSINESS

NEW BUSINESS

2008-2009 CAFR and Independent Auditor's Report. Accepted.

5. 2008-2009 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) WITH INDEPENDENT AUDITOR'S REPORT.

Fiscal Services Director Coleen Balzarini reported that the Comprehensive Annual Financial Report, commonly referred to as CAFR, for fiscal year 2008/2009 is presented for the Commission's consideration. The audit firm of Junkermier, Clark, Campanella and Stevens (JCCS) performed an independent review of the financial statements prepared by City staff. Ms.

Balzarini further reported that Loran Stensland, representing JCCS, will brief the Commission on the audit findings of the City as a whole, as well as the area of special emphasis for this year. The CAFR will be sent to the Government Finance Officers Association for review in regards to its content and readability. It is anticipated that the 2008/2009 CAFR will receive the certificate of achievement for excellence in financial reporting as it has since fiscal year 1994/1995.

Ms. Balzarini thanked the auditing firm of JCCS, as well as each of the City's departments for their assistance in the annual audit process, and for providing departmental information that is incorporated into the CAFR each year. She mentioned a special thanks to the Assistant Finance Director and the accounting division staff for the hard work and dedication to assembling the volumes of detailed information into the comprehensive document before the Commission tonight.

The CAFR was presented to the City's audit committee last week. The committee's recommendation to the Commission is to accept the CAFR as presented this evening. Copies of the CAFR are available upon request by contacting the Fiscal Services Department or a full version is available on-line at www.greatfallsmt.net.

Loran Stensland, JCCS, provided an overview of his firm's audit opinions and discussed the audit process. JCCS contracts with the City of Great Falls and the State of Montana. The State of Montana provides compliance requirements that JCCS is required to test as part of its audit process. He was happy to report that there were no State compliance findings with this year's audit.

Mr. Stensland commented that the CAFR is about a 200 page document, and that he would focus on an overview of the portion of the CAFR that JCCS provided. Mr. Stensland summarized the auditor's reports which concluded that there were clean audit opinions on the financial statements, and no findings or questioned costs of the administration of federal funds expended by the City of Great Falls. Additionally, he reported that eight different procedures were performed on the electric utility fund.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission accept the FY 2008-2009 Comprehensive Annual Financial Report (CAFR), inclusive of the Special Emphasis, and authorize staff to submit the related reports to other government agencies and financial institutions as necessary.

Mayor Stebbins asked if there was any discussion amongst the Commissioners.

Commissioner Beecher commented that, as indicated, there were no new issues brought forward in this audit from the previous year. It shows that

the City has done an admirable job of managing finances the last fiscal year. One indication of that is that the general fund reserves were increased by approximately 850,000, or up to about 16%. The Commission's goal was 17%. The trend is very positive in accomplishing that reserve. In comparison to other cities locally and nationally, Commissioner Beecher pointed out that the City of Great Falls' debt level continues to be very low.

Commissioner Jolley commented that JCCS didn't perform an audit of Electric City Power. Mr. Stensland responded that she was referring to the independent accountant's report on applying agreed upon procedures. He added that the electric utility fund was included in the overall audit of the City's financial statements

Mayor Stebbins asked if there were any inquiries from the public.

Larry Rezendes, stated that he was a CPA residing at 2208 1st Avenue North. Mr. Rezendes read and provided a written summary of his comments.

Mr. Rezendes concluded that his view of the process is that the City engaging the auditors to perform a special emphasis was to justify its continued involvement in ECP. Mr. Rezendes challenged Mr. Stensland to debate the issues he raised.

In response to Mr. Rezendes, Fiscal Services Director Coleen Balzarini clarified that the electric utility fund is a major fund of the City. As such, it is subject to a heightened level of review during the audit process. In addition to that there was an area of special emphasis above and beyond what would typically be conducted during the audit process itself. She also noted that, at this point, there is no indication from Southern's own audit that the ability to recover the City's cash on deposit would not be a possibility in the future.

Richard Liebert, 289 Boston Coulee Road, inquired if the special emphasis review of ECP would be provided to Burns & McDonnell. He also asked if the auditors used Southern's 990 for 2008 in the examination. Mr. Stensland responded that it was not. Mr. Liebert asked if Southern's 990 document was available to the public for scrutiny. Ms. Balzarini responded that the 990 is required to be posted on Guidestar. At the time it is posted it will be available to the public. Otherwise, the request can be made to Southern.

Ron Gessaman, 1006 36th Avenue N.E., commented that he was unhappy with the agenda report. It noted that the auditors have no recommendations for FY 2008-2009, but the management letter referred to the status of prior year comments – non-compliance with Ordinance 2925.

Mayor Stebbins called a brief recess.

Travis Kavulla, 725 49th Street South, asked if the auditor's report of Southern was a public document and was informed it was not. He asked if Southern's auditor's report comments on the chances of Yellowstone Valley prevailing in the lawsuit. Acting City Attorney Chad Parker responded that he is not certain what the report states. Regardless of that, the matter cannot be discussed because it is being litigated at this point in time. Mr. Kavulla referred to a quote from Terry Holzer. It is problematic to him that no one can cross examine a considerable body of the evidence related to the electric utility fund.

Motion carried 5-0.

Transfer B.A.S.E. funds to the Central Montana Defense Alliance. Authorized.

6. TRANSFER B.A.S.E. FUNDS TO THE CENTRAL MONTANA DEFENSE ALLIANCE (PERATING UNDER THE GREAT FALLS AREA CHAMBER OF COMMERCE).

City Manager Gregory T. Doyon reported that in 2004 as Great Falls prepared for a Base Realignment and Closure round, it generated \$251,000 in contributions to finance efforts to support the ICBM mission at MAFB and convert the MANG flying mission to an F-15 squadron. Originally, the BRAC funds were managed by a steering committee. After the BRAC round, it was transferred to a group appointed by the Commission. On April 13, 2009, the Great Falls Area Chamber of Commerce announced the formation of the Central Montana Defense Alliance. The new Alliance will support existing organizations and mission retention and expansion in the region. The new CMDA Board is comprised of almost the same representatives of the B.A.S.E. Board. The Chamber of Commerce is asking that the remaining funds held in trust be transferred for their utilization.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission authorize the City Manager to transfer the remaining B.A.S.E. funds from the City's custody to the Great Falls Chamber of Commerce for use by the Central Montana Defense Alliance.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public. No one responded.

Motion carried 5-0.

Revolving Loan Fund Agreement between the City of Great Falls and Great Falls Development Authority. Approved.

7. REVOLVING LOAN FUND AGREEMENT BETWEEN THE CITY AND GREAT FALLS DEVELOPMENT AUTHORITY.

Fiscal Services Director Coleen Balzarini reported that the Revolving Loan Fund Agreement between the Great Falls Development Authority and the City occurs as a result of Commission action taken on August 18, 2009 authorizing the establishment of a revolving loan fund in the amount of

\$300,000. The source of this funding is the surplus funds from the now sunsetted tax increment district downtown. The agreement sets forth the terms and conditions under which the City will convey the \$300,000 over to the Development Authority for administration of the loan funds, as well as the requirements of the Development Authority.

Commissioner Beecher moved, seconded by Commissioner Bronson, that the City Commission approve the Revolving Loan Fund Agreement between the City of Great Falls and Great Falls Development Authority and authorize the City Manager to execute the Agreement.

Mayor Stebbins asked if there was any discussion amongst the Commissioners. No one responded.

Mayor Stebbins asked if there were any inquiries from the public.

Daniel Dust, 1401 5th Avenue South, commented that he is the owner of Big Sky Sign Service. He expressed disappointment with the Community Development department and doesn't believe money should be going to GFDA until the enforcement issues are straightened out.

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

Res. 9873. Adopted.

8. RESOLUTION 9873, TO LEVY AND ASSESS THE COST OF REMOVAL AND DISPOSAL OF NUISANCE WEEDS ON PROPERTY ADDRESSED AS 2217 7TH AVENUE NORTH.

Fiscal Services Director Coleen Balzarini reported that typically there is an annual resolution to levy and assess properties for removal and disposal of nuisance weeds. In this particular instance, the property is for sale and the only way to attach the assessment and make it an obligation of the property is by approving this assessment. At the time of the sale of the property, the cost will be recovered.

Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9873.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public. No one responded.

Motion carried 5-0.

**Consent Agenda.
Approved.**

CONSENT AGENDA

9. Minutes, December 1, 2009, Commission meeting.
10. Total expenditures of \$1,380,917 for the period of November 19 through December 9, 2009, to include claims over \$5,000, in the amount of \$1,085,158.
11. Contracts list.
12. Approve final payment for the 3rd, 4th and 5th Avenues North water main replacement to Phillips Construction, LLC, and the State Miscellaneous Tax Fund in the amount of \$7,043.32. **OF 1571**
13. Approve Change Order No. 1 in the amount of \$1,950.11 and final payment in the amount of \$13,261.16 to James Talcott Construction, Inc. and the State Miscellaneous Tax Fund in the amount of \$133.95 for the Water Treatment Plant Backwash Clarifier modifications. **OF 1519.3**
14. Approve Change Order No. 1 in the amount of \$56,072.81 and final payment in the amount of \$71,956.43 to ABC Roofing and the State Miscellaneous Tax Fund in the amount of \$726.83 for the Civic Center re-roof project. **OF 1525.1**

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission approve the Consent Agenda as presented.

Mayor Stebbins asked if there was any discussion amongst the Commissioners. No one responded.

Mayor Stebbins asked if there were any inquiries from the public.

Ron Gessaman, 1006 36th Avenue NE, requested an explanation for Item 10, payment #1 to Dorsey & Whitney for bond counsel services. Fiscal Services Director Coleen Balzarini responded that, at the time the HGS coal fired facility was no longer being considered for construction, the terms of the agreement with Dorsey & Whitney activated the need to repay. It will now be expensed out for the next 24 months.

Mr. Gessaman referred to the final payment made to Burns & McDonnell. He commented that several key specific deliverables were not addressed in their report and doesn't believe the payment is justified.

Motion carried 5-0.

BOARDS & COMMISSIONS

John Harding, Ron Kinder and William Roberts reappointed to the Great Falls Planning

15. REAPPOINTMENTS, GREAT FALLS PLANNING ADVISORY BOARD.

Commissioner Bronson moved, seconded by Commissioners Beecher

Advisory Board.

and Rosenbaum, that the City Commission reappoint John Harding, Ron Kinder and William Roberts to the Great Falls Planning Advisory Board for three-year terms through December 31, 2012.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public. No one responded.

Motion carried 5-0.

Rick Tryon reappointed and Jennifer Fritz and Michelle Marra appointed to the Mansfield Center for the Performing Arts Advisory Board.

16. APPOINTMENTS, MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission reappoint Rick Tryon to a three-year term through December 31, 2012, and appoint Jennifer Fritz and Michelle Marra to three-year terms beginning January 1, 2010, through December 31, 2012, to the Mansfield Center for the Performing Arts Advisory Board.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public. No one responded.

Motion carried 5-0.

Russell Motschenbacher reappointed and Charlie Bruckner, Richard G. Kavulla and William (Bill) Ramsey appointed to the Park and Recreation Board.

17. REAPPOINTMENTS, PARK AND RECREATION BOARD.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission reappoint Russell Motschenbacher for a three-year term through December 31, 2012, and appoint Charlie Bruckner, Richard G. Kavulla and William (Bill) Ramsey for three-year terms beginning January 1, 2010, through December 31, 2012, to the Park and Recreation Board.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public. No one responded.

Motion carried 5-0.

Ted Barnes appointed to the Police Commission.

18. APPOINTMENT, POLICE COMMISSION.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission appoint Ted Barnes to the Police Commission to fill the remainder of a three-year term beginning January 1, 2010, through June 30, 2012.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public. No one responded.

Motion carried 5-0.

Lee Ebeling and George Golie reappointed to the Electric City Power Board of Directors.

19. REAPPOINTMENTS, ELECTRIC CITY POWER BOARD OF DIRECTORS.

Commissioner Bronson moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission reappoint Lee Ebeling and George Golie to the Electric City Power Board of Directors for six-year terms through December 31, 2015.

Mayor Stebbins asked if there was any discussion amongst the Commissioners.

Commissioner Jolley commented that she was not going to vote for reappointments and would urge the Commission to, alternatively, re-advertise.

Mayor Stebbins asked if there were any inquiries from the public.

Richard Liebert, 289 Boston Coulee Road, read a portion of Resolution 9484. Mr. Liebert suggested that a six year appointment is too long and inappropriate. He discussed the recommendations of the consultants and that appointments now would hamper the efforts of the new commission. Mr. Liebert believes the ECP Board to be ineffective to date.

Travis Kavulla, 725 49th Street South, believes it would be wise to table this item. Mr. Kavulla noted that the Commission has deferred all other ECP related business until the new commission is seated. He also thinks there should be more diversity of opinion on the Board.

Jeff Monheim, 3709 20th Avenue South, requested that the Commission table this item for the new commission to consider these appointments in January.

Aart Dolman, 3016 Central Avenue, referred to the last Commission meeting and noted that acceptance or rejection of the Burns & McDonnell report was deferred until the January meeting; the same issue was discussed at the last ECP Board meeting. Board appointments are premature until the recommendations of the consultants are considered.

Roger Norgaard, 221 Glenwood Court, questioned the wisdom of reappointing Mr. Golie and Mr. Eberling to the ECP Board. He believes the voters of Great Falls have spoken for change and these appointments should be left to the new commission. The consultants' report first needs to be looked at by an unbiased panel.

Neil Taylor, 3417 4th Avenue South, highly recommended that this item be deferred to the new commission, as all other recent ECP business has been.

Larry Rezendes, 2208 1st Avenue North, commented that he is a CPA and that he hasn't seen the ECP Board do anything that he would expect a profit making entity to do. Given the problems of ECP, he doesn't believe the current ECP Board has fulfilled its responsibilities.

Michael Winters, 2609 6th Street NW, commended the Commission for its years of service to the community. Mr. Winters respectfully requested that the reappointments be tabled until the new commission is seated based on the reality of a six year appointment. He provided an example that if three mayors chose to serve one term, there would be the continuity of the ECP Board greater than the City Commission.

Ron Gessaman, 1006 36th Avenue NE, believes these appointments should be tabled until the next commission is seated and until the Burns & McDonnell report is considered. Mr. Gessaman noted that, since all persons were eligible and interested in reappointment, the appointments were made this evening without readvertising. He suggested that the next commission adopt a policy that no reappointments be made without members reapplying.

Daniel Dust, 1401 5th Avenue South, discussed a negative situation he experienced when applying for the Sign Board.

Fred Burow, 1926 21st Avenue South, requested that the Commission table this matter until the next meeting. He explained that the incoming mayor and commissioners need to first work through the recommendations of the Burns & McDonnell report.

John Hubbard, 615 7th Avenue South, commented that the Commission shouldn't reappoint people that already lost the City money.

Commissioner Bronson commented that the only issue before this body is the appointment of two individuals to a Board. The question of whether or not the Commission decides to continue with Electric City Power is a different issue. He sees no harm in reappointing two qualified individuals to sit on the ECP Board for however long the Board continues to exist.

Commissioner Rosenbaum and Mayor Stebbins concurred.

Motion carried 4-1 (Commissioner Jolley dissenting).

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

CITY MANAGER

21. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Gregory T. Doyon thanked all of the individuals that worked on the Comprehensive Annual Financial Report. Mr. Doyon told Mayor Stebbins and Commissioners Beecher and Rosenbaum that it has been a pleasure serving them. He wished them well. Mr. Doyon noted that this was also the last meeting of two senior department heads. He expressed a heartfelt thank you to Mike Rattray and Cheryl Patton for their years of service and dedication to the City of Great Falls.

Mayor Stebbins read Resolutions of Commendation, Appreciation and Gratitude to Michael R. Rattray and Cheryl Patton.

Sheila Rice also discussed Ms. Patton's 30 years of service and presented her with The Neighbor Works of America Certificate of Appreciation for Outstanding Service to the Community Development Field Award.

Ms. Patton expressed that this has been an incredible career. She thanked all five City Managers that she has worked for, as well as Mayor Stebbins and the other 10 Mayors that she has served. She commended the City Commissions for giving unselfishly to benefit this community. Ms. Patton also thanked the other 480 public employees that work to make this community a great place to live.

PETITIONS AND COMMUNICATIONS

22. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Stebbins opened the meeting to Petitions and Communications.

Sign Ordinance.

22A. Daniel Dust, 1401 5th Avenue South, discussed an electrical inspection on an Old Navy sign 10 years ago. Mr. Dust also commented that there is an unsafe sign that needs to come down on 10th Avenue South.

ECP.

22B. Larry Rezendes, 2208 1st Avenue North, commented that he is a CPA. He discussed the potential shut down of Electric City Power and the potential for claims that would come into dispute, and the water credits and amounts recoverable from SME. With regard to the CAFR and Electric City Power, Mr. Rezendes emphasized that a special emphasis is not an audit.

PSC fine against ECP.

22C. Ron Gessaman, 1006 36th Avenue NE, discussed the PSC fine against Electric City Power for failing to have adequate renewable resources. He commented that ECP customers will ultimately pay the fine and that the city of Great Falls is the fifth largest ECP customer. He suggested the fine be contributed from City staff instead of taxpayers.

Incoming Commission.

22D. Michael Winters, 2609 6th Street NW, pointed out that the only thing the Commission done this evening by appointing two representatives to the ECP Board was give the impression that it is going to be business as

usual. He noted that the general public voted for change. He concluded that it isn't going to be business as usual with the next Commission.

Ordinances, lawsuits and accountability.

22E. John Hubbard, 615 7th Avenue South, discussed several City ordinances, ECP and HGS. Mr. Hubbard commented that for Christmas he is drafting his own lawsuit against the Weissman's. He also believes there should be an accountability law for all forms of government. Mr. Hubbard hopes the complexion of City government is a change for the good.

Positive events of this year.

22F. Karen Grove, 1816 1st Avenue North, reflected on events of this year. She reminded everyone that, because of the hard work of Neighbor Works, city of Great Falls and this community, there are several low income families in great houses that they helped build. Ms. Grove also discussed 10 people that she knows that had tragedies happen to them this year and how the generous people of this community came to their aid. Ending on a positive note, Ms. Grove commented "God Bless America, God Bless the city of Great Falls, God Bless the hard working people that keep the city running and the people that voice their opinions."

CITY COMMISSION

23. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Bronson recognized the departing Commissioners and Mayor and presented each with a plaque of appreciation. He spoke personal and kind words about how each one uniquely contributed to the City Commission and the city of Great Falls for the betterment of the community.

ADJOURNMENT

Adjourn.

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the regular meeting of December 15, 2009, be adjourned at 10:35 p.m., in honor of Assistant City Manager Cheryl Patton.**

Motion carried 5-0.

Mayor Winters

City Clerk

Minutes Approved: January 5, 2009



ITEM: \$5,000 Report
 Invoices and Claims in Excess of \$5,000

PRESENTED BY: Fiscal Services Director

ACTION REQUESTED: Approval with Consent Agenda

TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$5000:

MASTER ACCOUNT CHECK RUN FOR DECEMBER 16, 2009	1,008,346.64
MASTER ACCOUNT CHECK RUN FOR DECEMBER 23, 2009	434,366.07
MASTER ACCOUNT CHECK RUN FOR DECEMBER 30, 2009	318,750.86
MUNICIPAL COURT ACCOUNT CHECK RUN FOR DECEMBER 9, 2009 TO DECEMBER 15, 2009	42,397.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR DECEMBER 16, 2009 TO DECEMBER 23, 2009	2,031.00
WIRE TRANSFERS FROM DECEMBER 10, 2009 TO DECEMBER 16, 2009	983,835.08
WIRE TRANSFERS FROM DECEMBER 17, 2009 TO DECEMBER 30, 2009	<u>1,276,734.52</u>
TOTAL: \$	<u><u>4,066,461.17</u></u>

GENERAL FUND

CITY COMMISSION

CASCADE COUNTY ELECTION DEPT	2009 MUNICIPAL GENERAL ELECTION	39,741.04
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LEGAL

PREFERRED OFFICE EQUIPMENT	COPIER & 1 YR MAINTENANCE AGREEMENT	5,858.00
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FIRE

ZOLL MEDICAL CORP	ZOLL DEFIB UNIT	14,049.85
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SPECIAL REVENUE FUND

STREET DISTRICT

GREAT FALLS REDI-MIX INC	CITY ASPHALT	5,034.72
GTF INTERNATIONAL AIRPORT	1ST HALF STREET ASSESSMENTS 2009	18,139.89
UNITED MATERIALS	PMT #3 5TH AVE S & 13TH AVE S RECONSTRUCTION	7,051.86
GREAT FALLS REDI-MIX INC	CITY ASPHALT	7,442.81

FEDERAL BLOCK GRANTS

KALEX CONSTRUCTION & DEVELOP	PMT 2 LABOR FOR DOOR & WINDOW REPLACEMENT WEST CENTER FOR MENTAL HEALTH CDBG PROJECT	5,718.00
GREAT FALLS SAND & GRAVEL	PMT #2 2009 CDBG SIDEWALK REPLACEMENT	65,569.03
NEIGHBORWORKS	ACQUISITION OF FORECLOSED PROPERTY 739 33B AVE NE	140,146.03
HANDS PROGRAM	NOV 2009 SCHOLARSHIPS	7,389.44
AGENCY ON AGING	PURCHASE FOOD FOR HOME DELIVERY MEAL PROGRAM	7,533.39
DAVID KUGLIN	PAYMENT #4 2009 CDBG HANDICAP RAMPS (SPLIT AMONG FUNDS)	3,234.15
KROPF CONCRETE	SIDEWALK & HANDICAP RAMPS AT 1429 1ST AVE NW	5,032.00

HOME GRANTS

NEIGHBORWORKS	DRAWDOWN 2 DOWN PMT ASSISTANCE	14,959.12
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DEBT SERVICE**SOCCER PARK BONDS**

US BANK NA	GENERAL OBLIGATION BOND SERIES 2004	42,693.75
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SWIM POOL REHAB GO BOND

US BANK NA	GENERAL OBLIGATION BOND SERIES 2007	38,100.00
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CAPITAL PROJECTS**GENERAL CAPITAL**

INTERMOUNTAIN TRAFFIC LLC	LED TRAFFIC LIGHTS	45,936.84
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ENTERPRISE FUNDS**WATER**

UNITED MATERIALS	PMT 2 7TH & 8TH AVE S WMR (SRF) REPLACEMENT OF PORTIONS OF WATER SYSTEM	347,381.19
JAMES TALCOTT CONSTRUCTION INC	FINAL PMT WTP BACK WASH CLARIFIER & SCREENING SYSTEM MODIFICATIONS	13,261.16
INDUSTRIAL AUTOMATION CONSULTING	WATER TREATMENT DATA HISTORIAN UPGRADE	7,755.38
PHILLIPS CONSTRUCTION	FINAL PMT 3RD, 4TH, 5TH AVE N WMR	6,972.89
HD SUPPLY WATERWORKS	WATER MAIN REPAIR PARTS	12,990.03
PARADISE FENCING & CONSTRUCTION	PMT 2 WTP FENCING, IRRIGATION, AND LIGHTING	31,336.73
US BANK NA	DEBT SERV PMT WRF-1024	110,080.00
US BANK NA	DEBT SERV PMT WRF-09125	98,473.88
US BANK NA	DEBT SERV PMT WRF-10152	8,524.52

SEWER

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	237,651.09
VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	12,500.00
PHILLIPS CONSTRUCTION	PMT 1 GORE HILL SANITARY SEWER RELOCATION	51,257.75
NCI ENGINEERING	PMT 17 LIFT STATION & WTP REHAB PROJ	6,750.00
DICK ANDERSON CONSTRUCTION	PMT 3 GFWWTP AND LIFT STATION IMPROVEMENTS	13,402.12
US BANK NA	DEBT SERV PMT SRF-02089	409,740.00
US BANK NA	DEBT SERV PMT SRF-10198	6,384.84

STORM DRAIN

DAVE KUGLIN	PAYMENT #4 2009 CDBG HANDICAP RAMPS (SPLIT AMONG FUNDS)	2,225.25
DAVE KUGLIN	PMT #4 22ND ST S STORM DRAIN EXT.	6,435.00
US BANK NA	DEBT SERV PMT SRF-04121	157,381.25
US BANK NA	STORM DRAIN SYSTEM BOND SERIES 2003	200,496.25

ELECTRIC

SOUTHERN	PMT OF ENERGY SUPPLY EXPENSE NOV 09	129,776.18
	CASH ON DEPOSIT NOV 09	23,813.47
SOUTHERN	PMT OF ENERGY SUPPLY EXPENSE NOV 09	650,000.00
FIRST INTERSTATE BANK	GENERAL OBLIGATION DEBT	72,835.12

PARKING

APCOA/STANDARD PARKING	JANUARY 2010 COMPENSATION	23,962.58
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INTERNAL SERVICES FUND**HEALTH & BENEFITS**

BLUE CROSS/BLUE SHIELD	HEALTH INS CLAIMS DECEMBER 8-14, 2009	132,510.22
BLUE CROSS/BLUE SHIELD	ADMINISTRATION & REINSURANCE DEC '09	47,735.21
BLUE CROSS/BLUE SHIELD	HEALTH INS CLAIMS DECEMBER 15-21, 2009	96,981.94

FISCAL SERVICES

JUNKERMIER CLARK CAMPANELLA & STEVENS	PMT #2 AUDIT SERVICES FOR 2009	10,000.00
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INFORMATION TECHNOLOGY

HEWLETT PACKARD	DL180 G6 SRVBELT FOR OFFSITE REDUNDANCY	6,560.00
HEWLETT PACKARD	STORAGEWORKS MSA200 & MSA2312 DRIVES AND 2 DL380 G6 DRIVES	40,812.00

CENTRAL GARAGE

MOUNTAIN VIEW CO-OP	FUEL	17,467.10
MACHINERY POWER & EQUIPMENT	NEW SULLAIR 185 DLQ-CAT AIR COMPRESSOR	12,300.00
MOUNTAIN VIEW CO-OP	FUEL	15,148.77

CC FACILITY SERVICES

ABC ROOFING	FINAL PAYMENT RE-ROOF CIVIC CENTER	71,956.43
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TRUST AND AGENCY**COURT TRUST MUNICIPAL COURT**

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	39,737.00
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ULRRWSD AGENCY PHASE I

US BANK NA	DEBT SERV PMT WRF-06088	12,407.50
US BANK NA	DEBT SERV PMT SRF-08169	8,400.00

ULRRWSD AGENCY PHASE II

US BANK NA	DEBT SERV PMT WRF-09143	9,604.27
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UTILITY BILLS

ENERGY WEST RESOURCES INC	NOVEMBER 2009 CHARGES	40,612.37
MONTANA WASTE SYSTEMS INC	LANDFILL FEES FOR NOVEMBER 2009	64,962.41
QWEST	DECEMBER 2009 CHARGES DISPATCH	5,930.04

CLAIMS OVER \$5000 TOTAL:\$ 3,748,141.86

CITY OF GREAT FALLS, MONTANA

AGENDA: 11

COMMUNICATION TO THE CITY COMMISSION

DATE: January 5, 2010

ITEM: CONTRACT LIST
Itemizing contracts not otherwise approved or ratified by City Commission Action
(Listed contracts are available for inspection in the City Clerk's Office.)

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR'S SIGNATURE: _____

CONTRACT LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	FUND	AMOUNT	PURPOSE
A	Public Works	Stockman Bank of Montana	12/2009 thru Indefinite	None	None	Easement to install a fire hydrant and waterline on Stockman Bank property during the Montana Department of Transportation's reconstruction of 10 th Ave. South (Lot 14A, Blk 807, Great Falls 11 th Addition on 10 th Avenue South – S18 T20N R4E) OF 1447

B	Public Works	MDT BNSF	Perpetual	Street/Traffic	\$1,500 (inclusive of costs and labor)	Grade Crossing Signals Tri-Party Agreement RR Xing Bay Drive – GTF STPRP 7(44), [5807] Agreement to install signals OF 1593
C	Public Works and Community Development	Thomas, Dean & Hoskins, Inc.	12/2009 thru 2/2010	Economic Development Revolving	\$3,200	Engineering services agreement for a Minor Subdivision Plat for the old FAA building parcel along Airport Drive
D	Park and Recreation	Riverside Little League Association	1/2010 thru 12/2014	100-0000-346- 4029	\$250/year	Use Permit for Little League Complex

**CITY OF GREAT FALLS, MONTANA
COMMUNICATION TO THE CITY COMMISSION**

**AGENDA: 12
DATE: January 5, 2010**

ITEM: GRANT LIST
Itemizing grants not otherwise approved or ratified by City Commission Action
(Listed grants are available for inspection in the City Clerk’s Office.)

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Grants through the Consent Agenda

MAYOR’S SIGNATURE: _____

GRANTS

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	GRANT AMOUNT REQUESTED	CITY MATCH (INCLUDE FUND MATCH TO BE PAID OUT OF)	PURPOSE
A	Great Falls Police Department	Montana Board of Crime Control Department of Justice P.O. Box 201408 Helena, MT 59620	07/01/2010 – 06/30/2011	\$79,977	N/A	Enforcing Underage Drinking Laws (EUDL) grant application to target and reduce underage drinking and alcohol related incidents within Great Falls and the surrounding community (including personnel, contracted services, PSA’s,

						web site upkeep, travel equipment, operating expenses, training room rental and alcohol free events (RFP number per Justice Bulletin #10-01).
B	Great Falls Fire Rescue	Department of Military Affairs, Disaster & Emergency Services Division, State of Montana, P.O. Box 4789, Fort Harrison, MT 59636-4789	10/01/2009 – 09/30/2010	\$26,900	\$6,725 (Soft match funds, wages and backfill, to be paid by State Hazardous Materials Response Team funds.)	FY2010 USDOT-HMEP Training Grant for Hazmat Technician Training.
C	Great Falls Fire Rescue	Department of Military Affairs, Disaster & Emergency Services Division, State of Montana, P.O. Box 4789, Fort Harrison, MT 59636-4789	10/01/2009 – 09/30/2010	\$9,575	\$2,394 (Soft match funds, wages and backfill, to be paid by State Hazardous Materials Response Team funds.)	FY2010 USDOT-HMEP Training Grant for Hazmat Continuing Challenge Training.

**CITY OF GREAT FALLS, MONTANA
COMMUNICATION TO THE CITY COMMISSION**

**AGENDA: 13
DATE: January 5, 2010**

ITEM: LIEN RELEASE LIST
Itemizing liens not otherwise approved or ratified by City Commission Action
(Listed liens are available for inspection in the City Clerk’s Office.)

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Lien Releases through the Consent Agenda

MAYOR’S SIGNATURE: _____

LIEN RELEASES

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	FUND	AMOUNT	PURPOSE
A	Fiscal Services	Property Owner – William A. Hightower	Current	513-3165-532-3599	\$335.61	Partial Release of Resolution #9860 for Unpaid Utility Services located at 2708 Jasper Road, Lot 3, Block 23, Bel View Palisades Addition. Parcel #429856

B	Fiscal Services	Property Owner – William A. Hightower	Current	237-3131-532-3599	\$200.00	Partial Release of Resolution #9861 for Assessing the Cost of Removal and Disposal of Nuisance Weeds at 2708 Jasper Road, Lot 3, Bock 23, Bel View Palisades. Parcel #429856
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Item: Final Payment – Water Treatment Plant Headhouse Floor Replacement, O. F. 1332.6

From: Engineering Division

Initiated By: Public Works Department

Presented By: Jim Rearden, Public Works Director

Action Requested: Approve Final Pay Request

Suggested Motion:

1. Commissioner moves:

“I move the City Commission approve Final Payment for the Water Treatment Plant Headhouse Floor Replacement, O. F. 1332.6 in the amount of \$8,064.24 to Dick Anderson Construction, Inc., and \$81.46 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls for the vote.

Staff Recommendation: Approve final payment request.

Background:

Significant Impacts

This project replaced the concrete floor in the Water Plant’s headhouse and constructed a secondary containment system for the plant’s three alum chemical tanks.

Workload Impacts

Thomas, Dean & Hoskins, Inc. (TDH) completed the project design and performed construction inspection and contract administration duties. City engineering and water treatment plant staff assisted with project administration duties.

Purpose

This is one of a series of projects to construct operational improvements at the Water Plant. During a previous construction project, the concrete floor in the Water Plant’s headhouse was found to be in very poor condition. An initial attempt to chip away the deteriorated surface and then install a new concrete surface found that the entire depth of the floor was structurally unsound. The headhouse contains one of the plant’s three alum tanks used for

water treatment and various electrical equipment needed for plant operations. Under an engineering contract, TDH evaluated the floor and determined that total replacement would be the best option. Once replaced, the area would be usable again for storage plus resolve future safety and structural problems. Along with the new floor, a secondary containment system was installed. This containment system will protect against any chemical leaks or spills from the four alum tanks located on the upper floor of the headhouse. This containment is a Montana Department of Environmental Quality (DEQ) requirement.

Project Work Scope

Approximately 1600 square feet of existing 8-inch thick reinforced concrete flooring was demolished along with the supporting beams, and a new 8-inch floor with support beams was poured back. All columns located on the main floor and basement of the headhouse building were reinforced with steel as well. The work was completed while keeping Water Plant operations up and running. Work was completed in the winter months because of lower water demands during that period of time. The secondary containment system involved installing a water proof curb around all three alum chemical tanks in the headhouse and connecting to a drain that feeds to a new overflow tank located outside of the headhouse.

Evaluation and Selection Process

Two bids were received and opened for this project on October 22, 2008. Dick Anderson Construction submitted the low bid of \$544,450 and the City Commission awarded the contract November 4, 2008. Change Order No. 1 was approved April 21, 2009 for the amount of \$5,000.00 which involved coating the underside of the new floor with an epoxy based paint. Change Order No. 2 was approved June 2, 2009 for the amount of \$57,832.50 and involved installing a new liner in an alum tank and reinforcing columns in the headhouse building that had begun showing signs of weakened concrete. The final contract value is \$607,282.50.

Conclusion

City staff with TDH's concurrence has verified that Dick Anderson Construction, Inc has completed all work and punch list items in accordance with the plans and contract. The City can accept the project and execute the Final Payment. The project was completed within the contract time. The two year warranty period started at the time of substantial completion which was April 14, 2009. The delay between substantial completion and final pay was due to punch list items only recently completed by the contractor.

Concurrences:

TDH recommends approving the final pay.

Fiscal Impact:

Funding for this project came from the Water Capital Fund.

Alternatives:

The City Commission could vote to deny Final Pay

Attachments/Exhibits:

1. Application for Final Payment is attached. (Not available online; on file in City Clerk's Office)



Item: Trail Easement – Bay Drive Trail Phase II; O. F. 1126.9
From: Planning Department
Initiated By: Trails Working Group
Presented By: Mike Haynes, City Planning Director
Action Requested: City Commission approve purchase of trail easement

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/deny) the purchase of a trail easement from Holman Grain for the extension of River’s Edge Trail.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls the vote.

Staff Recommendation: That the Commission concur in staff’s recommendation to purchase a trail easement from Holman Grain for the extension of River’s Edge Trail.

Background: \$744,000 in American Recovery and Reinvestment Act (ARRA) funds will be used to construct the second phase of the Bay Drive Trail extension of River’s Edge Trail. Phase II will extend from West Bank Park southward under the Weissman Memorial Bridge and the Central Avenue West (George Shanley) Bridge, connecting with the first phase of the Bay Drive Trail segment just north of the Montana Electrical Cooperatives Association building.

This trail segment is largely on an existing trail easement over property owned by Holman Grain (Ken Holman). However, a small portion (approximately 55 square feet) of additional easement is needed to transition from the high ground next to the former Holman Interiors building to the lower ground underneath the Central Avenue West Bridge. The additional easement would be added to the existing trail easement.

The property owner has agreed to sell the additional easement to the City of Great Falls for a fee of \$1,511.65. The purchase fee would be donated by Recreational Trails, Inc. (RTI).

Concurrences: The Trails Working Group, Park and Recreation Department and Recreational Trails, Inc. support the additional easement acquisition, and the City Commission has previously approved actions forwarding the development of the Bay Drive Trail projects. The most recent City Commission action was on October 20, 2009, approving an agreement with the Montana Department Transportation for the use of ARRA funds for the Bay Drive Trail Phase II project.

The City Attorney’s Office has reviewed the easement and concurs in the language and conditions.

Fiscal Impact: There would be no fiscal impact to the City, other than staff time to process the easement and a minor filing fee. Recreational Trails, Inc. has agreed to provide the \$1,511.65 purchase price.

Alternatives: The City Commission could alternatively deny acceptance of the easement. However, denial could delay the project and could result in the loss of \$744,000 in federal recovery act dollars.

Attachment: 1) Easement Agreement

EASEMENT AGREEMENT

THIS INDENTURE, is made by and between Holman Grain, 154 East Portage Road, Floweree, MT 59440 (“Transferor”) and the City of Great Falls, a municipal corporation of the State of Montana, Cascade County, Montana (“Transferee”).

WHEREAS, the Transferor owns the following real property lying and being in the City of Great Falls, Cascade County, Montana, more particularly described as follows:

A tract of land being Certificate of Survey No. 1091 as filed in the records of the Cascade County Clerk & Recorders Office, located in Government Lots 2 and 3, Section 11, Township 20 North, Range 3 East, P.M.M., City of Great Falls, Cascade County, Montana (“the Property”).

WHEREAS, Transferee owns a bicycle and pedestrian trail easement across the Property, as recorded in Reel 147, Document 1383 in the Cascade County Courthouse, Great Falls, Cascade County, Montana (“Existing Trail Easement”); and,

WHEREAS, Transferee desires to construct a formal trail across the Existing Trail Easement; and,

WHEREAS, the Existing Trail Easement must be expanded to accommodate safe pedestrian and bicycle travel and use; and,

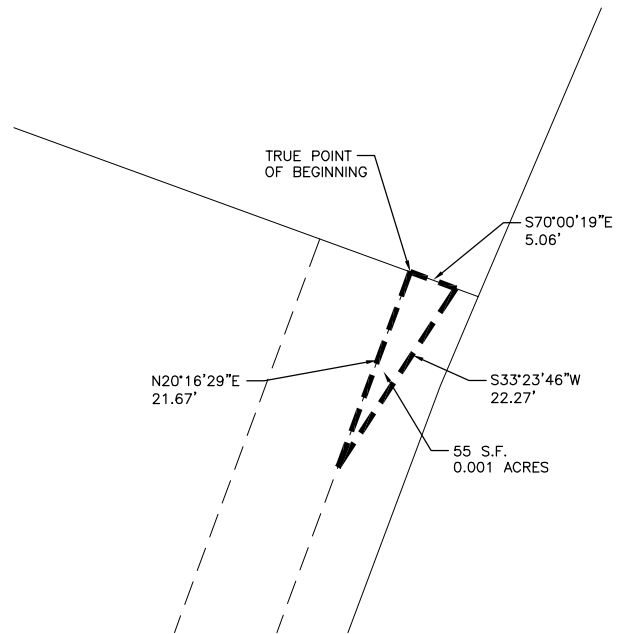
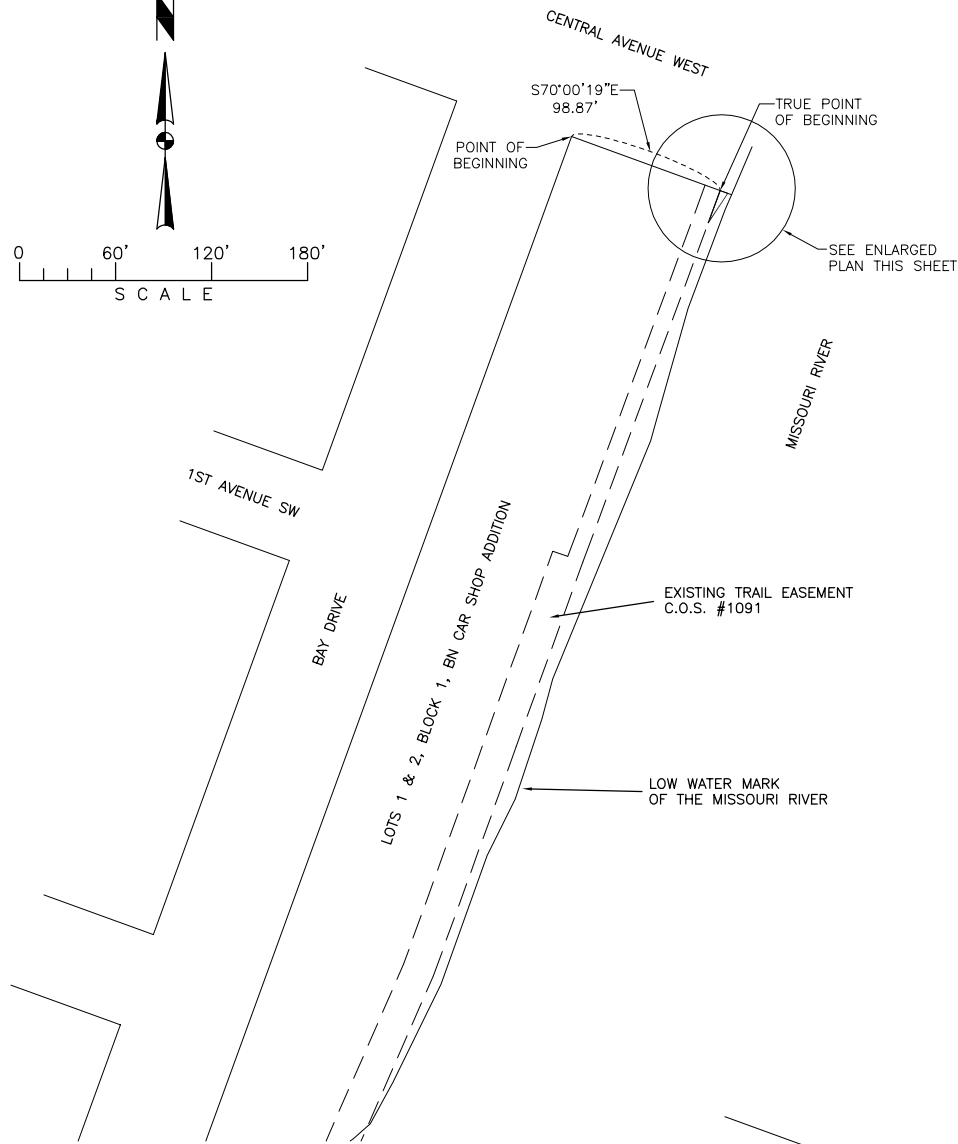
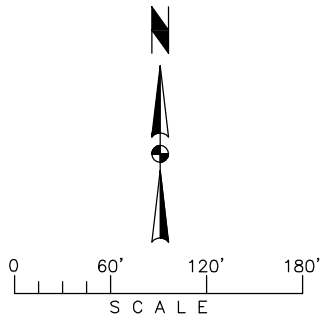
NOW, THEREFORE, the parties agree as follows:

1. **Grant of Easement.** In consideration of the amount of **one thousand, five hundred eleven dollars and sixty-five cents, (\$1,511.65)**, Transferor hereby conveys, transfers, and grants unto Transferee, its successors and assigns a perpetual public Right-of-way and Easement (“the Easement”) for the construction, operation, maintenance, repair, and use of a trail for pedestrian and bicycle traffic, together with all necessary appurtenances thereto, on, over, through and across the real property hereinafter described. The metes and bounds of the Easement herein granted is described as follows and shown on Exhibit “A” attached hereto:

An easement located in a tract described on Certificate of Survey No. 1091 as filed in the records of the Cascade County Clerk & Records Office, being in Government Lot 2, Section 11, Township 20 North, Range 3 East, P.M.M., City of Great Falls, Cascade County, Montana, and being more particularly described as follows:

Beginning at the Southeast right-of-way intersection of Central Avenue West and Bay Drive; thence South 70°00'19" East along the Southerly right-of-way of Central Avenue West, a distance of 98.87 feet to the True Point of Beginning; thence South 70°00'19" East along said Southerly right-of-way, a distance of 5.06 feet; thence South 33°23'46" West, a distance of 22.27 feet; thence North 20°16'29" East, a distance of 21.67 feet to the True Point of Beginning and containing an area of 55 square feet.

2. **Removal.** In the event that said trail shall cease to be used for said purpose, this easement shall become null and void, and full title, possession, and use of above-described property shall revert to the Transferor. The Transferee shall have a reasonable time thereafter to remove and repossess such improvements as it desires unless such removal is specifically waived by the Transferor.
3. **Indemnification.** The City shall indemnify and hold harmless Transferor from any and all claims, demands and liability arising out of existence of the pedestrian and bicycle trail within the Easement.
4. **Easement to Run with the Land.** The grant of Easement contained herein shall run with the land and shall be binding upon and shall inure to the benefit of the City and its successors and assigns.
5. **Merger.** The foregoing writing contains the entire agreement of the parties, and, with the exclusion of the Exhibit identified herein as Exhibit "A," and attached hereto, no other oral or written agreements shall be used to interpret the meaning of its terms.
6. **Condition Precedent:** The grant of easement contained herein is conditioned upon Transferee's construction of storm drain improvements on real property owned by Transferor, such improvements to be constructed in conformance with the Civil Drawings for City of Great Falls titled, "Bay Drive Bike/Ped Path – Phase Two", City Office File 1126.9.



ENLARGED PLAN



EXHIBIT "A"
GREAT FALLS, MONTANA

RIGHT-OF-WAY EASEMENT
PEDESTRIAN AND BICYCLE TRAIL



THOMAS, DEAN & HOSKINS, INC.
ENGINEERING CONSULTANTS

GREAT FALLS—BOZEMAN—KALISPELL
 SPOKANE
 LEWISTON

MONTANA
 WASHINGTON
 IDAHO

DRAWN BY: DRK	DATE: 09-10-09
DESIGNED BY:	JOB NO. 07-149
QUALITY CHECK: JPJ	CAD NO. 07-149-exhibit a1.DWG

SHEET 1



Item: FWP Agreement – Bay Drive Trail Phase II; O. F. 1126.9

From: Planning Department

Initiated By: Trails Working Group

Presented By: Mike Haynes, Planning Director

Action Requested: City Commission approve Mitigation Agreement with Montana Dept. of Fish, Wildlife & Parks

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/deny) the river bank impact mitigation agreement with the Montana Department of Fish, Wildlife and Parks relating to the Bay Drive Trail Phase II project.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls the vote.

Staff Recommendation: That the Commission concur in staff’s recommendation to enter into an agreement for restoration of segments of riverbank along Elk’s Riverside Park as a condition of issuance of a Montana Stream Preservation Act 124 Permit for the Bay Drive Trail Phase II project.

Background: \$744,000 in American Recovery and Reinvestment Act (ARRA) funds will be used to construct the second phase of the Bay Drive Trail extension of River’s Edge Trail. Phase II will extend from West Bank Park southward under the Weissman Memorial Bridge and the Central Avenue West (George Shanley) Bridge, connecting with the first phase of the Bay Drive Trail segment just north of the Montana Electrical Cooperatives Association building.

To provide for safe bicycle and pedestrian movements across Central Avenue West, this segment of River’s Edge Trail will include an underpass between City owned property at West Bank Park and the City easement across property owned by Holman Grain along Bay Drive.

Due to the location of the easement the City owns across the Holman Grain parcel, and due to the need to transition from the high ground near the former Holman Interiors building and the low ground under the Central Avenue West and Weissman Memorial bridges, approximately 300 feet of riverbank must be “hard surfaced” with trail and retaining walls.

The Montana Department of Fish, Wildlife and Parks (FWP) has determined that this hard surfacing will affect fish and wildlife habitat, and this impact must be mitigated. As a condition for issuing a Montana Stream Preservation Act 124 Permit and allowing construction of the Trail segment, FWP requires the City and its trail-development partner, Recreational Trails, Inc. (RTI) to restore a nearby section of river

bank to its natural state on a “1 to 1 basis”, that is, for every foot of riverbank hardened, one foot must be restored to its natural state. The segments of river bank preferred by Montana Fish, Wildlife and Parks and identified for restoration in the agreement is along a segment of Elks Riverside Park near the Hurd Tennis Courts, and are approximately 800 feet in length. However, only approximately 300 feet must be restored.

Impact: The segment of river bank identified for mitigation has numerous broken pieces of concrete, and currently provides for neither human interaction with the Missouri River, nor effective wildlife or fish habitat. Restoration of this segment will benefit both the adjoining City park and the health of the Missouri River.

The City and RTI will be allowed to proceed with development of the Bay Drive Trail Phase II project, and an unsightly section of the Missouri River will be restored. The restoration must be completed within three years of the date of the Agreement, and the City will contribute up to \$15,000 in in-kind services, while RTI will contribute up to \$15,000 in cash. Although the City’s in-kind contribution has yet to be defined, it will likely come in the form of labor and equipment time from the Public Works and Park and Recreation Departments.

Concurrences: The Trails Working Group, Park and Recreation Department and Recreational Trails, Inc. support the Agreement, and the City Public Works Department has agreed to provide in-kind services to the extent possible and appropriate. The City Commission has previously approved actions forwarding the development of the Bay Drive Trail projects. The most recent City Commission action was on October 20, 2009, approving an agreement with the Montana Department Transportation for the use of ARRA funds for the Bay Drive Trail Phase II project.

The City Attorney’s Office has reviewed the agreement and concurs in the language and conditions.

Fiscal Impact: There will be a fiscal impact of up to \$15,000 of in-kind City services, and \$15,000 in cash from RTI.

Alternatives: The City Commission could alternatively deny approval of the Agreement. However, the City would lose \$744,000 in ARRA funds due to the inability to forward the project.

Attachment: 1) Agreement

Cc: Marty Basta, Park & Recreation Director
Jim Rearden, Public Works Director

AGREEMENT

PARTIES

The Parties to this Agreement are the Montana Department of Fish, Wildlife and Parks (hereinafter referred to as "FWP"), the City of Great Falls (hereinafter referred to as "the City"), and Recreational Trails Inc. (hereinafter referred to as "RTI") located in Cascade County, Montana.

RECITALS

WHEREAS, to promote and provide healthy and safe transportation and recreational alternatives and opportunities for the citizens of Great Falls and the State of Montana, the City desires to construct Bay Drive Bike/Pedestrian Path Phase II (hereinafter "the Trail") along the immediate banks of the Missouri River; and

WHEREAS, it is the State of Montana's policy that its fish and wildlife resources and particularly the fishing waters within the state are to be protected and preserved to the end that they be available for all time, without change, in their natural existing state except as may be necessary and appropriate after due consideration of all factors involved; and

WHEREAS, the Bay Drive Bike/Pedestrian Path Phase II will permanently harden more than 300 feet of the immediate banks of the Missouri River for the life of the project; and

WHEREAS, FWP recognizes the opportunities to restore natural riparian and fish habitat in the Missouri River and other Montana waters.

THEREFORE, the Parties agree as follows:

1. Mitigation of Impacts. As one of the conditions of a Stream Preservation Act 124 Permit (hereafter "the Permit") for the Trail project, the City and RTI agree to mitigate the impacts of building the Trail along the Missouri River. Mitigation shall include both onsite and offsite mitigation. Onsite mitigation shall be accomplished by the City and RTI constructing the trail in a manner that minimizes impacts on the Missouri River and its fishery, and to the extent possible optimizes fishery habitat. Onsite mitigation voluntarily provided by the City and RTI includes softening the aesthetic impact of the Trail's concrete retaining walls by using a "dry-stacked sandstone" form liner to shape the visible walls, and by coloring those same walls to "sandstone"

color with pigmented concrete. In addition, over 350 native willows and other native shrubs will be planted to screen the completed walls and stabilize the riverbank.

Offsite mitigation shall consist of renaturalizing or restoring an equal or greater length of stream or river habitat within three years of the date of this Agreement, resulting in no net decrease of natural streambank. FWP has identified ten sites along Elks Riverside Park (ERP01 – ERP10, Exhibit 1) as its preferred locations for mitigation. These ten sites equate to over 800 linear feet of shoreline. The City's and RTI's offsite mitigation requirement would be accomplished through the City's selection of site(s) from the ten identified locations, with FWP approval, so that the one-to-one offsite mitigation obligation can be met. \$15,000 in cash from RTI and an in-kind services match of \$15,000 from the City are available to complete the off-site mitigation. It is the City's obligation to meet the one-to-one mitigation but the City will not be required to exceed the \$15,000 of in-kind services, nor will RTI be required to provide more than \$15,000 in cash. Both City and RTI will endeavor to accomplish as much shoreline mitigation as possible with these resources. Should FWP's preferred mitigation locations prove infeasible, alternate sites may be considered by FWP, the City and RTI. However, the suitability of any alternate sites for restoration must be approved by FWP.

2. Payment. As one of the required conditions of FWP in its issuance of the Stream Preservation Act 124 Permit and withdrawal of its opposition to building the Trail, RTI will authorize payment of \$15,000 to fund mitigation activities upon execution of this Agreement. FWP, the City and RTI shall mutually agree upon the mitigation projects funded from this payment. RTI's obligation under this paragraph shall be a condition of the Permit.

3. Montana Stream Preservation Act. FWP agrees that the mitigation and conditions relating thereto, as outlined in this Agreement, satisfy the mitigation requirements of the Montana Stream Preservation Act permit (GF-17-09) issued for the project dated December 1, 2009, and that no further action by the City or RTI shall be required to fulfill stipulation nine (9) for construction of the Trail.

4. In-Kind Services. The City will authorize in-kind services of \$15,000 to fund off site mitigation activities upon execution of this Agreement. FWP, the City and RTI shall mutually agree upon the mitigation projects where in-kind services are utilized as part of this Agreement. The City's obligation under this paragraph shall be a condition of the Permit.

5. Default. If either Party fails to carry out any duty or obligation resulting from this Agreement, the other Party may notify the defaulting Party of the default. The defaulting Party shall have fifteen (15) days from the date written notice of default is given to correct the default if the default is correctable. If the default is not correctable, or if the default is not initiated or corrected within fifteen (15) days of notice, then the non-defaulting party may terminate this Agreement.

6. Notice. Any notice to be given under this Agreement shall be in writing and shall either be served upon the Party personally or served by registered or certified mail, return receipt requested, directed to the Party to be served at the address of the Party set forth in this paragraph. A Party wishing to change their designated address shall do so by notifying the other Party in writing. Notice served by mail shall be deemed complete when deposited in the United States mail. Rejection or other refusal to accept notice, or the inability to deliver because of a changed address for which no notice was given, shall be deemed to be receipt of the notice.

FWP's liaison, mailing address, and phone is:

Gary Bertellotti, Regional Supervisor
Montana Fish, Wildlife & Parks
4600 Giant Springs Drive
Great Falls, MT 59405
Telephone: (406) 454-5840

The City's liaison, address, and phone is:

Andrew Finch, Senior Transportation Planner
City of Great Falls
Planning Department
PO Box 5021
Great Falls, MT 59403-5021
Telephone: (406) 455-8434

RTI's liaison, address, and phone is:

Doug Wicks
Recreational Trails, Inc.
PO Box 553
Great Falls, MT 59403-0553
Telephone: (406) 788-3313

7. Binding Effect. This Agreement shall be binding upon the heirs, personal representatives, administrators and successors of the Parties, except as provided by mutual written agreement.

8. Cooperation of Parties. The Parties agree to cooperate fully and to provide such assistance and information as may be necessary to implement this Agreement.

9. Attorney Fees and Costs. If any legal action is brought to enforce this Agreement, the prevailing party shall be entitled to recover reasonable attorney fees and costs incurred in bringing or defending such action.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this ___ day of _____, 2009.

CITY OF GREAT FALLS

MONTANA FISH WILDLIFE & PARKS

Gregory T. Doyon
City Manager

Joe Maurier
Director Montana Fish, Wildlife and Parks

RECREATIONAL TRAILS, INC.

MONTANA FISH WILDLIFE & PARKS

Approved for legal content

Doug Wicks
President

Bill Schenk
Attorney Montana Fish, Wildlife & Parks

EXHIBIT 1



SITE	LATITUDE	LONGITUDE	LENGTH (Feet)
Elks Riverside Park			
ERP01	47.51544150	-111.29974416	76
ERP02	47.51544468	-111.30014590	204
ERP03	47.51516389	-111.30081117	121
ERP04	47.51505819	-111.30133437	62
ERP05	47.51488175	-111.30182907	28
ERP06	47.51477757	-111.30212420	42
ERP07	47.51470825	-111.30238630	235
ERP08	47.51436702	-111.30371223	25
ERP09	47.51394038	-111.30444976	13
ERP10	47.51342121	-111.30508737	118



Item: Appointment, Mayor Pro-Tempore
From: Lisa Kunz, City Clerk
Initiated By: Great Falls City Commission
Presented By: Great Falls City Commission
Action Requested: Appoint Mayor Pro Tempore for a two-year term

Suggested Motion:

1. Commissioner moves:

"I move the City Commission appoint _____ to serve as Mayor Pro-Tempore, effective immediately, for a two-year term or until the City Commission has held an election.

2. Mayor calls for a second, discussion, inquiries from the public, and calls for the vote.

Background: Article III, Section 3, of the City Charter sets forth that "The Mayor Pro-Tempore shall serve in the absence of the elected mayor. The City Commissioners shall elect from among themselves a Mayor Pro-Tempore no later than one month after taking office. The Mayor-Pro Tempore shall serve a term of two years, or until the City Commission has held an election. Any vacancy in this office shall be filled by a special election among the remaining City Commissioners. Any person elected to fill such a vacancy shall serve the remaining portion of the term in which the vacancy occurred.

Current City Commissioners are:

Bill Bronson
Fred Burow
Mary Jolley
Robert Jones



Item: Great Falls Development Authority Board Appointments

From: City Staff

Initiated By: Great Falls Development Authority

Presented By: Greg Doyon, City Manager

Action Requested: Approve Board Appointments

Suggested Motion:

1. Commissioner moves:

“I move the City Commission appoint _____ and _____ as ex-officio members to the Great Falls Development Authority and appoint Greg Doyon as the staff liaison to the GFDA ”.

2. Mayor calls for a second, discussion, inquiries from the public, and calls the vote.

Staff Recommendation: Staff recommends that the City Commission appoint two members of the Commission to serve as ex-officio members of the Board of Directors of the Great Falls Development Authority and appoint Greg Doyon, City Manager as the staff liaison to the GFDA.

Background: The By-laws of the GFDA require that two members of the City Commission serve as ex-officio members to the Board of Directors of the GFDA. Mayor Dona Stebbins and Commissioner Bill Beecher had held those appointments. Neither person elected to serve again on the City Commission and, therefore, must be replaced as City Commission appointees to the GFDA.

Mike Rattray, Community Development Director has served as City staff liaison to the GFDA and has been seated as a member-at-large on the Board of Directors. Mike retired from the City of Great Falls on December 31, 2009. Therefore it will be necessary to appoint a staff liaison.

Citizen Participation

Citizens may comment during City Commission consideration of the agenda item at the meeting.

Workload Impact

The City Manager is recommending that he assume the duties of staff liaison to the GFDA. With the retirement of Mike Rattray, the City Manager will be reviewing the City’s organizational

structure to determine if efficiencies can be achieved and what if any changes should be made. In the meantime the City Manager would assume the duties of staff liaison to the GFDA.

Purpose

According to their by-laws, the purpose of the GFDA Corporation is (a) to promote, stimulate and effect economic development in Cascade County and the surrounding region; (b) forge alliances that strengthen workforce skills and recruit new workers to the Great Falls region; (c) attract investment to targeted distressed and designated growth areas of the City of Great Falls and Cascade County; (d) provide access to financing to support business and real estate development; (e) cooperate with other organizations in the development of commerce and other economic activity within the State of Montana; and, (f) support the creation, expansion, retention and relocation of new and existing businesses and industries within the State of Montana.

Fiscal Impact: For the past two fiscal years, the City has contributed \$100,000 annually to the GFDA operating budget. In addition the City has contributed tax increment funds and Community Development Block Grant Funds (CDBG) to assist with economic development efforts of the GFDA within the City of Great Falls.

CC: Brett Doney, President, Great Falls Development Authority