



# City Commission Agenda

for  
**June 19, 2007**

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**Please Note:** The City Commission agenda format allows citizens to speak on each issue prior to Commission discussion. We encourage your participation.

**CALL TO ORDER:** 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**NEIGHBORHOOD COUNCILS**

1. Miscellaneous reports and announcements.

**PUBLIC HEARINGS**

2. Res. 9660, Nuisance Abatement, 2608 1<sup>st</sup> Avenue North. Enables the City to abate the ongoing nuisance at 2608 1<sup>st</sup> Avenue North. Action: Conduct public hearing and adopt or deny Res. 9660.  
**(Presented by: Mike Rattray)**
3. Res. 9668, Vacate Segment of Sunset Road. Vacates Sunset Road between 5<sup>th</sup> Avenue SW and 20<sup>th</sup> Street SW. Action: Conduct public hearing and adopt or deny Res. 9668 subject to the applicant causing the appropriate amended plat to be prepared, executed, and filed.  
**(Presented by: Ben Rangel)**
4. Res. 9669, Engineering Division Construction Inspection Revised Fees. Action: Conduct public hearing and adopt or deny Res. 9669.  
**(Presented by: Jim Rearden)**

**OLD BUSINESS**

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

5. Res. 9652, Intent to Create Special Improvement Lighting District – City-Owned Residential Lighting No. 1308 in Eagles Crossing Phase II & Phase III – First Phase Construction. Action: Adopt Res. 9652 and set public hearing for July 17, 2007. **(Presented by: Melissa Kinzler)**

**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.

6. Minutes, June 5, 2007, Commission meeting.
7. Total Expenditures of \$1,504,912 for the period of May 25 through June 13, 2007, to include claims over \$5000, in the amount of \$1,262,338.

8. Contracts list.
9. Set public hearing for July 3, 2007, on Res. 9661, Intent to Increase Property Tax, and Res. 9662, Annual Budget Resolution.
10. Set public hearing for July 3, 2007, for the 2007/2008 Business Improvement District budget and work plan.
11. Authorize distribution of the FY 2006/2007 surplus for the Tax Increment Bond Fund.
12. Approve Housing Rehab to add a Water/Sewer program to the current loan programs.
13. Approve 2008 Agreement with the Montana Department of Transportation for Maintenance of Traffic Signals on State Routes.
14. Award bid for Asphaltic Concrete Materials to Great Falls Redi-Mix Inc. of Great Falls in the amount of \$547,900.
15. Approve Professional Services Agreement for the 9<sup>th</sup> Street Northeast Storm Drain Extension to HKM Engineering in the amount of \$19,222.
16. Award bid for the 10<sup>th</sup> Street Bridge Beautification to Liberty Electric, Inc., in the amount of \$139,500.
17. Approve purchase of new I-Series model 525 from Pacific Software of Spokane, Washington, in the amount of \$141,322.85 and any additional costs.
18. Approve addendum to the 911 Center Inter-local agreement with Cascade County.
19. Approve Extension of Animal Control/Shelter Operation Contract with the Cascade County Humane Society through June 30, 2007.

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

#### **BOARDS & COMMISSIONS**

20. Appointments, Business Improvement District. Reappoint Allison Fried and Anthony Longin for four-year terms through June 30, 2011, and appoint one new member for a four-year term beginning July 1, 2007, and expiring June 30, 2011.
21. Reappointment, Library Board. Reappoint Sheila Kelly to a five-year term through June 30, 2012.
22. Miscellaneous reports and announcements.

#### **CITY MANAGER**

23. Miscellaneous reports and announcements.

#### **CITY COMMISSION**

24. Miscellaneous reports and announcements.

#### **PETITIONS AND COMMUNICATIONS**

25. Miscellaneous reports and announcements.

#### **MOTION TO ADJOURN**

**A G E N D A   R E P O R T**

**DATE June 19, 2007**

**ITEM** Res. 9660, Nuisance Abatement, L3, B337, GF 11th Add., 2608 1<sup>st</sup> Ave N

**INITIATED BY** Community Development Department

**ACTION REQUESTED** Conduct Public Hearing and Adopt Res. 9660

**PREPARED & PRESENTED BY** Heather Rohlf, Code Enforcement

**REVIEWED & APPROVED BY** Mike Rattray, Community Development Director

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**RECOMMENDATION:**

It is recommended that the City Commission conduct the public hearing on Resolution 9660, which will enable the Community Development Department staff to hire a contractor and abate the ongoing nuisance located at 2608 1<sup>st</sup> Ave N.

**MOTION:**

I move to adopt Resolution 9660.

**SYNOPSIS:**

As prescribed by Chapter 8.49.040, a "Notice of Hearing" before the City Commission was posted on the property June 8, 2007, and published in the GREAT FALLS TRIBUNE on June 9, 2007.

**BACKGROUND**

The following action has been taken:

<u>ACTION</u>	<u>DATE</u>
Initial complaint taken by staff	7/11/2006
Initial inspection of property	7/11/2006
Letter personally served with 14 & 30 day time period	7/18/2006
Posted Notice on Property, took photographs	8/11/2006
1 <sup>st</sup> 30 day Extension given until	9/15/2006

**BACKGROUND CONTINUED**

Citations Issued for Junk Vehicle & Rubbish to Dan Laverdure	9/22/2006
Citations Issued for Junk Vehicle & Rubbish to Maria Laverdure	3/17/2007
Photographs taken	4/24/2007
Ownership and Encumbrance Report by Stewart Title	5/14/2007

ACTION

DATE

“Notice of Hearing” posted on property	6/8/2007
“Notice of Hearing” mailed certified	6/8/2007
“Notice of Hearing” published in GF Tribune	6/9/2007

RESOLUTION 9660

A RESOLUTION DETERMINING CERTAIN  
PROPERTY LOCATED AT 2608 1<sup>st</sup> Ave N, LOT 3,  
BLOCK, 337, GREAT FALLS 11<sup>th</sup> ADDITION,  
CASCADE COUNTY, MONTANA, TO BE A  
NUISANCE

\* \* \* \* \*

WHEREAS, Dan and Maria Laverdure, owner(s) of certain personal and real property located at 2608 1<sup>st</sup> Ave N, Lot 3, Block 337, Great Falls 11th Addition, Great Falls, Cascade County, Montana, was given notice pursuant to Section 8.49.040, OCCGF, of a hearing before the City Commission on June 19, 2007, wherein said property owner was ordered to show cause why the alleged property should not be declared a nuisance and abated, and

WHEREAS, City staff presented photographs of the subject premises and gave testimony regarding the following described property alleged to be a nuisance under City Code, to wit:

1. Junk Vehicle – 1987 silver Cadillac in the back yard of the property.
2. Rubbish – numerous items of rubbish and appliances around the exterior of the residence, a dilapidated shed.

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

1. That the property owner(s), Dan and Maria Laverdure, has failed to show cause why the subject property should not be declared a nuisance and abated; and
2. Staff having presented evidence of the condition of the subject property and having described the illegal and deplorable condition of the subject property, the City Commission does hereby find the same to be a nuisance pursuant to Section 8.49.050, OCCGF, and hereby directs the owner(s) to commence the abatement within ten (10) days of the date of this resolution.

3. It is further ordered that, if owner(s) fails to abate said nuisance as ordered and within the time allowed, the City is directed to take any and all steps necessary to abate the nuisance with all expenses to attach as a lien against the personal and real property owner.

4. City staff shall serve said owner(s) with a copy of this resolution by regular mail as required by Section 8.49.050, OCCGF. This order shall be in effect for a six (6) month period from date of Resolution 9660.

PASSED by the Commission of the City of Great Falls, Montana, on this 19th day of June, 2007.

\_\_\_\_\_  
Dona R. Stebbins, Mayor

ATTEST:

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
David V. Gliko, City Attorney

State of Montana        )  
County of Cascade     : ss.  
City of Great Falls    )

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9660 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 19<sup>th</sup> day of June, 2007, and approved by the Mayor of said City, on the 19th day of June, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 19th day of June, 2007.

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

Date June 8, 2007

CERTIFIED MAIL

Name: Dan and Maria Laverdure  
Address: 2608 1<sup>st</sup> Ave N  
City: Great Falls MT 59401

RE: Lot 3, Block 337, Great Falls 11th Addition  
2608 1<sup>st</sup> Ave N, Cascade County, Montana

**NOTICE OF HEARING BEFORE CITY COMMISSION OF GREAT FALLS**

The owner of the real property located at 2608 1<sup>st</sup> Ave N is hereby notified to appear before the City Commission of the City of Great Falls at its meeting to be held June 19, 2007, in the Commission Chambers, Civic Center Building, # 2 Park Drive, Great Falls, Montana, at the hour of 7:00 p.m., or as soon thereafter as he/she may be heard, and to show cause why the items listed in the City's letter of July 18, 2006, should not be declared a nuisance, the nuisance required to be abated by removal and the cost thereof charged to the owner.

The items listed are:

1. Junk Vehicle – 1987 silver Cadillac in the back yard of the property.
2. Rubbish – numerous items of rubbish and appliances around the exterior of the residence, a dilapidated shed.

Consequently, you are hereby notified to appear before the City Commission at 7:00 p.m. on June 19, 2007.

Respectfully,

Heather Rohlf, Code Enforcement  
Building Inspectors Office

cc: Read File  
Property File  
Post on Property

## PUBLIC NOTICE

NOTICE of hearing before the City Commission of the City of Great Falls, Montana.

The owner of the real property located at 2608 1<sup>st</sup> Ave N is hereby notified to appear before the City Commission of the City of Great Falls at its meeting to be held June 19, 2007 at the City Commission Chambers, Civic Center Building, Great Falls, Montana, at 7:00 p.m., and show cause why Lot 3, Block 337, Great Falls 11<sup>th</sup> Addition, 2608 1<sup>st</sup> Ave N should not be declared a nuisance and the nuisance be abated by removal or other appropriate act and charge the cost thereof to the owner(s).

PUBLICATION DATE: June 9, 2007



AGENDA REPORT

DATE June 19, 2007

ITEM Public Hearing - Resolution 9668 to Vacate Segment of Sunset Road

INITIATED BY Abutting Property Owners Michael and Diane McPherson and Cascade County

ACTION REQUESTED Adopt Resolution 9668

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

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**RECOMMENDATION:**

It is recommended the City Commission approve the vacation of Sunset Road between 5th Avenue SW and 20th Street SW.

**MOTION:**

“I move the City Commission adopt Resolution 9668 subject to the applicant causing the appropriate amended plat to be prepared, executed and filed.”

**SYNOPSIS:**

Resolution 9668 vacates Sunset Road between 5<sup>th</sup> Avenue SW and 20<sup>th</sup> Street SW.

**BACKGROUND:**

Michael L. and Diane J. McPherson who reside at 2001 5<sup>th</sup> Avenue SW, have submitted a petition to abandon the diagonal segment of Sunset Road extending between 20<sup>th</sup> Street SW and 5<sup>th</sup> Avenue SW.

Please refer to the attached vicinity map.

The small triangular parcel (Lot 6) located at the northwest corner of the intersection of 20<sup>th</sup> Street SW and 5<sup>th</sup> Avenue SW is owned by Cascade County which has provided an affidavit expressing no objection to the abandonment of the involved segment of Sunset Road.

Some area residents have provided testimony that the narrowness, the angular configuration and the blind corners associated with the involved section of Sunset Road create a traffic hazard for both vehicles and pedestrians.

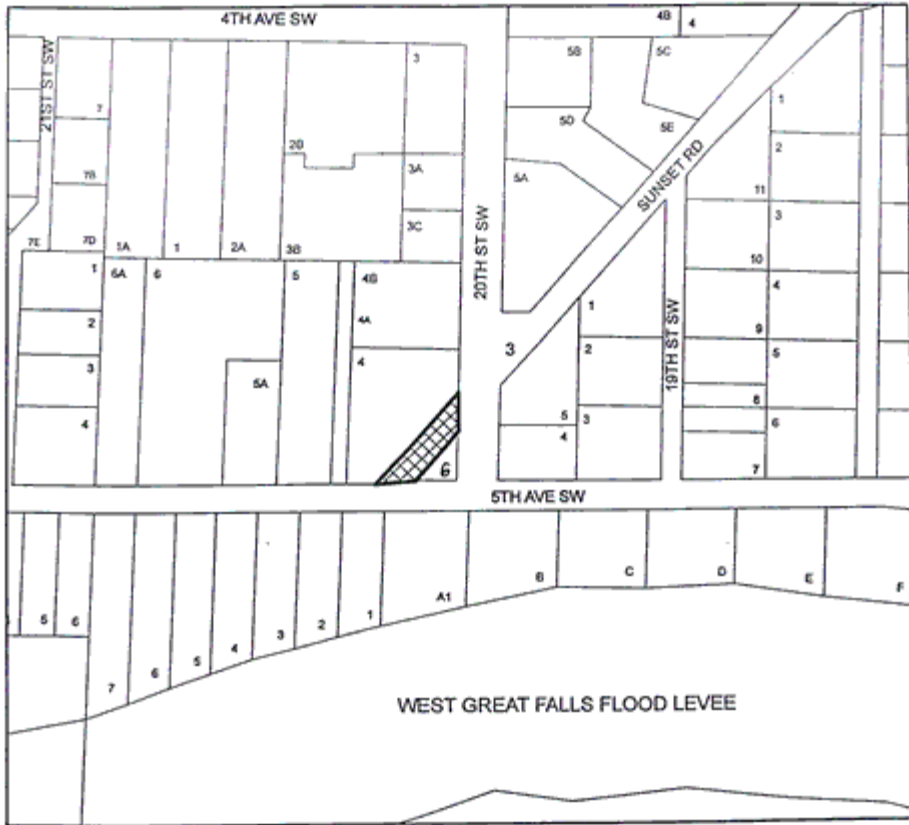
Existing utilities in the involved segment of Sunset Road include a City water main.

Upon abandonment, the northerly half of the vacated right-of-way would revert to and become a part of the abutting Lot 4 currently owned by the McPherson’s and the southerly half would revert to and become a part of the abutting Lot 6 which is owned by Cascade County. As potential development options for the County parcel are limited because of its small size and configuration, it is anticipated the County will attempt to sell the property through a public bid process. The McPherson’s have indicated an interest in acquiring the County property. Approval of the abandonment is accompanied by a requirement for an amended plat to show the reconfiguration of abutting lots and provision of appropriate easement(s) for utilities.

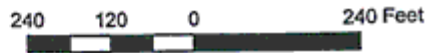
Attach: Resolution 9668  
Vicinity Map

Cc w/o attach: Michael & Diane McPherson, 2001 5<sup>th</sup> Ave SW  
Board of County Commissioners

# VICINITY MAP



 SEGMENT OF SUNSET ROAD REQUESTED TO BE ABANDONED



RESOLUTION 9668

A RESOLUTION BY  
THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,  
TO VACATE THE SEGMENT OF SUNSET ROAD  
BETWEEN 5<sup>TH</sup> AVENUE SOUTHWEST AND 20<sup>TH</sup> STREET SOUTHWEST,  
IN ACCORDANCE WITH THE PROVISIONS OF  
SECTION 7-14-4114, MONTANA CODE ANNOTATED

\* \* \* \* \*

WHEREAS, the subdivision plat of Community Hall Addition to Great Falls dedicated the diagonal segment of Sunset Road between what is now designated as 5<sup>th</sup> Avenue Southwest and 20<sup>th</sup> Street Southwest as public right-of-way; and

WHEREAS, area residents have provided testimony that the narrowness, the angular configuration and the blind corners associated with the involved segment of Sunset Road create a traffic hazard for both vehicles and pedestrians; and

WHEREAS, subject segment of Sunset Road is deemed not to be needed for public roadway purposes; and

WHEREAS, the two lot owners abutting subject segment of Sunset Road have petitioned to have it vacated; and

WHEREAS, a condition of approval of vacation of subject right-of-way shall be the preparation of an appropriate amended plat which shows the distribution of the right-of-way requested to be vacated, reconfiguration of abutting lot(s), and reservation of required utility easement(s), and

WHEREAS, the City Commission of the City of Great Falls, Montana, duly and regularly passed and adopted on the 5th day of June, 2007, Resolution 9667 entitled:

A RESOLUTION OF INTENTION BY THE CITY  
COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,  
TO VACATE THE SEGMENT OF SUNSET ROAD  
BETWEEN 5<sup>TH</sup> AVENUE SOUTHWEST AND 20<sup>TH</sup> STREET SOUTHWEST,  
IN ACCORDANCE WITH THE PROVISIONS OF  
SECTION 7-14-4114, MONTANA CODE ANNOTATED, AND  
DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

WHEREAS, the City Clerk of said City, forthwith caused notice of said Resolution 9667 to be:

- 1) published in the Great Falls Tribune, the newspaper published nearest the right-of-way proposed for vacation; and
- 2) posted in three public places, stating therein the time and place the City Commission shall hear all persons relative to said proposed vacation.

WHEREAS, a hearing was held by the City Commission of the City of Great Falls on the 19<sup>th</sup> day of June, 2007, at 7:00 P.M. in the Commission Chambers of the Great Falls Civic Center, where said Commission heard all persons relative to the proposed vacation of the segment of Sunset Road between 5<sup>th</sup> Avenue Southwest and 20<sup>th</sup> Street Southwest.

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

The segment of Sunset Road between 5<sup>th</sup> Avenue Southwest and 20<sup>th</sup> Street Southwest is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective either thirty (30) days after its passage and approval or upon filing in the office of the Cascade County Clerk and Recorder, the hereinabove mentioned amended plat, which ever event shall occur later.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 19th day of June, 2007.

\_\_\_\_\_  
Dona R. Stebbins, Mayor

ATTEST:

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
David V. Gliko, City Attorney

State of Montana        )  
County of Cascade       :ss  
City of Great Falls     )

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9668 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 19th day of June, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19th day of June, 2007.

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

AGENDA REPORT

DATE June 5, 2007

ITEM: RESOLUTION 9669: ENGINEERING DIVISION CONSTRUCTION INSPECTION REVISED FEES

INITIATED BY: PUBLIC WORKS DEPARTMENT / ENGINEERING DIVISION

ACTION REQUESTED: CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION 9669

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

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**RECOMMENDATION:** Staff recommends that the City Commission conduct a public hearing on Resolution 9669 for Engineering Division Construction Inspection Revised Fees, effective July 1, 2007.

**MOTION:** “I move the City Commission adopt Resolution 9669.”

**SYNOPSIS:** The current rates for inspection fees charged by the Engineering Division of the Public Works Department for the inspection of public infrastructure being built by private developers for future acceptance into the City systems was established along with the Inspection Policy in 2004. Fees were intentionally kept low at that time in order to ease the transition into the new policy. The City is now in the fourth year of performing these inspections. Operating costs have gradually increased over the years. This action will bring these fees more in line with the actual costs of performing the inspections and enforcing the Policy.

**BACKGROUND:** As a result of poor quality infrastructure construction that the City was receiving in new subdivisions, the “City of Great Falls Inspection Policy for Privately Installed Public Infrastructure” was approved and instituted in 2004. The primary feature of the Policy is that City inspectors are assigned full time to most privately financed projects that will be dedicated to the City for ownership and perpetual maintenance. When construction is underway, the inspector constantly checks the workmanship for compliance with approved specifications, and performs the appropriate tests. In a few projects, consultant personnel have been allowed to inspect under the supervision of City inspectors. A Senior Civil Engineer and the City Engineer coordinate the inspector’s activities, conduct preconstruction conferences, and perform other duties for both types of inspections. Developers are then charged for the number of hours the inspectors and engineers have spent related to project inspection and management.

In 2004, fees were set at \$35 per hour for inspectors (plus a \$10 per hour surcharge for overtime) and \$65 per hour for engineers. Fees were lower than the actual costs of services in order to ease the transition from private to public inspection. Since that time, operating costs have increased for inspection services in both the private and public sectors. The average cost for consultant services now averages \$66 per hour for inspectors and \$92 per hour for project managers / engineers. Vehicle, copies, and testing are additional charges. The Engineering Division is requesting fee revisions to \$45 per hour for inspectors (plus a \$12 per hour surcharge for overtime) and \$75 per hour for engineers. These fees will be close to the actual cost of providing service, which is \$48.16 for inspectors and around \$78 for engineers and are calculated using the gross hourly wage multiplied by the Division multiplier. Mileage, testing, and other miscellaneous extras will continue to be included in the hourly rates.

Attached: Resolution 9669

**RESOLUTION 9669**  
**A RESOLUTION REVISING THE FEE SCHEDULE FOR**  
**ENGINEERING DIVISION CONSTRUCTION INSPECTION FEES**

BE IT RESOLVED by the City Commission of the City of Great Falls, Cascade County, Montana:

That the Engineering Division Construction Inspection Fee Schedule be revised as follows:

	<u>Current</u>	<u>Revised</u>
Inspector, Hourly Rate	\$35.00	\$45.00
Inspector Overtime Surcharge, Hourly Rate	\$10.00	\$12.00
Engineer, Hourly Rate	\$65.00	\$75.00

PASSED by the City Commission of the City of Great Falls, Montana this 19<sup>th</sup> day of June, 2007

\_\_\_\_\_  
Dona R. Stebbins, Mayor

ATTEST:

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)



APPROVED FOR LEGAL CONTENT:

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David V. Gliko, City Attorney

State of Montana    )  
County of Cascade : ss.  
City of Great Falls    )

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9669 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 19<sup>th</sup> day of June, 2007, and approved by the Mayor of said City on the 19<sup>th</sup> day of June, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19<sup>th</sup> day of June, 2007.

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Peggy J. Bourne, City Clerk

(SEAL OF CITY)

AGENDA REPORT

DATE June 19, 2007

**ITEM:** RESOLUTION 9652 INTENT TO CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED RESIDENTIAL LIGHTING NO. 1308 IN EAGLES CROSSING PHASE II & PHASE III – FIRST PHASE CONSTRUCTION

**INITIATED BY:** FISCAL SERVICES DEPARTMENT

**ACTION REQUESTED:** ADOPT RESOLUTION OF INTENT AND SET PUBLIC HEARING

**PREPARED BY:** JUDY BURG, ACCOUNTING TECHNICIAN

**PRESENTED BY:** COLEEN BALZARINI, FISCAL SERVICES DIRECTOR

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RECOMMENDATION:

Staff recommends the City Commission adopt Resolution 9652 and set a public hearing date.

MOTION:

I move the City Commission adopt Resolution 9652 and set a public hearing for July 17, 2007 at 7:00 p.m.

SYNOPSIS:

Staff has received a signed letter/petition from the developer of the Eagles Crossing Phase II and Phase III Addition requesting street lights be installed. The letter/petition is for the installation of thirteen (13) 150 watt HPS street lighting units on 20 foot steel poles with underground wiring. There are forty-one (41) properties being constructed within the boundaries of the Special Improvement Lighting District in Eagles Crossing Phase II and Phase III Addition – First Phase Construction. The boundary lines of the first phase construction area are outlined on the attached Exhibit “A”.

The special assessment for the installation cost of the improvements shall be payable over a term not to exceed 15 years. Initially, the estimated annual special improvement assessment (inclusive of capital, financing, operations and maintenance costs) in the newly created area will be \$191.42 for an average lot of 11,023 square feet. Estimated costs per parcel are shown on the attached Exhibit “B”. The property owners have the right to prepay the assessment as provided by law.

After the payment of construction costs are satisfied, there will continue to be an ongoing estimated annual maintenance assessment of \$67.75 for an average lot of 11,023 square feet for energy, transmission, distribution and other ongoing related costs as shown on the attached Exhibit “C”.

**BACKGROUND:**

MCA 7-12-4301 and MCA 7-12-4333 authorizes the City Commission to create lighting districts and to assess the cost of installing and/or maintaining the district to the owners of the property embraced within the boundaries of such district.

On July 19, 2005 the City Commissioners adopted Resolution No. 9506 creating the City's Street Light Policy, which establishes a policy that the City own and operate any new street lighting districts that would be requested by property owners or developers as allowed by state.

Staff received a signed letter/petition from the developer of Eagles Crossing Phase II and Phase III Addition – First Phase Construction requesting street lights be installed. The letter/petition is for the installation of thirteen (13) 150 watt HPS street lighting units on 20 foot steel poles with underground wiring, which meets the requirements set forth in the policy for new street light districts.

## **RESOLUTION NO. 9652**

**A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1308 IN THE CITY OF GREAT FALLS, MONTANA FOR THE PURPOSE OF FINANCING THE INSTALLATION OF THIRTEEN (13) 150 WATT HPS ON 20 FOOT STEEL POLES WITH UNDERGROUND WIRING TO INCLUDE PROPERTIES LOCATED WITHIN THE EAGLES CROSSING PHASE II AND PHASE III ADDITION - FIRST PHASE CONSTRUCTION**

WHEREAS, the City Commission of the City of Great Falls, is authorized to create special improvement districts embracing any street or streets or public highway therein or portion thereof and property adjacent thereto or property which may be declared by said City Commission to be benefited by the improvements to be made for the purpose of lighting such street or streets or public highway.

WHEREAS, the City Commission of the City of Great Falls, is authorized to require that all or any portion of the cost of installing and maintaining such lighting system be paid by the owners of the property embraced within the boundaries of such special improvement district.

WHEREAS, the City Commission of the City of Great Falls, is authorized to assess and collect the costs for installation and maintenance by special improvement assessment against the property within the district.

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

**Section 1.** That public interest and convenience requires and it is deemed necessary to create, and the City Commission of the City of Great Falls, Montana, intends to order and create a Special Improvement Lighting District No. 1308 to finance the installation of the improvements hereinafter described as authorized by 7-12-4301 MCA.

**Section 2.** That the general character of the improvements to be made within or for the benefit of the District is the installation of thirteen (13) 150 Watt HPS street lighting units mounted on 20 foot steel poles with underground wiring.

**Section 3.** That the number of said Special Improvement Lighting District is hereby designated as Special Improvement Lighting District No. 1308 of the City of Great Falls, Montana.

**Section 4.** That the boundaries of said Special Improvement Lighting District are hereby declared to be as follows:

Beginning at a point which is the intersection of the extended northeast corner of Lot 12, Block 4 of Eagle's Crossing Phase III and the north right-of-way line of 48<sup>th</sup> Avenue Northeast; thence proceed southwesterly along the east boundary lines of Lots 7 through 12 of Block 4 of Eagles Crossing Phase III to its intersection with the southeast corner of Lot 7, Block 4 of Eagles Crossing Phase III; thence proceed southeasterly to a point which is the northeast corner of Lot 1, Block 12 of Eagles Crossing Phase II; thence proceed south along the east boundary line of Eagles Crossing Phase II to a point which is the southeast corner of Lot 1, Block 13 of Eagles Crossing Phase II; thence proceed west along the extended south boundary lines of Lots 1 through 10 of Block 13 of Eagles Crossing Phase II to its intersection with the centerline of 9<sup>th</sup> Street Northeast; thence proceed north along the centerline of 9<sup>th</sup> Street Northeast to its intersection with the centerline of 46<sup>th</sup> Avenue Northeast; thence proceed east along the centerline of 46<sup>th</sup> Avenue Northeast to its intersection with the extended west boundary line of Lot 6, Block 10 of Eagles Crossing Phase III; thence proceed north along the extended west boundary lines of Lots 1 through 6 of Block 10 of Eagles Crossing Phase III to its intersection with the north right-of-way line of 48<sup>th</sup> Avenue Northeast; thence proceed east along the north right-of-way line of 48<sup>th</sup> Avenue Northeast to its intersection with the extended northeast corner of Lot 12, Block 4 of Eagles Crossing Phase III and the point of beginning.

And the lands included in the District are shown on the map attached as Exhibit "A," and that the legal descriptions of the lots, parcels and tracts of land within the District are shown on Exhibit "B" attached hereto.

**Section 5.** The City Commission hereby finds and determines that all real estate situated in said district will be especially benefited and affected by such improvement and the property included within the boundaries of said district is hereby declared to be the property assessed for the cost and expense of making said improvements. The installation, utility and administrative costs will be assessed against benefited properties within the District on the following basis pursuant to Section 7-12-4323 MCA:

Each lot or parcel of land within such district to be assessed for that part of the whole cost which its area bears to the area of the entire district, exclusive of streets, avenues, alleys and public places.

The special assessment for the installation cost of the improvements shall be payable over a term not to exceed 15 years. The installation costs are estimated to be \$0.118601 per square foot assessable area and the property owners have the right to prepay the assessment as provided by law.

The ongoing annual assessment for the utility and administrative costs is estimated to be \$0.006146 per square foot assessable area.

The assessable area and related costs of construction for each lot or parcel of land is shown on Exhibit "B" and, the assessable area and estimated costs of maintenance for each lot or parcel of land is shown on Exhibit "C" attached hereto.

**Section 6.** That on Tuesday the 17<sup>th</sup> day of July, 2007, at the City Commission Chambers in the Civic Center in the City of Great Falls, Montana, at 7:00 o'clock p.m., the Commission will conduct a public hearing on the creation of the Improvement District and pass upon any written protests timely filed against creation of the Improvement District. Within 15 days after the date of the first publication of the notice of passage of this resolution of intention, any property owner liable to be assessed for the cost of the improvements may make written protest against the proposed work or against the extent or creation of the Improvement District.

**Section 7.** The City Clerk is hereby authorized and directed to publish notice of the adoption of this Resolution twice in the Great Falls Tribune, a daily newspaper published in the City of Great Falls, Montana, with at least 6 days separating each publication.

The Clerk of said City is hereby further directed to mail a copy of said notice to every person, firm or corporation or the agent of such person, firm or corporation having property within the proposed district, at their last known address, upon the date of the first publication of said notice. The notice is attached as Exhibit "D."

PASSED AND ADOPTED by the Commission of the City of Great Falls, Montana, on this 19<sup>th</sup> day of June, 2007.

---

Dona R. Stebbins, Mayor

ATTEST:

---

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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Approved for Legal Content: City Attorney

State of Montana                    )  
County of Cascade                 : ss  
City of Great Falls                )

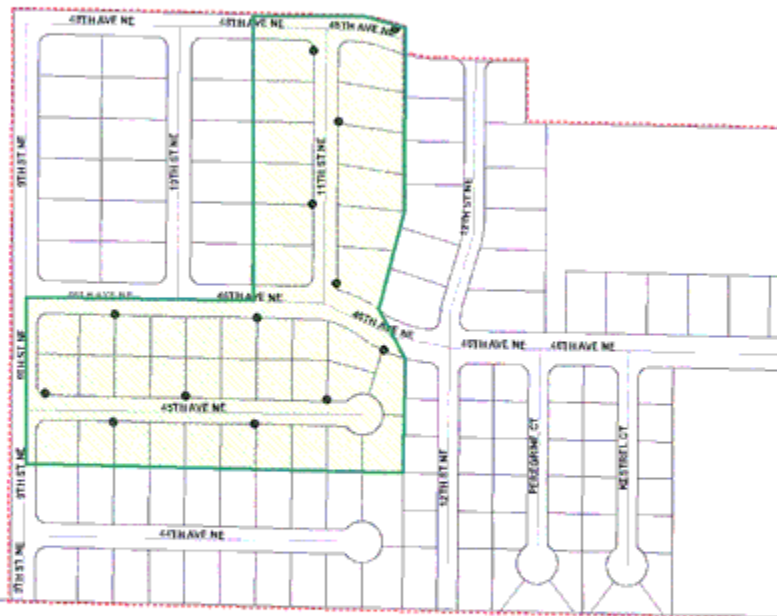
I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9652 was passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 19<sup>th</sup> day of June 2007, and approved by the Mayor of said City on the 19<sup>th</sup> day of June 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 19<sup>th</sup> day of June 2007.

---

Peggy J. Bourne, City Clerk

(SEAL OF CITY)



- City Limit
- Streets
- FULLNAME Labels
- Airport
- Parcels
- Water Features
- 13 - 150Watt Light Poles



Res #9652 Exhibit "A" - Eagles Crossing II & III - 1st Phase Construction

1 in. = 351.6 feet





**RESOLUTION 9652 - EXHIBIT "B"**

**SPECIAL IMPROVEMENT LIGHTING DISTRICT 1308 INSTALLATION COSTS**

Total Construction Costs: \$ 53,600.00

Improvements: THIRTEEN (13) - 150 WATT HPS ON 20' STEEL POLES  
WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING

15 Year Assessment

Beginning Nov: 2008

Ending May: 2023

Variable Interest Rate: 4.85%

Total Square Footage Cost: 0.118601914

PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	SET UP	TOTAL	PRINCIPAL	ANNUAL	1st Year
					AREA (SQUARE FEET)	ASSESSMENT			TOTAL ANNUAL PYMT
740636	12	1	Eagles Crossing Phase II	Eagles Crossing Inc	9,687	1,148.90	76.59	55.72	132.31
740638	12	2	Eagles Crossing Phase II	Eagles Crossing Inc	10,422	1,236.07	82.40	59.95	142.35
740640	12	3	Eagles Crossing Phase II	Eagles Crossing Inc	8,640	1,024.72	68.31	49.70	118.01
740642	12	4	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740644	12	5	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740646	12	6	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740648	12	7	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740650	12	8	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740652	12	9	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740654	12	10	Eagles Crossing Phase II	Eagles Crossing Inc	10,234	1,213.77	80.92	58.87	139.79
740656	12	11	Eagles Crossing Phase II	Eagles Crossing Inc	10,243	1,214.84	80.99	58.92	139.91
740658	12	12	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740660	12	13	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740662	12	14	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740663	12	15	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740664	12	16	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740666	12	17	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740668	12	18	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	1,031.84	68.79	50.04	118.83
740670	12	19	Eagles Crossing Phase II	Eagles Crossing Inc	8,235	976.69	65.11	47.37	112.48
740672	13	1	Eagles Crossing Phase II	Eagles Crossing Inc	11,680	1,385.27	92.35	67.19	159.54
740674	13	2	Eagles Crossing Phase II	Eagles Crossing Inc	8,758	1,038.72	69.25	50.38	119.63
740676	13	3	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740678	13	4	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740680	13	5	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740682	13	6	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740684	13	7	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740686	13	8	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740688	13	9	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	1,135.02	75.67	55.05	130.72
740690	13	10	Eagles Crossing Phase II	Eagles Crossing Inc	11,273	1,337.00	89.13	64.84	153.98
740732	4	7	Eagles Crossing Phase III	Eagles Crossing Inc	15,006	1,779.98	118.65	86.32	204.97
740734	4	8	Eagles Crossing Phase III	Eagles Crossing Inc	15,010	1,780.21	118.68	86.34	205.02
740736	4	9	Eagles Crossing Phase III	Eagles Crossing Inc	15,008	1,779.98	118.67	86.33	204.99
740738	4	10	Eagles Crossing Phase III	Eagles Crossing Inc	15,924	1,888.62	125.91	91.60	217.51
740740	4	11	Eagles Crossing Phase III	Eagles Crossing Inc	15,924	1,888.62	125.91	91.60	217.51

**RESOLUTION 9652 - EXHIBIT "B"**

**SPECIAL IMPROVEMENT LIGHTING DISTRICT 1308 INSTALLATION COSTS**

Total Construction Costs: \$ 53,600.00

Improvements: THIRTEEN (13) - 150 WATT HPS ON 20' STEEL POLES  
WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING

15 Year Assessment

Beginning Nov: 2008

Ending May: 2023

Variable Interest Rate: 4.85%

Total Square Footage Cost: 0.118601914

PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	SET UP AREA (SQUARE FEET)	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	ANNUAL INTEREST	1st Year TOTAL ANNUAL PYMT
740742	4	12	Eagles Crossing Phase III	Eagles Crossing Inc	16,091	1,908.42	127.23	92.56	219.79
740744	10	1	Eagles Crossing Phase III	Eagles Crossing Inc	14,858	1,762.19	117.48	85.47	202.95
740746	10	2	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	1,779.03	118.60	86.28	204.88
740748	10	3	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	1,779.03	118.60	86.28	204.88
740750	10	4	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	1,779.03	118.60	86.28	204.88
740752	10	5	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	1,779.03	118.60	86.28	204.88
740754	10	6	Eagles Crossing Phase III	Eagles Crossing Inc	14,849	1,761.12	117.41	85.41	202.82
					451,932	\$53,600.00	\$3,573.33	\$2,599.60	\$6,172.93

**RESOLUTION 9652 - EXHIBIT "C"**

**SPECIAL MAINTENANCE LIGHTING DISTRICT 1308 ANNUAL ASSESSMENT**

13 - 150 WATT HPS ON 20' STEEL POLES WITH UNDERGROUND WIRING

\$ 2,525.05

COST OF OPERATION AND ROUTINE MAINTENANCE

2,525.05

ASSESSMENT BASED ON 12 MONTHS -

10% ADMINISTRATION FEE

252.51

ANNUAL ASSESSMENT FOR AN AVERAGE

TOTAL ANNUAL COST TO THE DISTRICT =

\$ 2,777.56

11,023 SQ.FT. LOT IS \$67.75

ANNUAL SQUARE FOOT COST =

0.006145958

PETITION SIGNED	PARCEL	BLOCK	LOT	SUB-DIVISION	PROPERTY OWNER	SET UP	ANNUAL COST
						AREA (SQUARE FEET)	
X	740636	12	1	Eagles Crossing Phase II	Eagles Crossing Inc	9,687	59.54
X	740638	12	2	Eagles Crossing Phase II	Eagles Crossing Inc	10,422	64.05
X	740640	12	3	Eagles Crossing Phase II	Eagles Crossing Inc	8,640	53.10
X	740642	12	4	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740644	12	5	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740646	12	6	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740648	12	7	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740650	12	8	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740652	12	9	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740654	12	10	Eagles Crossing Phase II	Eagles Crossing Inc	10,234	62.90
X	740656	12	11	Eagles Crossing Phase II	Eagles Crossing Inc	10,243	62.95
X	740658	12	12	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740660	12	13	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740662	12	14	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740663	12	15	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740664	12	16	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740666	12	17	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740668	12	18	Eagles Crossing Phase II	Eagles Crossing Inc	8,700	53.47
X	740670	12	19	Eagles Crossing Phase II	Eagles Crossing Inc	8,235	50.61
X	740672	13	1	Eagles Crossing Phase II	Eagles Crossing Inc	11,680	71.78
X	740674	13	2	Eagles Crossing Phase II	Eagles Crossing Inc	8,758	53.83
X	740676	13	3	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740678	13	4	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740680	13	5	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740682	13	6	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740684	13	7	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740686	13	8	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740688	13	9	Eagles Crossing Phase II	Eagles Crossing Inc	9,570	58.82
X	740690	13	10	Eagles Crossing Phase II	Eagles Crossing Inc	11,273	69.28
X	740732	4	7	Eagles Crossing Phase III	Eagles Crossing Inc	15,006	92.23
X	740734	4	8	Eagles Crossing Phase III	Eagles Crossing Inc	15,010	92.25

**RESOLUTION 9652 - EXHIBIT "C"**

**SPECIAL MAINTENANCE LIGHTING DISTRICT 1308 ANNUAL ASSESSMENT**

13 - 150 WATT HPS ON 20' STEEL POLES WITH UNDERGROUND WIRING

\$ 2,525.05

COST OF OPERATION AND ROUTINE MAINTENANCE

2,525.05

ASSESSMENT BASED ON 12 MONTHS -  
ANNUAL ASSESSMENT FOR AN AVERAGE

10% ADMINISTRATION FEE

252.51

TOTAL ANNUAL COST TO THE DISTRICT =

\$ 2,777.56

11,023 SQ.FT. LOT IS \$67.75

ANNUAL SQUARE FOOT COST =

0.006145958

PETITION SIGNED	PARCEL	BLOCK	LOT	SUB-DIVISION	PROPERTY OWNER	SET UP	ANNUAL COST
						AREA (SQUARE FEET)	
X	740736	4	9	Eagles Crossing Phase III	Eagles Crossing Inc	15,008	92.24
X	740738	4	10	Eagles Crossing Phase III	Eagles Crossing Inc	15,924	97.87
X	740740	4	11	Eagles Crossing Phase III	Eagles Crossing Inc	15,924	97.87
X	740742	4	12	Eagles Crossing Phase III	Eagles Crossing Inc	16,091	98.89
X	740744	10	1	Eagles Crossing Phase III	Eagles Crossing Inc	14,858	91.32
X	740746	10	2	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	92.19
X	740748	10	3	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	92.19
X	740750	10	4	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	92.19
X	740752	10	5	Eagles Crossing Phase III	Eagles Crossing Inc	15,000	92.19
X	740754	10	6	Eagles Crossing Phase III	Eagles Crossing Inc	14,849	91.26

Total Petition Signers: 41

451,932

2,777.56

EXHIBIT "D"

**LEGAL NOTICE**

NOTICE IS HEREBY GIVEN that on the 19<sup>th</sup> day of June 2007, the City Commission of the City of Great Falls, Montana, adopted a Resolution of Intent to Create No. 9652 entitled:

**A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 1308 IN THE CITY OF GREAT FALLS, MONTANA FOR THE PURPOSE OF FINANCING THE INSTALLATION OF THIRTEEN (13) 150 WATT HPS ON 20 FOOT STEEL POLES WITH UNDERGROUND WIRING TO INCLUDE PROPERTIES LOCATED WITHIN THE EAGLES CROSSING PHASE II AND PHASE III ADDITION - FIRST PHASE CONSTRUCTION**

Resolution of Intent to Create No. 9652 is on file in the office of the City Clerk, Peggy J. Bourne, (406) 455-8541, Civic Center, 2 Park Drive, Great Falls, Montana, to which reference is hereby made for a full description of the boundaries of said district.

That the City Commission of the City of Great Falls, Montana, recognizes a need for a special improvement lighting district for the installation of street lighting. This will result in an estimated annual assessment (inclusive of capital, financing, operations & maintenance costs) during the first fifteen (15) years in the newly created area of \$191.42 for an average lot of 11,023 square feet. After the payment of construction costs are satisfied, there will continue to be an ongoing estimated annual maintenance assessment of \$67.75 for an average lot of 11,023 square feet for energy and distribution costs of the lights.

That the City Commission of the City of Great Falls, Montana, will be in session on the 17<sup>th</sup> day of July, 2007, at 7:00 o'clock p.m., in the Commission Chambers in the Civic Center, at which time and place the City Commission will hear objections to the intent to create said Special Improvement Lighting District No. 1308. Any person or persons, who are owners of any lot or parcel of land within said Special Improvement Lighting District No. 1308, who shall, within 15 days after the first publication of this notice have delivered to the City Clerk of the City of Great Falls, a protest in writing against the proposed creation of said special lighting district, shall have the right to appear at said meeting in person or by counsel, and show cause, if any there be, why such special lighting district should not be created.

Publication Dates: June 22, 2007 and June 29, 2007

Regular City Commission Meeting

Mayor Pro-tempore Hinz presiding

**CALL TO ORDER:** 7:00 PM**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** City Commissioners present: Bill Beecher, Sandy Hinz, Diane Jovick-Kuntz and John Rosenbaum. Mayor Stebbins was excused. Also present were the City Manager, City Attorney, Directors of Community Development, Park and Recreation, Fiscal Services, Public Works, Planning, Acting Library Director, Police Chief, Acting Fire Chief and the City Clerk.

**SWEARING IN:** Mayor Pro-Tempore Hinz swore in Neighborhood Council 8 member Pamela Morris.

**NEIGHBORHOOD COUNCILS****West Bank Park**

- 1A. Sue Ann Strickland**, NC 2, reiterated that Neighborhood Council 2 would like West Bank Park to be taken off the natural area parks list. She explained that Neighborhood Council 2 would like West Bank Park to be developed.

**West Bank Park.  
City Manager  
retirement and  
Sunset Road.**

- 1B. Bob Mehlhoff**, NC 2, concurred with Ms. Strickland. He added that developers he visited with concur. He also thanked City Manager John Lawton for his dedicated service to the City and wished him well on his future endeavors. Finally, he asked Mr. Rangel to provide information on any traffic count done on the roadway that was on the agenda to be vacated.

**PUBLIC HEARINGS**

**Res. 9648 Electric  
City Power utility  
rates. Adopted.**

**2. RESOLUTION 9648, ELECTRIC CITY POWER UTILITY RATES.**

Fiscal Services Director Coleen Balzarini reported that the City, in an effort to find more cost effective electrical supply, joined the Southern Montana Electrical Generation and Transmission Co-operative in the fall of 2004. On October 1, 2004, the City contractually began supplying electricity to Great Falls Public Schools, the Great Falls Airport Authority, Federal Express, Great Falls Housing Authority and Montana Air National Guard through December 31, 2008, and to its own facilities, including the wastewater treatment plant which is operated by Veolia Water. This group of customers has been referred to as "Block One Customers." There has proven to be a cost effective savings for the customers and extensions of these contracts have been requested. In October 2006, the City Commission approved the purchase of additional power to accommodate this request. The recommended rates will extend the contracts for service through June 30, 2011. The rates for the City-owned facilities have been authorized administratively and included in the budget process for Fiscal Year 2008.

Mrs. Balzarini added that the May 2007 Northwestern Energy default price for electricity was \$55.12 while the rates proposed in Resolution 9648 ranged from \$42.91 to \$52.37. Additionally, this resolution would sunset the "water credit" that was established in the previous rate resolution. She reminded the City Commission the intent of the Water Credit program was to cover the difference between the offering price to customers and the final contract price from supplier. It created a cushion for imbalance purchases and applied to Block 1 customers only.

Mayor Pro-Tempore Hinz declared the public hearing open. No one spoke in support of the Resolution. Those speaking in opposition to Resolution 9648 were as follows:

**Mary Jolley**, 1910 2<sup>nd</sup> Avenue North, asked what the actual price of electricity would be if the water credit amount was added to it. She also stated that the public notice was confusing because for some of the Block 1 customers these rates would go into effect in 2008 while for other Block 1 customers these rates were effective July 1, 2006. She questioned how Veolia could be in the Block 1 customers where rates were set administratively in 2006. She suggested that there should have been two resolutions to address each effective date. Finally, she stated that according to the Water Services Agreement with SME, the amount owed by the City for the water credit would be due and payable within 60 days. She expressed concern about this because that amount is over \$1 million dollars and the ordinance creating Electric City Power requires it to be self-sufficient.

Fiscal Services Director Coleen Balzarini explained that the cost per megawatt hour for the water credit was \$5.70.

City Manager John Lawton reminded the Commission that the water credit was not an obligation of the taxpayer it was an obligation of Electric City Power and the payback Ms. Jolley referred to for the water credit was set up to be amortized over time. He added that Veolia operated the waste water treatment plant on a cost plus contract which meant that costs for electricity were passed directly on to the City.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, stated the \$55.12 default rate used by the City was a residential rate, not a commercial rate. He said that Northwestern Energy offered lower rates for commercial entities and suggested the City use those rates in comparisons. Finally, he asked that the Commission consider removing all the members of the Electric City Power Board.

There being no one further to address the City Commission, Mayor Pro-tempore Hinz declared the public hearing closed.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum,**

that the City Commission adopt Resolution 9648, establishing Electric City Power Utility Rates through June 30, 2011.

Commissioner Rosenbaum stated that all Electric City Power customers were customers because they did their due diligence and chose us.

Motion carried 4-0.

**Res. 9657 Sanitation Rates. Adopted.**

**3. RESOLUTION 9657, ESTABLISHING SANITATION SERVICE RATES.**

Public Works Director Jim Rearden stated that staff proposed that all sanitation rates increase by approximately 4.5 percent and that those rates go into effect June 6, 2007. The increase requested was necessary to cover rising costs of fuel and equipment. He explained that staff worked hard to reduce costs by deferring equipment purchases, reconfiguring routes and maintaining staff levels although the customer base increased by about ten percent.

Mayor Pro-Tempore Hinz declared the public hearing open. No one spoke in support of or opposition to Resolution 9657. Mayor Pro-Tempore Hinz closed the public hearing.

**Commissioner Jovick-Kuntz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9657 as amended, establishing Sanitation Service Rates for Fiscal Year 2008.**

Motion carried 4-0.

**Res. 9659, Animal Control Fees. Adopted.**

**4. RESOLUTION 9659, ANIMAL CONTROL FEES.**

Chief Prosecuting Attorney Kory Larsen reported that an ad hoc committee was formed following the adoption of the new animal control ordinance to research and recommend the animal control fees to the City Commission. After several meetings, the committee proposed fees which were designed to reach the goals of encouraging owners to spay/neuter their pets and to register animals for a "lifetime" rather than annually. Additionally, the ad hoc committee felt that responsible pet owners should be rewarded and that senior citizens should receive some type of a discount. The committee worked hard to ensure that the fees assisted animal control in cost recovery but were not too high which would discourage compliance with the ordinance. The proposed fees were as follows:

REGISTRATION FEE	ALTERED	UNALTERED
1 Year	\$15	\$30
Lifetime	\$75	\$150
Licenses issued for one year beginning January 1 and shall be renewed annually. If the owner renews or obtains a license for the first time after September 1st, the registration is valid for the remaining year and the entire following year. If the		



registration fee is renew or obtained prior to September 1st, the registration is valid until Dec 31st.		
<b>IMPOUND FEE (Per Calendar Year)</b>		
	<b>ALTERED</b>	<b>UNALTERED</b>
1 <sup>st</sup> Impound Animal Registered	\$20	\$40
1 <sup>st</sup> Impound Animal Not Registered	\$40	\$80
2 <sup>nd</sup> Impound Animal Registered	\$30	\$60
2 <sup>nd</sup> Impound Animal Not Registered	\$60	\$120
3 <sup>rd</sup> (and above) Impound Animal Registered	\$40	\$80
3 <sup>rd</sup> (and above) Impound Animal Not Registered	\$100	\$200
If the owner registers the animal when redeeming them, the impound fee charged shall be set at the registered rate		
Free Ride Home: Animals who are registered and altered shall be given one free ride home if animal control is able to contact the owner of the animal at home after the animal is picked up. If an animal has already been given a "free ride home", animals who are altered and registered and returned to their owners at home shall be charged a fee of \$10.00		
<b>DEPOSITS</b>		
	<b>ALTERED</b>	<b>UNALTERED</b>
Rabies	\$15	\$15
Unaltered Dog	n/a	\$100
Unaltered Cat	n/a	\$50
<b>SHOT FEE</b>		
Parvo/Distemper	\$15.00	(No Refunds)
<b>BOARDING FEE (Per Day)</b>		
	<b>ALTERED</b>	<b>UNALTERED</b>
Cat	\$15	\$30
Dog	\$15	\$30
<b>MULTIPLE ANIMAL PERMIT</b>		
	<b>1 Year</b>	<b>Lifetime</b>
6 or Fewer Total Animals	\$25	\$50
7 or More Total Animals	\$50	\$100
All animals must have current registration and all necessary vaccinations prior to issuance of the MAP.		
<b>MULTIPLE ANIMAL HOBBY BREEDER PERMIT</b>		<b>\$300</b>
This permit is valid for one year from the date of issuance.		
Senior Citizens (over 65 years of age) shall be entitled to ½ price on all registration, Multiple Animal Permits, and Multiple Animal Hobby Breeder Permits		

Mayor Pro-Tempore Hinz declared the public hearings open. No one spoke in opposition to Resolution 9659. Those speaking in support of it were:

**Bob Mehlhoff**, Neighborhood Council 2, stated he was on the ad hoc

committee and thought the fee structure was fine. However, he recommended the City Commission consider lower lifetime fees for anyone who had registered a pet in the past for the first year these new fees were in place. He also suggested the ad hoc committee meet again in a year to review the Resolution and to make any changes that may be necessary.

**Sue Ann Strickland**, Neighborhood Council 2, concurred with Mr. Mehlhoff. She also suggested that vets be required to issue a tag for Parvo vaccinations and suggested a sliding scale for the fees.

**Rick Kavulla**, Neighborhood Council 4, asked the City Commission to publicize the ordinance and fees and perhaps set up a “hot-line” to answer questions.

There being no one further to address the City Commission, Mayor Pro-Tempore Hinz closed the public hearing.

**Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission adopt Resolution 9659.**

Commissioner Rosenbaum stated that he wanted to give the fees recommended by the ad hoc committee a chance. He suggested revisiting the fees in about a year and make any adjustments at that time.

Commissioner Jovick-Kuntz concurred and asked if the Tribune would print a story about the fees and if the City could put the information on the City’s website. City Clerk Peggy Bourne stated that this information would be included on the City’s website.

Motion carried 4-0.

### **OLD BUSINESS**

### **NEW BUSINESS**

### **ORDINANCES/RESOLUTIONS**

**Res. 9667,, Intent to vacate a segment of Sunset Road between 5<sup>th</sup> Avenue SW and 20<sup>th</sup> Street SW. Adopted.**

**5. RESOLUTION 9667, INTENT TO VACATE A SEGMENT OF SUNSET ROAD BETWEEN 5<sup>TH</sup> AVENUE SW AND 20<sup>TH</sup> STREET SW.**

Planning Director Ben Rangel reported that Michael L. and Diane J. McPherson, 2001 5<sup>th</sup> Avenue SW, submitted a petition to abandon the diagonal segment of Sunset Road extending between 20<sup>th</sup> Street SW and 5<sup>th</sup> Avenue SW. The small triangular parcel (Lot 6) located at the northwest corner of the intersection of 20<sup>th</sup> Street SW and 5<sup>th</sup> Avenue SW was owned by Cascade County which has provided an affidavit expressing no objection to the abandonment of the involved segment of Sunset Road.

Some area residents provided testimony that the narrowness, the angular configuration and the blind corners associated with the involved section of Sunset Road create a traffic hazard for both vehicles and pedestrians.

Upon abandonment, the northerly half of the vacated right-of-way would revert to and become a part of the abutting Lot 4 currently owned by the McPherson's and the southerly half would revert to and become a part of the abutting Lot 6 which is owned by Cascade County. Mr. Rangel concluded, stating that a traffic count had not been done for this small right-of-way section.

**Commissioner Rosenbaum moved, seconded by Commissioner Jovick-Kuntz. that the City Commission adopt Resolution 9667.**

Motion carried 4-0.

**Consent Agenda.  
Approved as printed.**

**CONSENT AGENDA**

6. Minutes, May 15, 2007, Commission meeting.
7. Total Expenditures of \$1,955,970.16 for the period of May 10-30, 2007 to include claims over \$5000, in the amount of \$1,690,147.16.
8. Contracts List.
9. Lien Release List.
10. Vacation of an easement and granting of a sewer utility easement Government Lot 5, T20N, R3E, Sec 2 Tract B-1, COS 0004448 all related to the Walgreen's Store on 3<sup>rd</sup> Street NW Bypass and OF 1497.
11. Set public hearing on Resolution 9669, for June 19, 2007, pertaining to Engineering Division Construction Inspection fees.
12. Set public hearing on Resolution 9660, for June 19, 2007, pertaining to Nuisance Abatement, GF 11<sup>th</sup> Addition, Block 337, Lot 3 and addressed as 2608 1<sup>st</sup> Avenue North.
13. Set public hearing on Resolution 9658, for July 3, 2007, pertaining to a conditional use permit for a duplex to be located at 1401 1<sup>st</sup> Avenue NW, West GF Addition, Block 35, Lot 14.
14. Engineering Services Contract with NCI Engineering for the Lift Station and Wastewater Treatment Plant Rehab Project in an amount not to exceed \$277,880. (OF 1374.5)
15. Construction Contract with Shumaker Trucking and Excavating in the amount of \$222,166 for the 25<sup>th</sup> Avenue NE Water Main Extension project. (OF 1442).
16. Amendment 6 to the Wastewater Plant O&M Contract with Veolia Water. (OF 1010).
17. Change Order 1, Sanitary Sewer Trenchless Rehabilitation Phase 11 with PEC Inc in the amount of \$29,410. (OF 1425.6)
18. Final payment of \$16,842.10 to Falls Construction and the State Miscellaneous Tax Division for the 10<sup>th</sup> Avenue North Storm Drain project (OF 1440).
19. Final payment of \$7,818.82 to Shumaker Trucking and Excavating and \$79.97 to the State Miscellaneous Tax Division for Schedule One of the

Medical Technology Park Lot 3 Utility and Street Improvement project. (OF 1417.1).

20. Contract with Talcott Construction in the amount of \$1,453,965 for the Jaycee and Water Tower Pools Rehabilitation project and the Neighborhood Pools Splash Decks Project. (OF 1501 and 1501.1).
21. Agreements for Potable Water Service and Wastewater Treatment Capacity Agreements with Southern Montana Electric Generation and Transmission Cooperative for service to the Highwood Generating Station (OF 1472.2)

**Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission approve the Consent Agenda as presented minus item 21.**

Motion carried 4-0.

**21. Agreements for Potable Water Service and Wastewater Treatment Capacity Agreements with Southern Montana Electric Generation and Transmission Cooperative (SMEGTC) for service to the Highwood Generating Station (OF 1472.2)**

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission approve the Potable Water Service and Wastewater Treatment Capacity Agreements with SMEGTC.**

Mayor Pro-tempore Hinz asked for a staff report. City Manager John Lawton explained that the City has been involved in on-going discussion with SMEGTC to provide potable water and wastewater treatment service to the proposed Highwood Generating Station. The Potable Water Service Agreement prescribes the terms for which potable water service would be provided to the facility prior to and after annexation. The Reservation of Wastewater Treatment Capacity Agreement reserved current capacity available at the wastewater treatment plant owned for SMEGTC's use. He provided capacity statistics of the water and waste water treatment plants as well as the impact the Highwood Generating Station would have them.

While the proposed Highwood Generating Facility was not currently within the corporate limits of the City, SMEGTC requested potable water and sanitary wastewater service be available during construction and for facility operation. The City agreed to provide these services under terms including, but not limited to the following:

- SMEGTC agreed not to protest annexation by the City for the provision of the services to be provided, and agrees not to protest such future annexation.
- SMEGTC agreed to be annexed to the City at a time in which the City deems is appropriate, under additional terms which will be subject of a separate agreement to be entered into between the parties in the future.

- SMEGTC agreed to discharge only wastewater and to comply with all applicable Federal, State and local regulations regarding discharge into the City's system.
- SMEGTC would be responsible for the construction of all infrastructure necessary to provide services to the facility.
- SMEGTC, in return for services provided, would be charged at the current service rates for such services, as established by the City pursuant to Great Falls City Code, Title 13, Water and Sewer and Storm Discharge, including all fees.
- Provides for termination of agreements upon written notice to the City that the facility will not be built.

Commissioner Rosenbaum stated that these agreements needed to be considered as "life support" for the Highwood Generating Station.

**Cheryl Reichert** (51 Prospect Drive), **Neil Taylor** (3417 4<sup>th</sup> Avenue South), **Pamela Morris** (2201 8<sup>th</sup> Avenue North), **Kathleen Gessaman** (1006 36<sup>th</sup> Avenue NE), and **Ken Thornton**, (31 Paradise Lane) spoke in opposition to the agreements. The opposition generally pertained to the request for the City Commission to delay action on the agreements until a public hearing could be held on them; that the owners of the property the water and sewer lines would cross needed to be informed and invited to participate in this decision; that the City may need to exercise eminent domain in order to secure the property necessary for the infrastructure; and the industrial effluent from the Highwood Generating Station needed to be addressed.

City Manager John Lawton and City Attorney Dave Gliko stated that it was highly unlikely the City would use the eminent domain process and would work toward easement solution in other ways.

Tim Gregorie, Executive Director for SME, stated that SME has met with the property owners and began working on easements for the infrastructure. He added that the infrastructure is buried below ground so it would not interfere with the surface use of the property. He said that effluent studies had been done and SME was prepared to pre-treat the discharge so it matched with the other discharge at the waste water treatment plant which was the standard requirement for all industrial waste.

City Manager John Lawton explained there were national, state and local standards regarding effluent discharge and the Highwood Generating Station would be required to meet those standards.

There being no further discussion, Mayor Pro-Tempore called for the vote. Motion carried 3-1 (Mayor Pro-tempore Hinz dissenting).

**BOARDS & COMMISSIONS**

**Housing Authority. Appoint Corey.**

**22. APPOINTMENT, GREAT FALLS HOUSING AUTHORITY.**

Cal Gilbert was appointed to the Housing Authority Board for a five-year term through May 31, 2007. Mr. Gilbert was not eligible for reappointment; therefore, it was necessary to appoint one member to the Housing Authority Board.

**Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission appoint Howard Corey to the Great Falls Housing Authority Board for a five-year term through May 31, 2012**

Motion carried 4-0.

**CITY COMMISSION**

**4<sup>th</sup> of July Public Information Program.**

**25A.** Commissioner Beecher asked City Clerk Peggy Bourne to describe the public information campaign for the new fireworks ordinance. Mrs. Bourne stated that staff partnered with KRTV to air a 12-part series beginning June 12, 2007, on the ordinance. She added that staff was creating three public service announcements that will air on television as well as insert a flyer in the utility bill informing residents about the new law.

**City Manager retirement.**

**25B.** Mayor Pro-tempore Hinz stated that the City Manager recently announced his plans to retire by the end of the calendar year. She added that the City Commission would begin the process to hire another City Manager. She added that Mr. Lawton would be hard to replace.

**PETITIONS AND COMMUNICATIONS**

**Scared Hoop Journey.**

**26A.** **Tommy Stiffarm** and **Robert Benton** handed out information regarding the Scared Hoop Journey event to be held in August. He invited everyone to participate.

**EPA, lottery, taxes and event costs.**

**26B.** **John Hubbard** expressed concern about the Environmental Protection Agency, why the lottery money was not spent on schools, how expensive taxes were and the cost of admission for a powwow that was held in 2005.

**Go-cart track presentation and the Montgomery Energy request.**

**26C.** **Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, stated he was impressed with the go-cart presentation at the work session. He also asked why the City had not responded to a letter sent by Montgomery Great Falls Energy Partners inviting the City to purchase electricity from their plant to be located in Great Falls.

**Highwood  
Generating Station.**

**26D.** **Carol Fisher**, 500 53<sup>rd</sup> Street South, asked what the thermal efficiency rate would be for the Highwood Generating Station. Tim Gregorie, SME Executive Director, stated it would be in the upper to mid thirties. However, he added that was still preliminary and would be better as the equipment was matched to the coal that would be used at the plant.

**Adjourn.**

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the regular meeting of June 5, 2007, be adjourned at 8:45 p.m.**

Motion carried 4-0.

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Mayor Pro-Tempore Hinz

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Peggy Bourne, City Clerk

**ITEM:** \$5000 Report  
 Budget or Contract Claims in Excess of \$5000

**PRESENTED BY:** City Controller

**ACTION REQUESTED:** Approval With Consent Agenda

APPROVAL: \_\_\_\_\_

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

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MASTER ACCOUNT CHECK RUN FOR JUNE 6, 2007	729,049.55
MASTER ACCOUNT CHECK RUN FOR JUNE 13, 2007	651,049.06
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MAY 25, 2007	1,484.20
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MAY 31, 2007	65,395.80
MUNICIPAL COURT ACCOUNT CHECK RUN FOR JUNE 8, 2007	4,108.00
WIRE TRANSFERS FROM JUNE 1, 2007	1,345.25
WIRE TRANSFERS FROM JUNE 6, 2007	<u>52,479.68</u>
<b>TOTAL: \$</b>	<u><u>1,504,911.54</u></u>

**GENERAL FUND**

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<b>POLICE</b>		
ENERGY WEST	MONTHLY CHARGES (SPLIT)	1,926.95
<b>FIRE</b>		
ENERGY WEST	MONTHLY CHARGES (SPLIT)	3,634.50
<b>PARK &amp; RECREATION</b>		
2M COMPANY	IRRIGATION PARTS FOR PARKS	5,268.88
QUALITY SERVICE OVERDOOR	DOORS FOR MAINT SHP, FORESTRY SHP	5,000.00
ENERGY WEST	MONTHLY CHARGES (SPLIT)	2,554.99

**SPECIAL REVENUE FUND**

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<b>LIGHTING DISTRICT</b>		
NORTHWESTERN ENERGY	MONTHLY CHARGES	55,467.01
NORTHWESTERN ENERGY	MONTHLY CHARGES	7,699.22
NORTHWESTERN ENERGY	MONTHLY CHARGES	5,245.29



**SPECIAL REVENUE FUND CONTINUED**

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**STREET DISTRICT**

UNITED MATERIALS	MED TECH PARK PYMT #3	172,262.73
ARROW CONSTRUCTION	PAVING FABRIC	14,375.25
DAVID KUGLIN	REMOVAL CURB 5TH ST & 5TH NORTH	6,304.00

**LIBRARY**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	3,380.55
CENTRAL FLOOR COVERING	CARPETING MATERIALS	47,431.60

**FEDERAL BLOCK GRANTS**

LAPKE CONSTRUCTION	CDBG SIDEWALK REPLACEMENT	5,939.62
LAPKE CONSTRUCTION	CDBG HANDICAP RAMPS	42,448.66
GAGNONS REPROGRAPHICS	COMDATA TERMINAL SERVER	10,000.00

**HOME GRANTS**

NEIGHBORWORKS	DOWN PMT AND CLOSING COSTS	10,000.00
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**ENTERPRISE FUNDS**

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**WATER**

PHILLIPS CONSTRUCTION	WATER SYS REPLACEMENT, OF1437	92,930.33
ENERGY WEST	MONTHLY CHARGES (SPLIT)	5,818.21
DANA KEPNER	510R WIRED MXU METER	29,645.00
DICK ANDERSON CONSTRUCTION	PMT #4 OF 1332.2	220,663.81

**SEWER**

STANLEY CONSULTANTS INC	WWTP-ENERGY DESIGN SERVICES	52,595.58
NEWMECH COMPANIES	WWTP- ELECTRICAL AND INSTALLATION	123,788.83
SHUMAKER TRUCKING & EXCAVATING	PMT #4 MEDICAL TECH PARK OF 1417.1	3,909.41
BEST OIL DISTRIBUTING INC	OF\$1404 WWTP CO ANTI FREEZE & OIL	8,297.50

**STORM DRAIN**

SHUMAKER TRUCKING & EXCAVATING	PMT #4 MEDICAL TECH PARK OF1417.1	3,909.41
FALLS CONSTRUCTION	OF #1440 10TH AVE NORTH	16,673.68

**SANITATION**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	289.04
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**ELECTRIC UTILITY**

R W BECK INC	CONSULTING PHASE 2 TASK ORDER 123	54,630.01
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**SAFETY SERVICES**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	481.74
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**PARKING**

J & L MAINTENANCE	SEAL COAT & STRIPE LOT #4	8,720.00
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**ENTERPRISE FUNDS CONTINUED**

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**GOLF COURSES**

FOOTJOY	GOLF ITEMS FOR RESALE	6,070.52
ENERGY WEST	MONTHLY CHARGES (SPLIT)	235.42

**SWIM POOLS**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	5,371.37
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**RECREATION**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	1,052.85
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**INTERNAL SERVICES FUND**

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**HEALTH INSURANCE**

BLUE CROSS BLUE SHIELD	GROUP & HMO CLMS 5/29-6/4 2007	52,479.68
BLUE CROSS BLUE SHIELD	ADMIN & REINS FEES JUNE 2007	38,363.85

**CENTRAL GARAGE**

MOUNTAIN VIEW CO-OP	UNLEADED AND DIESEL FUEL	36,885.80
SUPERIOR AUTO BODY	REPAIR POLICE CAR #28	9,873.48
MOUNTAIN VIEW CO-OP	UNLEADED	20,612.90

**PUBLIC WORKS**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	1,710.80
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**FACILITY SERVICES**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	2,820.74
DICK OLSON CONSTRUCTION CO	PMT # 1 MEN'S ROOM CIVIC CENTER	5,321.25

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**MUNICIPAL COURT**

CASCADE COUNTY	FINES AND FORFEITURES	10,049.00
CITY OF GREAT FALLS	FINES AND FORFEITURES	50,198.80

**CLAIMS OVER \$5000 TOTAL:**

**\$ 1,262,338.26**

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

**AGENDA: 8  
DATE: June 19, 2007**

**ITEM:**

**CONTRACT LIST**

Itemizing contracts not otherwise approved or ratified by City Commission Action  
(Listed contracts are available for inspection in the City Clerks Office.)

**PRESENTED BY:** City Clerk

**ACTION REQUESTED:** Ratification of Contracts through the Consent Agenda

**MAYOR'S SIGNATURE:** \_\_\_\_\_

**CONTRACT LIST**

	<b>DEPARTMENT</b>	<b>OTHER PARTY (PERSON OR ENTITY)</b>	<b>PERIOD</b>	<b>FUND</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
<b>A</b>	Park and Recreation Department	Jay D. Paulsen Big Sky Fireworks, Inc.	July 4, 2007	100-1499-512-3599	\$13,000	4 <sup>th</sup> of July Fireworks Display
<b>B</b>	Public Works	Liquid Engineering	As needed (1 day)	511-3155-532-3599	\$1900 first 4 hours; \$425/hour after 4 hours.	Locate and repair leak in Ella Tank using underwater diver.
<b>C</b>	Fiscal Services	Security Armored Express	8/21/07 – 7/21/2010	Utilities	\$701.35/monthly plus fuel surcharge	Daily pickup and delivery of bank bags to the bank.
<b>D</b>	Public Works – Engineering	Department of Environmental Quality	July 1, 2007 – June 30, 2008			Contract extension with DEQ for City to review subdivision plans. City is reimbursed \$9000. (O.F. 1419)
<b>E</b>	Public Works	Montana Department of Transportation	April 2006 through			Construction agreement to crack seal and chip seal

			2007			urban routes in City. (OF 1400.2)
<b>F</b>	Public Works	John H. Sheffels, Robert W. Dean Revocable Living Trust and the Spencer Trust	5/2007 through 6/2007			Easement to allow natural gas service installation to the Medical Tech Park Lot 3 (OF 1417.1)
<b>G</b>	Public Works and Park and Recreation	Lacy & Ebling Engineering	6/2007 through 12/2007	2007-8 CDBG	\$15,225	Design LULA elevator installation in the Community Recreation Center (OF 1443.4)
<b>H</b>	Public Works	Concrete Doctor In	6/2007 through 6/2008	Water Fund	\$15,553.75	Curb and gutter and sidewalk Removal and replacement and mudjacking at various locations. (OF 1485.2)
<b>I</b>	Fiscal Services	Great Falls Pre- Release	July 1, 2007 through June 30, 2010	Municipal Court	\$25 per day per defendant for the jail alternative; \$1872.83/month for community service	Pre-release services for municipal court
<b>J</b>	Park and Recreation	WRS Architecture	June 2007	Golf	\$2,800	Eagle Falls roof replacement design, bid, oversight (OF 1480.2)

**CITY OF GREAT FALLS, MONTANA**  
**A G E N D A R E P O R T**

**AGENDA # 9**  
**DATE June 19, 2007**

**Item** Set Annual Budget Hearings on:  
Resolution 9661 - Intent to Increase Property Tax  
Resolution 9662 - Annual Budget Resolution

**Initiated By** Statutory Budget Requirements

**Action Requested** Set the Annual Budget Hearings

**Prepared & Presented By** Melissa Kinzler, Budget Officer

**Reviewed & Approved By** Cheryl Patton, Assistant City Manager

**RECOMMENDATIONS**

Staff Recommends the City Commission set the public budget hearings on Resolutions 9661 and 9662 for July 3, 2007, and provide notices for:

1. the Public Hearing on the Intent to Increase Property Tax Revenue, and
2. the Public Hearing on the Preliminary Budget.

**MOTIONS**

I move the City Commission set the Public Hearings for Resolutions 9661 and 9662 for 7:00 PM, July 3, 2007.

**SYNOPSIS**

Prior to adoption of the City's annual budget the City is required to hold public hearings on:

1. it's intent to budget an increase in revenue from property taxation, and
2. the proposed annual budget.

The City is developing its annual budget.

- The City started the annual budget process with a series of public work sessions.
- The budget is developed in accordance with City Commission direction.
- The proposed budget was presented by the City Manager on June 19, 2007 at the City Commission Work Session.
- The annual public hearings on the budget are proposed for July 3, 2007.
- The setting of the tax levies is scheduled for August 7, 2007 or when the Montana Department of Revenue has certified taxable values for the City of Great Falls.

## **BACKGROUND**

ATTACHED are:

1. Proposed Legal Notice - Intent to Increase Property Taxes
2. Proposed Legal Notice - Budget Hearing
3. Resolution 9661 - Proposed Intent to Increase Property Tax
4. Resolution 9662 - Proposed Annual Budget Resolution

### Property Tax Levy Increases

MCA 15-10-203, requires the City to hold a public hearing before passing a resolution stating its intent to increase property tax revenues. MCA 15-10-420, authorizes a property tax levy increase of "one-half of the average rate of inflation for the prior 3 years". The Consumer Price Index showed a 3.06% average increase. Therefore the City is allowed and is proposing a 1.53% property tax levy increase.

MCA 15-10-420 and 2-9-212(2a), also allow property tax levy increases for premium contributions for group benefits. The City is proposing an additional 3.1% property tax levy increase for health insurance premiums.

The total proposed allowable property tax levy increase is 4.63%.

### Notices of Hearings

MCA 7-1-4127, requires notice of budget hearing.

**RESOLUTION NO. 9661**  
**INTENT TO INCREASE PROPERTY TAX RESOLUTION**  
**FOR THE FISCAL YEAR BEGINNING JULY 1, 2007 AND ENDING JUNE 30, 2008**

- A. MCA 15-10-203(1) requires the City to hold a public hearing and subsequently adopt a resolution of its intent to increase property tax revenue, prior to budgeting for any increase in property tax revenue from existing property.
- B. MCA 15-10-420(1) allows the City to increase its annual property tax levy by "one-half the rate of inflation for the prior 3 years".
- C. MCA 15-10-420(1c) provides for the average rate of inflation to be calculated "using the consumer price index, U.S. City average, all urban consumers, using the 1982-1984 base of 100, as published by the Bureau of Labor Statistics of the United States Department of Labor".
- D. The applicable consumer price indexes had a three year average of 3.06% and an allowed tax levy increase of **1.53%**.
- E. MCA 2-9-212(2a) excludes a portion of a governmental entity's property tax levy for premium contributions for group benefits from the mill levy calculation limitation provided for in 15-10-420.
- F. MCA 2-9-212(2a) allows additional mill levys for premium contributions for group benefits beyond the amount of contributions in effect.
- G. The applicable contributions increase allows the City to levy an additional 4 mills under MCA 2-9-212(2a), an allowed tax levy increase of **3.1%**.
- H. The notice of hearing on the City's intent to budget an increase in revenue from property taxation **by 4.63%**, was published in accordance with MCA 7-1-4127, as required by MCA 15-10-203, and MCA, 2-9-212.
- I. The hearing on the City's intent to budget an increase in revenue from property taxation was held in accordance with MCA 7-1-4131 and MCA 15-10-203.

**NOW, THEREFORE,**

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

**Section 1. - Intent to budget additional property tax revenue**

The City Commission intends to budget the **4.63 percent** increase in property tax revenue allowed by MCA 15-10-420.

PASSED by the Commission of the City of Great Falls, Montana, on this \_\_\_\_ day of \_\_\_\_\_, 2007.

Dona Stebbins, Mayor

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved as to form: City Attorney

State of Montana )  
County of Cascade : ss  
City of Great Falls )

I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9661 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the \_ day of \_\_\_\_\_, 2007, and approved by the Mayor of said City on the \_\_\_ day of \_\_\_\_\_, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this \_\_\_ day of \_\_\_\_\_, 2007.

Peggy Bourne, City Clerk

(SEAL OF CITY)



## RESOLUTION NO. 9662

### ANNUAL BUDGET RESOLUTION

#### A RESOLUTION RELATING TO FINAL BUDGETS AND ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2007 AND ENDING JUNE 30, 2008

- A. Montana Code Annotated, 7-6-4024, requires that the budget be approved and adopted by resolution by the later of the second Monday in August or 45 calendar days of receiving certified taxable values from the Department of Revenue.
- B. the notice of hearing on budget increase from property taxes was published in accordance with MCA, 15-10-203,
- C. the notice of hearing on preliminary budget was published in accordance with MCA, 7-1-4127, as required by MCA, 7-6-4021; and,
- D. the hearing on preliminary budget and budget increase from property taxes was held in accordance with MCA, 7-1-4131 and 7-6-4024.

#### **NOW, THEREFORE,**

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

#### Section 1. - Legal Spending Limits

The legal spending limits of the City of Great Falls are established at the fund level.  
Appendix A establishes each funds level. (7-6-4030,MCA)

#### Section 2. - Implementation Authority

2.1 The City Manager is hereby delegated appropriation authority for the expenditure of funds from any or all of the following:

- a. debt service funds;
- b. trust funds;
- c. federal, state, local or private grants accepted and approved by the governing body;
- d. special assessments;
- e. proceeds from the sale of land;
- f. any fund for gifts or donations; and,
- g. money borrowed during the fiscal year. (7-6-4006,MCA)

2.2 The City Manager is hereby delegated authority to adjust appropriations funded by

fees throughout the fiscal year in any or all of the following:

- a. proprietary funds (enterprise and internal service funds);
- b. general fund for fee supported services;
- c. planning fund for fee supported mapping services;
- d. natural resources fund for fee supported forestry services;
- e. permits fund; and,
- f. licenses fund.

(7-6-4012,MCA)

2.3 The City Manager is hereby delegated the authority to make transfers or revisions within appropriations of any fund.

2.4 The City Manager may delegate to his department directors the authority to make transfers or revisions within or among appropriations of specific operations within a fund, limited to the division level of accountability.

2.5 Joint operating agreements approved by the governing body; insurance recoveries or dividends; hazardous material recoveries and, refunds or reimbursements of expenditures shall automatically amend the annual appropriations or reduce recorded expenditures whichever is correct in accordance with Generally Accepted Accounting Principles (GAAP).

### Section 3. - Appropriation Carryovers

Generally accepted accounting principles (GAAP) require expenditures to be recognized in the fiscal year in which the goods or services are received.

3.1 Previous fiscal year appropriations for incomplete improvements in progress of construction, or segments thereof, are hereby declared authorized appropriations in addition to the appropriations set out in Appendix A., provided they meet the following criteria:

- a. related financing was provided in the prior fiscal year;
- b. the appropriations were not obligated by year end;
- c. the purpose was not included, or rejected, in current budget financing or appropriations; and,
- d. the City Manager determines the appropriation is still needed.

3.2 Outstanding purchase orders and other obligations, representing a City obligation to pay the claim after receipt of the goods or services, are recognized as "claims incurred". They are hereby declared authorized "carryover" appropriations in addition to the appropriations set out in Appendix A., provided they meet the following criteria:

- a. related financing was provided in the prior fiscal year;
- b. the appropriations were not otherwise obligated by year end;
- c. the purpose was not included, or rejected, in current budget financing or appropriations; and,
- d. the City Manager determines the appropriation is still needed.

#### Section 4. - Appropriated Reserves

Reserves which have been established for specific purposes, such as Equipment Revolving Scheduled (ERS) reserves, are hereby declared to be appropriations available for expenditure according to the reserve purpose. They shall be acknowledged as current appropriations upon the determination by the City Manager that they are currently needed to serve their intended purpose. Unexpended reserves shall be carried forward to meet future needs in accordance with their purpose.

#### Section 5. Contingency Account

5.1 Contingency account appropriations are provided by the City Commission as flexible appropriations. They are intended to provide the City Manager with an effective management tool for adjusting to changing circumstances throughout the budgetary year.

5.2 The City Manager is delegated the authority to transfer part or all of any contingency appropriation and related financing. Use of contingency appropriations is restricted to transfers of that appropriation authority to specific operating budgets. Proper classification of expenditures to specific operations is required. Accordingly, charging of expenditures directly to Contingency accounts is prohibited.

5.3 The Contingency appropriation is a two part authorization, determined on whether cash funding has been allocated in the General Fund during budget development:

- a. General Fund financed; and,
- b. Unfunded - a specific fund cash balance, additional revenue, or other funding source must be identified before the "unfunded" contingency appropriation may be used.

#### Section 6. - Classification and Pay Plan

6.1 The objective of the City's Classification and Pay Plan is to enable the City to retain, and when necessary, recruit competent employees. Therefore, the Plan must be a dynamic tool which is continuously updated.

6.2 The City Manager is authorized to administratively change the Classification and Pay Plan. Annual pay surveys, continual or periodic review of positions with changed duties or responsibilities, and additions to the classification plan of changed and new classes of work will assure that the Classification and Pay Plan remains current and equitably meets the needs of the City and its employees.

#### Section 7. - Budgetary Authority

References to statutes, or to consistency with statutory authority, are for information purposes only. Nothing in this resolution shall be considered to mitigate or compromise the City's self-governing authority.

Section 8. - Accounting Structure

Staff is hereby directed to establish and maintain City accounting structure in accordance with Generally Accepted Accounting Principles (GAAP). Statutes, ordinances, resolutions or other authoritative sources shall be implemented according to their intent and GAAP. Staff shall provide for conformance with the Commission's limits for financing and appropriation under authorized budgets whenever making proper modifications to accounting structure.

PASSED by the Commission of the City of Great Falls, Montana, on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Dona Stebbins, Mayor

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved as to form: City Attorney

State of Montana        )  
County of Cascade     : ss  
City of Great Falls    )

I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9662 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the \_ day of \_\_\_\_, 2007, and approved by the Mayor of said City on the\_\_ day of \_\_\_\_\_, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of  
said City this \_\_\_ day of \_\_\_\_\_, 2007.

(SEAL OF CITY)

Peggy Bourne, City Clerk

## Appendix A. Balances & Changes by Fund for Year Ending June 30, 2008

	Estimated Beginning Balance	(+ Working Capital Sources			(-) Working Capital Uses			Estimated Ending Balance	Reserved Balance	Available Balance
		Revenue	Transfers In	Total Sources	Appropri.	Transfers Out	Total Uses			
<b>General Fund</b>	2,919,606	21,404,517	236,000	21,640,517	18,823,690	2,814,186	21,637,876	2,922,247	301,032	2,621,215
<b>Special Revenue Funds</b>										
Tax Increment Fund	0	473,066	0	473,066	175,039	297,935	472,974	92	0	92
Planning Fund	68,077	552,364	143,564	695,928	689,598	6,330	695,928	68,077	0	68,077
CTEP Projects Fund	12,069	0	0	0	11,232	0	11,232	837	0	837
Lighting Districts Fund	781,870	1,193,418	0	1,193,418	1,205,032	0	1,205,032	770,256	0	770,256
Historic Bridge Fund	(23,284)	0	0	0	0	0	0	(23,284)	0	(23,284)
Support & Innovation Fund	21,715	163,060	375,879	538,939	536,566	0	536,566	24,088	0	24,088
911 Special Revenue Fund	478,197	392,000	0	392,000	39,279	282,112	321,391	548,806	0	548,806
Police Special Revenue Fund	271,412	32,000	0	32,000	119,682	0	119,682	183,730	183,730	0
Fire Special Revenue Fund	33,337	5,600	0	5,600	515	0	515	38,422	0	38,422
Public Works Special Revenue Fund	47,712	0	0	0	536	0	536	47,176	0	47,176
Street District Fund	489,121	4,238,232	0	4,238,232	4,506,025	20,642	4,526,667	200,686	0	200,686
Library Fund	390,886	422,850	765,000	1,187,850	1,197,004	13,450	1,210,454	368,282	115,580	252,702
Library Foundation Fund	105,563	261,100	0	261,100	258,732	0	258,732	107,931	0	107,931
Park & Recreation Special Revenue Fund	399,886	100,500	25,000	125,500	123,629	0	123,629	401,757	294,996	106,761
River's Edge Trail Special Revenue Fund	23,499	0	0	0	22	0	22	23,477	0	23,477
Natural Resources Fund	29,855	340,825	265,982	606,807	601,963	4,747	606,710	29,952	0	29,952
Portage Meadows Fund	20,664	22,990	0	22,990	27,458	0	27,458	16,196	0	16,196
Housing Authority Fund	0	1,040,276	0	1,040,276	1,025,639	14,637	1,040,276	0	0	0
Federal Block Grants Fund	4,688	1,283,857	0	1,283,857	1,285,851	1,931	1,287,782	763	0	763
Federal Home Grant Fund	12,690	410,374	0	410,374	421,846	316	422,162	902	0	902
Community Development Fund	58,462	234,560	0	234,560	234,559	1,851	236,410	56,612	0	56,612
Economic Revolving Fund	11,446	191,985	0	191,985	201,952	0	201,952	1,479	0	1,479
Permits Fund	236,619	786,570	0	786,570	852,362	7,754	860,116	163,073	0	163,073
Licenses Fund	830	221,717	0	221,717	221,717	823	222,540	7	0	7
Ag Tech Park Fund	50,863	0	0	0	0	0	0	50,863	0	50,863
<b>Total Special Revenue Funds</b>	<b>3,526,177</b>	<b>12,367,344</b>	<b>1,575,425</b>	<b>13,942,769</b>	<b>13,736,238</b>	<b>652,528</b>	<b>14,388,766</b>	<b>3,080,180</b>	<b>594,306</b>	<b>2,485,874</b>
<b>Debt Service Funds</b>										
Master Debt SILD	(5,796)	12,087	0	12,087	25,628	0	25,628	(19,337)	0	(19,337)
Improvement Districts Revolving Fund	641,111	218,813	0	218,813	141,264	0	141,264	718,660	718,660	0
Soccer Park Bonds	94,118	194,900	0	194,900	187,950	0	187,950	101,068	0	101,068
Swim Pool Rehab GO Bond	0	280,000	0	280,000	260,800	0	260,800	19,200	0	19,200
Tax Increment Bond Fund	2,871,507	2,352,000	0	2,352,000	2,519,019	454,000	2,973,019	2,250,488	2,250,488	0
<b>Total Debt Service Funds</b>	<b>3,600,940</b>	<b>3,057,800</b>	<b>0</b>	<b>3,057,800</b>	<b>3,134,661</b>	<b>454,000</b>	<b>3,588,661</b>	<b>3,070,079</b>	<b>2,969,148</b>	<b>100,931</b>
<b>Capital Project Funds</b>										
General Capital Fund	1,398,665	10,000	348,000	358,000	352,469	0	352,469	1,404,196	0	1,404,196
City Lighting Construction	1,748	0	0	0	0	0	0	1,748	0	1,748
Improvement District Projects Fund	0	0	0	0	0	0	0	0	0	0
Hazard Removal Fund	49,889	50,000	0	50,000	51,667	0	51,667	48,222	0	48,222
Sidewalk Hazard Removal Fund	59	0	0	0	59	0	59	0	0	0
<b>Total Capital Project Funds</b>	<b>1,450,361</b>	<b>60,000</b>	<b>348,000</b>	<b>408,000</b>	<b>404,195</b>	<b>0</b>	<b>404,195</b>	<b>1,454,166</b>	<b>0</b>	<b>1,454,166</b>

## Appendix A. Balances & Changes by Fund for Year Ending June 30, 2008

	Estimated Beginning Balance	(+ Working Capital Sources			(-) Working Capital Uses			Estimated Ending Balance	Reserved Balance	Available Balance
		Revenue	Transfers In	Total Sources	Appropri.	Transfers Out	Total Uses			
<b>Enterprise Funds</b>										
Water Fund	4,469,583	10,003,080	0	10,003,080	10,005,862	24,100	10,029,962	4,442,701	3,632,768	809,933
Sewer Fund	4,518,013	7,260,279	0	7,260,279	7,912,324	8,181	7,920,505	3,857,787	3,810,337	47,450
Storm Drain Fund	3,392,853	1,831,800	0	1,831,800	2,455,924	158	2,456,082	2,768,571	1,028,595	1,739,976
Sanitation Fund	211,511	3,169,122	0	3,169,122	2,956,376	14,510	2,970,886	409,747	126,371	283,376
Electric Utility Fund	(971,490)	6,166,000	0	6,166,000	6,723,891	0	6,723,891	(1,529,381)	0	(1,529,381)
Safety Services Fund	179,489	1,013,643	271,216	1,284,859	1,350,257	14,503	1,364,760	99,588	0	99,588
Parking Fund	230,660	558,750	0	558,750	702,003	665	702,668	86,742	64,266	22,476
Golf Courses Fund	(1,274,266)	1,294,582	79,600	1,374,182	1,368,406	5,317	1,373,723	(1,273,807)	237,718	(1,511,525)
Swim Pools Fund	(166,980)	324,491	566,504	890,995	864,335	2,049	866,384	(142,369)	0	(142,369)
Recreation Fund	69,784	392,875	220,438	613,313	570,895	5,629	576,524	106,573	0	106,573
Civic Center Events Fund	109,297	352,220	216,352	568,572	581,256	2,326	583,582	94,287	5,251	89,036
<b>Total Enterprise Funds</b>	<b>10,768,454</b>	<b>32,366,842</b>	<b>1,354,110</b>	<b>33,720,952</b>	<b>35,491,529</b>	<b>77,438</b>	<b>35,568,967</b>	<b>8,920,439</b>	<b>8,905,306</b>	<b>15,133</b>
<b>Internal Service Funds</b>										
Administrative Services Fund	(7,886)	299,162	0	299,162	295,950	3,212	299,162	(7,886)	0	(7,886)
Central Communications Fund	80,349	82,950	0	82,950	83,015	1,028	84,043	79,256	0	79,256
Health and Benefits Fund	(637,081)	5,018,960	350,000	5,368,960	5,018,960	0	5,018,960	(287,081)	0	(287,081)
Insurance & Safety Fund	98,122	1,413,190	0	1,413,190	1,413,190	831	1,414,021	97,291	0	97,291
Fiscal Services Fund	56,007	1,698,775	0	1,698,775	1,684,708	14,067	1,698,775	56,007	0	56,007
Information Tech Fund	444,793	1,172,093	21,792	1,193,885	1,110,705	6,883	1,117,588	521,090	439,630	81,460
Central Garage Fund	1,325,396	1,735,471	0	1,735,471	1,442,674	8,039	1,450,713	1,610,154	940,528	669,626
Engineering Fund	205,124	1,035,634	162,710	1,198,344	1,150,619	10,286	1,160,905	242,563	104,823	137,740
Public Works Administration Fund	78,446	430,341	0	430,341	429,666	2,374	432,040	76,747	7,000	69,747
Civic Center Facility Services Fund	142,873	460,264	0	460,264	481,765	3,165	484,930	118,207	97,116	21,091
<b>Total Internal Service Funds</b>	<b>1,786,143</b>	<b>13,346,840</b>	<b>534,502</b>	<b>13,881,342</b>	<b>13,111,252</b>	<b>49,885</b>	<b>13,161,137</b>	<b>2,506,348</b>	<b>1,589,097</b>	<b>917,251</b>
<b>Trust &amp; Agency Funds</b>	<b>0</b>		<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Trust & Agency Fund transactions are made in accordance with specific trust or agency agreements, covenants or other regulations. Accordingly, annual budgets are not prepared.										
<b>Total Trust &amp; Agency Funds</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total All Budgeted Funds</b>	<b>24,051,681</b>	<b>82,603,343</b>	<b>4,048,037</b>	<b>86,651,380</b>	<b>84,701,565</b>	<b>4,048,037</b>	<b>88,749,602</b>	<b>21,953,459</b>	<b>14,358,889</b>	<b>7,594,570</b>

**NOTICE OF BUDGET INCREASE FROM PROPERTY TAXES**

The City of Great Falls intends to budget an increase in revenue from property taxation by approximately **4.63%**, as allowed by State statute 15-10-420.

All concerned persons are invited and encouraged to attend a public hearing on budgeting the increased property tax revenue and on the budget as a whole to be held on July 3, 2007, at 7:00 p.m., City Commission Chambers, Civic Center Building.

A decision on budgeting the increased property tax revenue will be made after considering comments made at this hearing.

For further information, please contact: City Clerk's Office, Room 202, Civic Center, 455-8451.

Peggy J. Bourne  
City Clerk

.....  
**FOR OFFICE USE ONLY**

Publication Dates: June 24, 2007  
July 1, 2007

**DISPLAY AD**

THIS ADVERTISEMENT MAY NOT BE PLACED IN THAT PORTION OF THE NEWSPAPER WHERE LEGAL NOTICES AND CLASSIFIED ADVERTISEMENTS APPEAR. (15-10-203, MCA)



## NOTICE OF BUDGET HEARING

NOTICE is hereby given that the City Commission of the City of Great Falls has:

- completed its preliminary budget;
- placed the preliminary budget on file and open to public inspection at the City Clerk's Office, Room 202, Civic Center Building; and,
- set the public hearing on the City of Great Falls 2007 / 2008 Annual Operating Budget for 7 PM, Tuesday, July 3, 2007, at the City Commission Chambers, Civic Center Building.

All persons desiring to be heard are invited to appear and provide written or oral comments concerning the budget. For further information, please contact: City Clerk's Office, Room 202, Civic Center, 455-8451.

Peggy J. Bourne  
City Clerk

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### FOR OFFICE USE ONLY

Publication Dates:      June 24, 2007  
   July 1, 2007

**LEGAL AD**

AGENDA REPORT

DATE June 19, 2007

ITEM B.I.D. 2007/2008 Budget and Work Plan

INITIATED BY Business Improvement District

ACTION REQUESTED Set Public Hearing for July 3, 2007

PRESENTED BY Tonya Jorgensen, Business Improvement District

- - - - -

**RECOMMENDATION:** It is recommended that the City Commission set the public hearing for the 2007/2008 B.I.D. budget for July 3, 2006, at 7:00 p.m.

**MOTION:** I move the City Commission set a public hearing for July 3, 2006, at 7:00 P.M. regarding the 2007/2008 Business Improvement District budget and work plan.

**SYNOPSIS:** The Business Improvement District requested the City Commission set July 3, 2007 to conduct a public hearing on its annual budget and work plan. According to State statute, the City Commission must hold a public hearing to hear any objections to the budget and work plan. Following the public hearing, the City Commission may approve the plan or request that amendments be made to it prior to levying an assessment on all properties within the district to defray the costs. The assessment will be according to the formula approved with the creation of the district.

cc: Coleen Balzarini, Fiscal Services Director

## **PUBLIC NOTICE**

**NOTICE IS HEREBY GIVEN** that the City Commission of the City of Great Falls will conduct a Public Hearing on July 3, 2007 at 7:00 P.M. in the Commission Chambers, Civic Center, 2 Park Drive South, for the purpose of considering the 2007/2008 Business Improvement District budget. Any person interested in providing public comment may do so at the public hearing or may provide written comment by addressing said comments to the City Clerk, City of Great Falls, P.O. Box 5021, Great Falls, MT 59403.

/s/ Peggy J. Bourne  
City Clerk

PUBLICATION DATE:  
July 1, 2007

## AGENDA REPORT

DATE June 19, 2007

**ITEM** Release of Tax Increment Surplus

**INITIATED BY** Tax Levy Analysis

**ACTION REQUESTED** Authorize Release of Tax Increment Surplus

**PRESENTED BY** Coleen Balzarini, Fiscal Services Director/City Controller CB

**RECOMMENDATIONS**

Staff recommends the City Commission release surplus tax increment to the taxing bodies.

**MOTIONS**

I move the City Commission authorize distribution of the FY 2006/2007 surplus from the Tax Increment Bond Fund, to be apportioned according to the 2006 mill levies of the contributing taxing jurisdictions.

**SYNOPSIS**

A Bond fund analysis shows \$ 1,000,000 in surplus tax increments. The existence of this surplus is proof positive that tax increment financing works. The community benefits from the development. The taxing jurisdictions benefit from their willingness to invest in development.

This FY 2006/2007 distribution calculation is based upon 2006 mill levies.

	<u>% Share</u>	<u>Surplus Share</u>
City	21.71 %	\$ 217,140
Library	2.06 %	20,580
County	20.50 %	205,010
School	31.75 %	317,470
State (for schools)	<u>23.98 %</u>	<u>239,800</u>
Total	100.00 %	<u>\$ 1,000,000</u>

**BACKGROUND**

**ATTACHED** are:

1. Tax Increment Surplus – Potential Surplus Analysis
2. Tax Increment Surplus – History of Distributions

When a tax increment district is created, two basic conditions are met:

1. the determination that “but for” tax increment financing, desired development would not occur in the area; and,
2. agreement that local taxing entities will receive the same “base year” level of taxes, but dedicate any incremental tax increases to financing the development of the area.

The release of tax increment surplus is proof that this form of financing does generate the desired development.

# RELEASE OF TAX INCREMENT SURPLUS

## What is Tax Increment?

This *Urban Renewal Tax Increment District* is most of the area in the oldest part of Great Falls. It was *Established in 1979* and will *End in FY 2010*.

The *Tax Increment* is the increase in property taxes since the District was created.

## What is Tax Increment Used For?

The City has *Issued Bonds for Public Improvements* in the District.

The *Tax Increment Is Used to Pay Back the Bonds or to directly finance eligible activities*.

The City, County and School are investing taxes to *Restore the City Center*.

## What is Tax Increment Surplus?

Tax Increment now generates *More tax revenue than Needed to Pay Bonds -- A Surplus*.

The Surplus is returned to tax entities in proportion to their mill levies.

Surplus has been released annually since 1987.

## **Tax Increment District History**

The city center Tax Increment District was created in 1979. In FY 86/87 the City initiated annual releases of a portion of the Tax Increments determined to be unnecessary for urban renewal plans. The released levies totaled:

- \$ 96,591 for FY 86/87;
- \$ 114,845 for FY 87/88; and,
- \$ 123,989 for FY 88/89.

All of these releases were made by annual resolutions instructing the County to release any tax increments in excess of \$2,029 per mill.

In 1989 the City issued its major Tax Increment Bond, and in 1993 most of the Tax Increment Bond was refunded. Bond covenants contain Debt Service Reserve requirements, and include a requirement that the City **directly receive** 100% of all tax increments. The purpose was to assure bond holders that first priority for all tax increments would be bond payments and required reserves. Accordingly, the tax levy for FY 89/90 and subsequent years could not provide for any release of Tax Increments through the County. The covenants also stipulate additional reserves before any release of tax increment surplus.

Due to new bond covenants, no Tax Increment release was provided for FY89/90. Since FY 90/91, analysis has shown that the City is able to:

- a. meet Debt Service Reserve requirements;
- b. issue additional bonds for construction of the Health Department Building;
- c. make current bond payments; and,
- d. annually release surplus tax increment.

Bond covenants authorize the City to use the surplus for further urban renewal, debt retirement, and/or distribution to the taxing bodies. When the Tax Increment District was created, the understanding among local government taxing bodies was that any surplus would be distributed.

A new City/County/School agreement provided for additional tax increment bonds to be issued in FY 97/98 for a City-County Health Building. The surplus distributions for FY 98/99 and thereafter are reduced due to the new debt service.

Additional debt service savings occurred in November 2002 when the 1993 T/I bonds were refunded.

Reserves were built up to required balances through past levies. The "surplus" is derived from the most current tax levies. Accordingly, the proposed surplus distribution is based upon the current annual mill levies of the taxing jurisdictions.

### **Release Of Tax Increments - Relevant Bond Covenants Review**

Section 8 of Resolution No. 8245 was amended with the adoption of Resolution No. 9268. This section prescribes the details the accounting reserve, bond covenants for the 1989 Tax Increment Bond issue.

Page 51 of the resolution sets the requirements which must be met before release of tax increments to taxing bodies. Financing of three reserves is required before any release:

1. RESERVE ACCOUNT - Section 8.04 (Long-term Debt Service Reserve)  
This reserve is set at \$771,000, and relates to an amount equal to the lesser of (1) the maximum Principal and Interest Requirements on outstanding bonds for the then current or any future calendar year or (2) ten percent (10%) of the aggregate original principal amount of all series of bonds then outstanding.
2. BOND ACCOUNT - Section 8.03 (Current Debt Service Reserve)  
This reserve varies relative to both the principal & interest per year and the point in time during a year. The reserve amount is the interest due at the next interest payment date plus either:
  - a. 100% of the interest due within the next six (6) months; or,
  - b. 50% of the principal due within the next twelve (12) months.
3. DEVELOPMENT ACCOUNT - Section 8.05(e) (Release Reserve)  
In addition to other permitted uses, provision is made for in the Development Account section for release of surplus increments. However, before any release can be made another reserve requirement is added. This additional release reserve is set at 50% of the principal and interest due in the next succeeding fiscal year.

On page 49 of Resolution No. 8245, Section 8.03 makes specific reference to "all tax increment estimated to be received ... prior to the next succeeding Interest Payment Date" as a factor in measuring conformance with the Bond Account reserve requirement. Accordingly, both cash and estimated revenues should be used to analyze the potential to release tax increments to the taxing bodies. This was also verified through Bond Counsel.

**CITY OF GREAT FALLS  
TAX INCREMENT SURPLUS**

**A Sources**

1	Cash Balance	01-Mar-2007			\$ 3,085,826
	Add: Estimated Tax Collections thru		30-Jun-2007		900,000
	Add: Estimated Interest thru		30-Jun-2007		17,800
	<b>Total Estimated Sources @</b>		30-Jun-2007		<b>4,003,626</b>

**B Uses**

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1	Debt Service Payment @	15-Aug-2006	15-Feb-2007	15-Aug-2007	Total
a	Principal	0	0	1,035,000	1,035,000
b	Interest	0	0	54,086	54,086
c	Fees	0	0	750	750
	Debt Payment Subtotal				1,089,836
2	Reserve Requirements @	15-Aug-2007			
a	Reserve Account - L-T Debt Service Reserve				771,000
	Bond Account - Current Debt Service Reserve (Resets to \$ 0 at August 15th)				
b	Principal	0	X 50%		0
c	Interest (see payment above)				0
d.	Development Account -- "Release Reserve"				563,421
e.	Reserve for Broadwater Landscaping (52,000) and Misc Development (458,919-20,000)				490,919
	Reserves Required Subtotal				1,825,340
	Debt Payment and Reserve Requirements		15-Aug-2007		2,915,176

**C Potential Surplus**

\$ 1,088,450

**D Amount of Surplus to be Released**

**\$ 1,000,000**

**E Distribution**

	Total	City of Great Falls	Great Falls Library	Cascade County	Great Falls School District	State of Montana	Transit District	
<b>2006</b>	Mill Levy	592.90	128.74	12.20	121.55	188.23	142.18	Note 1
	<b>Percentage Share</b>	100.00%	21.71%	2.06%	20.50%	31.75%	23.98%	na
	<b>Surplus Distribution</b>	<b>1,000,000</b>	<b>217,140</b>	<b>20,580</b>	<b>205,010</b>	<b>317,470</b>	<b>239,800</b>	na

Note 1  
 Contrary to statute, tax increments related to the Great Falls Transit District were not remitted to the tax increment fund prior to FY 99.  
 T. I. surplus totalling \$152,221 was distributed to the Transit District from FY 92 through FY 97 before the increment error was discovered.  
 Starting in FY 98 Transit District increments will be received and fully retained to recover the increment deficiencies of prior years.

**CITY OF GREAT FALLS  
TAX INCREMENT SURPLUS  
HISTORY OF DISTRIBUTIONS BY THE CITY**

Distribution Date	Fiscal Year	Levy Year	\$ AMOUNT DISTRIBUTED TO TAXING ENTITIES						
			Totals Distributed	City of Great Falls	Great Falls Library	Cascade County	Great Falls School Distr.	State of Montana Exclude Univ. Mills	G.F. Transit District
18-Jun-1991	FY 1990 / 91	1990	180,786.00	59,659.38	5,423.58	43,388.64	72,314.40	0.00	0.00
16-Feb-1993	FY 1991 / 92	1991	113,012.00	21,942.27	1,807.86	16,397.30	31,281.17	38,670.16	2,913.24
16-Feb-1993	FY 1992 / 93	1992	628,220.01	115,537.21	9,519.31	87,523.25	194,289.10	206,011.45	15,339.69
05-Apr-1994	FY 1993 / 94	1993	675,000.00	121,500.00	13,500.00	108,000.00	195,750.00	216,000.00	20,250.00
05-Jul-1995	FY 1994 / 95	1994	1,111,000.00	209,000.00	22,000.00	176,000.00	308,000.00	363,000.00	33,000.00
02-Apr-1996	FY 1995 / 96	1995	1,970,197.00	376,664.00	32,308.00	322,292.00	527,369.00	659,556.00	52,008.00
15-Jul-1997	FY 1996 / 97	1996	1,100,000.00	198,770.00	17,050.00	189,090.00	323,400.00	342,980.00	28,710.00
03-Feb-1998	FY 1997 / 98	1997	706,588.00	143,976.00	4,952.00	134,863.00	257,016.00	165,781.00	0.00
15-Jun-1999	FY 1998 / 99	1998	549,945.00	94,655.00	8,085.00	81,015.00	196,790.00	169,400.00	0.00
15-Aug-2000	FY 1999/00	1999	1,000,000.00	180,600.00	15,500.00	157,000.00	357,500.00	289,400.00	0.00
19-Jun-2001	FY 2000/01	2000	850,000.00	163,795.00	15,895.00	145,350.00	273,870.00	251,090.00	0.00
17-Sep-2002	FY 2001/02	2001	1,051,000.00	199,690.00	21,020.00	189,180.00	357,340.00	283,770.00	0.00
24-Jun-2003	FY 2002/03	2002	1,640,000.00	314,880.00	36,080.00	298,480.00	574,000.00	416,560.00	0.00
24-Jun-2004	FY 2003/04	2003	1,500,000.00	288,000.00	31,500.00	286,500.00	535,500.00	358,500.00	0.00
21-Jun-2005	FY 2004/05	2004	960,000.00	193,601.00	19,775.00	174,572.00	339,597.00	232,455.00	0.00
06-Dec-2005	FY 2005/06	2005	1,000,000.00	214,500.00	20,760.00	183,690.00	339,390.00	241,660.00	0.00
19-Jun-2007	FY 2006/07	2006	1,000,000.00	217,140.00	20,580.00	205,010.00	317,470.00	239,800.00	0.00
			<b>\$ 16,035,748.01</b>	<b>\$ 3,113,909.86</b>	<b>\$ 295,755.75</b>	<b>\$ 2,798,351.19</b>	<b>\$ 5,200,876.67</b>	<b>\$ 4,474,633.61</b>	<b>\$ 152,220.93</b>

ATTACHMENT 2



CITY OF GREAT FALLS, MONTANA

AGENDA # 12

AGENDA REPORT

DATE June 19, 2007

ITEM Housing Rehabilitation Program Addition

INITIATED BY Community Development Department

ACTION REQUESTED Approve Addition of Water/Sewer Program to current loans

PREPARED & PRESENTED BY Bruce Haman, Housing Rehab Specialist

REVIEWED & APPROVED BY Mike Rattray, C.D. Director

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**RECOMMENDATION:**

The Housing Loan Board and Staff recommend that the City Commission **approve** the following motion:

**MOTION:**

I move that the City Commission approve Housing Rehab to create an additional Water/Sewer Program to add to the current loan programs.

**SYNOPSIS:**

City staff wants to add another loan program to the Housing Rehab Program. The *Water/Sewer Program* will be added to the current *Deferred Payment Loan* and *Rental Improvement Loan* programs. Staff is expecting an increased amount of homeowners to use the water/sewer loan due to the Upper and Lower River Road annexation. The DPL and RIL loans are interest free. The city currently has an emergency water and sewer fund where the money comes from the DPL program. Those emergency loans will now come from the new *W/S Program* with an added interest rate. There will be an initial \$50,000 investment from the Community Development Block Grant fund. The *Water/Sewer* program will require a re-payment to begin plus 3% interest when the project reaches substantial completion. Handicap, elderly and very low income may be interest exempt, depending on financial ability to repay. The added interest will help the fund grow and eventually become self funded. The addition of the new *Water/Sewer* loan, with interest added, will keep from depleting the current DPL funds.

**BACKGROUND:**

Housing Rehab currently oversees a *Deferred Payment Loan* and *Rental Improvement Loan* program. The objective of these programs are to stabilize and improve the City's housing stock by providing financial assistance to income qualifying and income property owners of affordable residential homes and rentals. The improvements shall correct life safety hazards, code violations and maintenance deficiencies. The DPL loans remain deferred until the property is sold or when the first mortgage is paid in full, then a monthly payback is required. The RIL loans are structured on a monthly payback upon substantial completion of the project. The original funding for the two loans came from the Community Development Block Grant Funds. The current structure of the program has been in place since 1987. There is approx. 2.5 million dollars in payback loans. Due to the continual paybacks, the current DPL and RIL are self funded. The Housing Rehabilitation Department has not requested any additional funding since 2000/01.

AGENDA REPORT

DATE June 19, 2007

ITEM: 2008 AGREEMENT WITH THE MONTANA DEPARTMENT  
OF TRANSPORTATION FOR MAINTENANCE OF TRAFFIC  
SIGNALS ON STATE ROUTES

INITIATED BY: PUBLIC WORKS DEPARTMENT

ACTION REQUESTED: APPROVE AGREEMENT

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

**RECOMMENDATION:**

Staff recommends approval of the attached Traffic Signal Maintenance Agreement with the Montana Department of Transportation for FY 2008.

**MOTION:**

I move that the City Commission approve the FY 2008 Traffic Signal Maintenance Agreement with the Montana Department of Transportation and authorize the City Manager to sign the agreement.

**SYNOPSIS:**

The attached agreement (Not available online; on file in City Clerk's Office.) between the City of Great Falls and the Montana Department of Transportation outlines each agencies responsibilities and details the States reimbursement to the City for maintaining State Traffic Signals located within the City limits. The City is currently maintaining sixty-six (66) traffic signals in addition to those at twenty-three (23) City signalized intersections. Three (3) flashing signal lights are also maintained for the State. The agreement also provides for the City to maintain the over-height detection system located on US 87 by Fleet Supply. Maintenance on this system is on an on-call basis with reimbursement per event. This agreement includes a .92% cost increase as compared to last years Traffic Signal Maintenance Agreement. Tools and test equipment included in this agreement are depreciated over a 7 year period.

**BACKGROUND:**

The City has an annual agreement with the Montana Department of Transportation for Traffic Signal Maintenance. The City employs two Traffic Signal Technicians to maintain signals on State and City routes, as well as City owned signals.

cc: Fred – Fiscal Services Monthly Billing (signed/approved copies)

## AGENDA REPORT

DATE June 19, 2007ITEM: ASPHALTIC CONCRETE MATERIALINITIATED BY: PUBLIC WORKS DEPARTMENTACTION REQUESTED: AWARD BIDPRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR**RECOMMENDATION:**

Staff recommends that the City Commission award the bid to supply asphaltic concrete material to Great Falls Redi-Mix Inc. of Great Falls for \$547,900.

**MOTION:**

I move that the City Commission award the bid to supply asphaltic concrete material to Great Falls Redi-Mix Inc. of Great Falls for \$547,900.

**SYNOPSIS:**

The specifications were advertised three times in the Great Falls Tribune and mailed to three prospective bidders. The bids were opened on June 6, 2007 with two bidders responding.

The materials bid by Great Falls Redi-Mix Inc. meet specifications for the asphaltic concrete material.

BIDDER	MATERIAL	PRICE PER TON	ESTIMATED TONS	TOTAL COST
G.F. Redi Mix Inc	MPWSS Type B	\$38.35	9,000	\$345,150
	MPWSS Type S-2	\$40.35	3,000	\$121,050
	MSS Grade D	\$40.85	2,000	\$ 81,700
			TOTAL BID PRICE	\$547,900

**BACKGROUND:**

The asphaltic concrete materials requested will be used by the Street Division to conduct street repair projects. The contracted price for asphaltic concrete in FY 06/07 was \$35.55 per ton for MPWSS Type B, \$37.55 per ton for MPWSS Type S-2, and \$38.05 per ton for MSS Grade D. The total bid price difference from last year is an increase of \$36,700 or 7.175%. Funding for this year's purchase of asphaltic concrete is in the proposed FY 2008 Street Maintenance Budget.



## ASPHALTIC CONCRETE MATERIAL BID LIST

1. GREAT FALLS REDI-MIX  
P.O. BOX 1989  
GREAT FALLS, MT 59403
  
2. UNITED MATERIALS  
P.O. BOX 1690  
GREAT FALLS, MT 59403
  
3. VOLK SAND & GRAVEL INC  
1505 14<sup>TH</sup> STREET SW  
GREAT FALLS, MT 59404

A G E N D A   R E P O R T

DATE June 19, 2007

**ITEM:** PROFESSIONAL SERVICES AGREEMENT FOR 9<sup>TH</sup> STREET NORTHEAST STORM DRAIN EXTENSION - O.F. 1476.1

**INITIATED BY:** PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

**ACTION REQUESTED:** APPROVE AGREEMENT

**PRESENTED BY:** JIM REARDEN, PUBLIC WORKS DIRECTOR

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**RECOMMENDATION:** Approve the attached professional services agreement between the City of Great Falls and HKM Engineering for engineering services for the 9<sup>th</sup> Street NE Storm Drain Extension - O.F. 1476.1.

**MOTION:** "I move the City Commission approve the attached professional services agreement in the amount of \$19,222.00 with HKM Engineering for the 9<sup>th</sup> Street NE Storm Drain Extension - O.F. 1476.1."

**SYNOPSIS:** The northern edge of Great Falls has been one of the fastest growing areas of the City in recent years and further development has been proposed. The continuing development in this area of the City has increased the amount of storm water runoff resulting in the need to construct public storm drainage facilities. A recent engineering study recommended that a storm drain be constructed along a projected 9<sup>th</sup> Street Northeast corridor between the Northview Addition and Eagles Crossing Addition. The storm drain will serve the existing and proposed phases of the Northview Addition and the proposed Bootlegger Addition phases. Because this segment of storm drain currently lies outside the City within undeveloped land, it is proposed that the City design and construct the storm drain improvements. The City's capital costs will then be recovered as the proposed developments occur.

City staff has negotiated a professional engineering services agreement (attached) with HKM Engineering in accordance with the City's Architects Engineers Surveyors Selection Policy. Funding is available from storm drain funds.

**BACKGROUND:** The Northview Addition public improvement plans include storm drain within the portion of 9<sup>th</sup> Street NE within the subdivision. However, at this time, there is not an existing storm drain to connect to outside the subdivision. This storm drain will connect the storm drain in Northview to existing storm drainage facilities within the Eagles Crossing Addition. The developer of the Northview Addition has deferred construction of Northview - Phase 1 storm drainage and a portion of the roadway improvements until a downstream storm drain connection is available. This project will include the design and construction of approximately 1,500 lineal feet of 24 to 36

inch diameter storm drain between Northview and Eagles Crossing Additions. The storm drain alignment will be located within the 9<sup>th</sup> Street Northeast extended corridor that will eventually connect the two subdivisions. Easements and or public right-of-way will be obtained from the adjacent property owners to allow extension of the storm drain across the section of property lying between the existing subdivisions.

Engineering services will include property survey, preparation of easement or other right-of-way documents, design of storm drain improvements, preparation of plans and specifications, preparation of a cost estimate, and construction staking. Some preliminary engineering has already been completed under a separate engineering study (North Great Falls Sanitary Sewer and Drainage Master Plan).

The tentative schedule includes completion of the easement documents and plans and specifications by mid summer, with bidding and construction to follow in late summer and early fall of 2007.

City engineering staff will manage the engineering contract and provide hydrologic and hydraulic data from preliminary engineering already completed.

Attachments: Professional Services Agreement (2 originals) (Not available online; on file in City Clerk's Office.)



AGENDA REPORT

DATE June 19, 2007

ITEM Award Bid – 10<sup>th</sup> St. Bridge Beautification - GTF; O.F. 1180.6

INITIATED BY Preservation Cascade, Inc./Bridge Rehabilitation Advisory Group

ACTION REQUESTED Award Bid

PREPARED BY Andrew Finch, CTEP Coordinator

PRESENTED BY Jim Rearden, Public Works Director

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**RECOMMENDATION:**

It is recommended the City Commission approve the following motion.

**MOTION:**

“I move the City Commission award the bid for Schedule B of the 10<sup>th</sup> St. Bridge Beautification project to Liberty Electric, Inc., in the amount of \$139,500 and authorize the City Manager to execute the necessary documents, contingent upon Montana Department of Transportation concurrence.”

**PROJECT TITLE:** 10<sup>th</sup> St Bridge Beautification, O.F. 1180.6

**LOW BID AMOUNT – SCHEDULE B:** \$139,500

**RECOMMENDED CONTRACTOR:** Liberty Electric, Inc.

**ENGINEER’S ESTIMATE – SCHEDULE B:** \$153,670

**BUDGETED FUNDS:** \$142,000

**FUNDING SOURCES:** \$120,779.10 Community Transportation Enhancement Program (CTEP) funds, matched by 18,720.90 from Preservation Cascade, Inc.

**SYNOPSIS:**

In 2000 the City Commission approved a CTEP project for the monument lighting of the Historic 10<sup>th</sup> Street Bridge and on October 17, 2006, the Commission approved the use of additional CTEP funds for completion of the project. The lighting has been designed by an internationally recognized lighting consultant, in cooperation with the Great Falls engineering consulting firm, Gordon Prill Drapes. Construction is expected to be completed by late summer of 2007.

A bid opening was held on June 13, 2007 for project construction, with two bidders responding. A summary of bids is attached to this Agenda Report. The lowest responsive, responsible bid falling within the budget for construction was submitted by Liberty Electric, Inc., in the amount of \$139,500 for Bid Schedule B. This amount is \$14,170 (9.2%) below the Engineer’s Estimate, and \$2,500 (1.8%) below the budget for construction.

Attachment: Bid Tabulation Summary

cc: Arylene Reichert, Preservation Cascade, Inc.; Brad Kauffman, GPD

# BID TABULATION

## PROJECT

STPE 5299(35)  
 10th Street Bridge Beautification - GTF  
 Control No. 4203  
 O.F. 1180.6

## OPENING INFORMATION

Date: June 13, 2007  
 Time: 3:00 PM  
 Place: Rainbow Room  
 Civic Center, Great Falls MT

	Bidder (Name/Address)	Envelope Info.	Federal Proposal	Addendum Acknowl.	Compliance w/Insurance	DBE Schedule	Bid Bond	Bid Amount		Notes
								A	B	
1	Liberty Electric, Inc. 99 Gibson Flats Road Great Falls, MT 59405 Montana Contractor #329	yes	yes	yes	yes	yes	yes 10%	A	\$96,400.00	
								B	\$139,500.00	
								C	\$152,702.00	
2	A. T. Klemens & Son, Inc. 814 12th St N Great Falls, MT 59401 Montana Contractor # 1891	yes	yes	yes	yes	yes	yes 10%	A	\$214,650.00	
								B	\$254,330.00	
								C	\$265,950.00	
3								A		
								B		
								C		
4								A		
								B		
								C		
5								A		
								B		
								C		
Engineer's Estimates								A	\$101,156.00	
								B	\$153,670.00	
								C	\$168,783.00	

**CITY OF GREAT FALLS, MONTANA  
A G E N D A   R E P O R T**

**AGENDA #** 17  
**DATE** June 19 2007

**Item:** New I-Series model 525 purchase  
**Initiated By:** Information Technology  
**Action Requested:** Approve Purchase  
**Presented By:** Melissa Kinzler, Asst Fiscal Services Director

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**RECOMMENDATIONS:**

Staff recommends that the City Commission approve the purchase of a new I-Series model 525 and all of its components/accessories from Pacific Software via the Western States Contract Alliance (WSCA) # A63309.

**MOTIONS:**

I move that the City Commission approve the purchase of a new I-Series 525 from Pacific Software of Spokane, WA at a purchase price of \$141,322.85 and any additional costs (Ie. install costs are not part of quote).

**SYNOPSIS:**

Staff has reviewed I-Series 525 quotes from (2) vendors who are members of the WSCA contract: Integrated Information Solutions (IIS) of Missoula, MT and Pacific Software of Spokane, WA. Staff was most impressed with the professionalism and technical proficiency of Pacific Software.

**BACKGROUND:**

Beginning in FY08, the City of Great Falls and Cascade County will better its ability to share its Public Safety resources by working off of the same mainframe computer. Prior to this purchase both entities have managed separate mainframes, making the sharing of information more difficult. This server purchase will allow for the combining of city and county resources.

CITY OF GREAT FALLS, MONTANA

AGENDA# 18

A G E N D A R E P O R T

DATE June 19, 2007

**ITEM** Addendum to the 911 Center Inter-local Agreement

**INITIATED BY** Police Department

**ACTION REQUESTED** Approve Addendum and authorize the City Manager to sign

**PRESENTED BY** Chief of Police Cloyd A. Grove

**RECOMMENDATION:**

The Police Department staff recommends the City Commission approve an addendum to the existing Memorandum of Understanding between the Great Falls Police Department and the Cascade County Sheriff's Office.

**MOTION:**

I move the City Commission approve the addendum to the 911 Center Inter-local agreement and authorize the City Manager to sign it.

**SYNOPSIS:**

The Great Falls Police Department and the Cascade County Sheriff's Office have been developing a plan so that both agencies' criminal justice information can reside on a single computer system with plans to incorporate redundancy in the future. Both agencies believe that it is in the best interest of their respective communities to provide more expedient computer information on a timelier basis. In addition future savings should develop by purchasing software and licenses together.

**BACKGROUND:**

On May 4, 1996 the City of Great Falls entered into an Interlocal Agreement with Cascade County, and the towns of Cascade, Belt and Neihart to operate a combined 911 PSAP/Emergency Dispatch Center. As part of that operation the Cascade County Sheriff's Office and the Great Falls Police Department recommend that we continue planning and implementation of combining their two computer systems into one system with redundancy. This joint computer operation will enhance law enforcement services throughout the City and County by providing up to date criminal justice information to officers in a more expedient manner. This joint effort will also allow growth between the two entities through sharing computer software and licensing. Both agencies believe that they will be able to see some cost reduction in the computer operation in the future.

CITY OF GREAT FALLS, MONTANA

AGENDA# 19

A G E N D A R E P O R T

DATE June 19, 2007

**ITEM** Extension of Animal Control/Shelter Operation Contract

**INITIATED BY** Police Department

**ACTION REQUESTED** Approve extension of contract and authorize the City Manager to finalize the terms and conditions of the extension and sign the contract.

**PRESENTED BY** Chief of Police Cloyd A. Grove

**RECOMMENDATION:**

The Police Department recommends the City Commission approve an extension to the current contract with the Humane Society of Cascade County for the operation of animal control services for the City. The extension will be based upon all of the current terms, conditions and price and shall be for a period of 30 days at a prorated price based upon the current value of the contract, which is \$115,000.00 per year. The prorated price would be approximately \$9452.55

**MOTION:**

I move the City Commission approve extending the animal control contract with the Cascade County Humane Society through June 30, 2007 (with and additional thirty (30) day extension at the Managers option) and authorize the City Manager to finalize the terms and conditions of said extension to include a prorated price based upon the current value of the contract and incorporation of all current terms and conditions found in the existing contract.

**SYNOPSIS:**

The City advertised a Request for Proposals seeking organizations interested in bidding for the operation of the City's animal control service which includes ordinance enforcement and shelter operations. Two proposals were received. One from the current contractor, the Humane Society of Cascade County and the other from the Great Falls Police Department. The proposals have been reviewed and no decision has been reached for the award. Therefore, staff requests that until a contract can be awarded, the City Commission approve an extension to the existing contract for one month and authorize the City Manager to finalize the terms and conditions of the extension. The City Manager also has the authority to extend this contract an additional 30 days if in his opinion the new contract cannot be finalized within the first thirty days.

**BACKGROUND:**

The current animal code enforcement and shelter operations contract with the Humane Society of Cascade County was entered on June 18, 2002 and expires on June 30, 2007. When this contract was entered into the Humane Society of Cascade County had been

operating the animal control function for ten years. In 2006 the City received several complaints on the services being provided by the Humane Society of Cascade County. On August 14, 2006, Chief of Police Cloyd A. Grove formed an advisory committee to review the animal control services being provided and that committee made several recommendations to correct the deficiencies that were noted. The Humane Society of Cascade County was given 60 days to rectify the discrepancies, which they did.

During the latter part of 2006 and the early part of 2007 the City received several more complaints regarding the Humane Society's operation. Since the contract was due to expire this year the decision was made to make a search for other entities that would be interested in providing the service to the City. A Request for Proposals was drafted, advertised and released. Two proposals were received; one from the Humane Society of Cascade County and the other from the Great Falls Police Department. Both proposals have been reviewed and a decision has not been reached. However, the current contract term expires on June 30, 2007, and the City cannot allow services to be interrupted while deciding on the future contract award. Therefore, staff recommends an extension to the current contract that will give the City time to reevaluate both proposals to determine which provides the terms and conditions for providing the service.

CITY OF GREAT FALLS, MONTANA  
AGENDA REPORT

AGENDA # 20  
DATE June 19, 2007

ITEM Appointments, Business Improvement District

INITIATED BY City Commission

ACTION REQUESTED Reappoint Two Members and Appoint One New Member

PRESENTED BY City Commission

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**RECOMMENDATION:** It is recommended that the City Commission reappoint Allison Fried and Anthony Longin to four-year terms through June 30, 2011, and appoint one new member to the Business Improvement District for a four-year term through June 30, 2011.

**MOTION:** I move the City Commission reappoint Allison Fried and Anthony J. Longin and to the Business Improvement District for four-year terms through June 30, 2011, and appoint \_\_\_\_\_ to a four-year term beginning July 1, 2007, and expiring June 30, 2011.

**SYNOPSIS:** Allison Fried was appointed on July 1, 2003, and Anthony Longin was appointed on February 21, 2006. Both Ms. Fried and Mr. Longin are interested in and eligible for reappointment. Andrew Davidson was appointed in 1998. Mr. Davidson is not eligible for reappointment; therefore, it is necessary to appoint one member to fill his position on the Board.

**BACKGROUND:** The Business Improvement District consists of seven members appointed by the City Commission. Members must be owners of property within the boundaries of the Business Improvement District or their personal representative, agent, or guardian (MCA§7-12-1121). The B.I.D. oversees the functions, operations, management and administration as necessary to carry out the purposes and objectives of the Business Improvement District.

Continuing members of this board are:

- Julie Senger Duffy
- Ira Kaufman, Jr.
- Phil Kiser
- Bill Stuff

Citizens interested in serving are:

- Steve Alley
- Hayley Lenington-Leray

AGENDA REPORT

DATE June 19, 2007

ITEM Reappointment, Library Board

INITIATED BY City Commission

ACTION REQUESTED Reappoint One Member

PRESENTED BY City Commission

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**RECOMMENDATION:** It is recommended that the City Commission reappoint Sheila Kelly to the Library Board for a five-year term through June 30, 2012.

**MOTION:** I move the City Commission reappoint Sheila Kelly to the Library Board for a five-year term through June 30, 2012.

**SYNOPSIS:** Library Board member Paul Comer passed away on December 17, 2006. On April 3, 2007, Sheila Kelly was appointed to fill the remainder of Mr. Comer's term through June 30, 2007. Ms. Kelly is interested in reappointment.

**BACKGROUND:** The Library Board oversees the Library policies and operations including book policies and service to the City, County, and pathfinder Federation of Libraries. Members serve for five-year terms, but no more than two full terms in succession, exclusive of time served on any unexpired term.

Continuing members on this board are:

- Penny A. Hughes-Briant
- Mark Meyer
- Bunny Albers
- Judy K. Riesenberg