



City Commission Agenda

for

April 4, 2006

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

****REVISED****

CALL TO ORDER: 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS

Fair Housing Month
Crop Walk Day
Equal Pay Day
Sexual Assault Awareness Month

NEIGHBORHOOD COUNCILS

1. Swearing In – Erin Tropila, Council #7
2. Miscellaneous reports and announcements.

PUBLIC HEARINGS

3. CDBG and HOME Program Proposed Use of Funds and Public Hearing for HUD Annual Action Plan. Action: Conduct public hearing and approve or deny Recommendations.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

4. Parcel Mark Nos. 10 and 10B in Section 17, Township 20 North, Range 4 East (along the south side of 10th Avenue South between 26th and 29th Streets South).
 - A) Res. 9561, Resolution of Intent to annex said property. Action: Adopt or deny Res. 9561 and set public hearing for May 2, 2006.
 - B. Ord. 2935, Establishes City zoning of C-2 General Commercial District to property. Action: Accept Ord. 2935 on first reading and set public hearing for May 2, 2006.
5. Res. 9558, Intent to Modify the Boundaries of Special Improvement Lighting District – Alley Lighting “SLD-A” No. 1294 and Install Four 70-Watt HPS Alley Lights on Distribution Poles Between 38th Street North Along 4th Alley North. Action: Adopt Res. 9558 and set public hearing for May 2, 2006.

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, March 21, 2006, Commission meeting.
7. Total Expenditures of \$842,584 for the period of March 15-22, 2006, to include claims over \$5000, in the amount of \$695,175.
8. Contracts list.
9. Set public hearing for April 18, 2006, on Res. 9549, Mansfield Theatre Fees and Rates.
10. Set public hearing for May 2, 2006, on the Justice Assistance Grant recommendation.
11. Set public hearing for May 2, 2006, regarding a lease agreement for a portion of Clara Park.
12. Set public hearing for May 2, 2006, regarding a lease agreement for a portion of City property adjacent to the Gore Hill water tower.
13. Authorize co-sponsorship in the amount of \$500 for use of the Convention Center for the Great Falls Community Ice Foundation Event, Frozen Explosion.
14. Approve Interlocal Agreement with the Montana Department of Labor and Industry, Building Codes Bureau.
15. Award construction contract in the amount of \$673,125 to Phillips Construction for the 1st, 2nd, 3rd, and 5th Avenues Northwest Water Main Replacement.
16. Postpone bid award for the Wastewater Treatment Plant Cogeneration Plant Project.
17. Award contract in the amount of \$70,850.30 to Great Falls Sand and Gravel, Inc., for the Community Recreation Center Parking Lot.
18. Award bid in the amount of \$154,611 to Forde Nursery for Schedule A of the Bloomingdale Park Landscaping project.
19. Award bid to DPC Industries, Inc., for anhydrous ammonia in the amount of \$145 per 148-lb. cylinder.
20. Award bid to Thatcher Company for liquid aluminum sulfate in the amount of \$271 per dry ton.
21. Award bid to DPC Industries, Inc., for liquid chlorine in the amount of \$559 per ton.

21A. Approve Terms and Conditions for a natural gas supply contract.

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

BOARDS & COMMISSIONS

22. Appointments, Historic Preservation Advisory Commission. Appoint one new member and reappoint Jerry McKinney for three-year terms through April 30, 2009.
23. Miscellaneous reports and announcements.

CITY MANAGER

24. Miscellaneous reports and announcements.

CITY COMMISSION

25. Miscellaneous reports and announcements.

PETITIONS AND COMMUNICATIONS

26. Miscellaneous reports and announcements.

ADJOURN

AGENDA REPORT

DATE April 4, 2006

ITEM CDBG and HOME Program Proposed Use of Funds and Public Hearing for HUD Annual Action Plan

INITIATED BY Community Development Department

ACTION REQUESTED Conduct Public Hearing and Approve Recommendations for 2006/2007 CDBG & HOME Programs

PREPARED & PRESENTED BY Mike Rattray, C.D. Director

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

- - - - -

RECOMMENDATION:

Staff recommends the City Commission (1) approve recommendations for funding 2006/2007 Community Development Block Grant (CDBG) projects; (2) approve recommendations for funding 2006/2007 HOME Investment Partnership Program (HOME) projects; and, (3) hold public hearing on April 4, 2006, for the Proposed Annual Action Plan.

MOTION:

I move to approve the proposed use of funds for the 2006/2007 Community Development Block Grant and the HOME Investment Partnership Program for inclusion in the Proposed Annual Action Plan.

SYNOPSIS:

Federal regulations require the proposed use of CDBG and HOME funds are included in the Annual Action Plan. The 2006/2007 Proposed Annual Action Plan will be available for public review and comment during a 30-day period beginning March 24, 2006, through April 22, 2006. A public hearing on the Proposed Annual Action Plan will be held during this comment period.

BACKGROUND:

On April 19, 2005, the City Commission approved the 5 year Consolidated Plan. Each year an Annual Action Plan must be submitted to the U.S. Department of Housing and Urban Development (HUD). This document contains the proposed use of CDBG and HOME funds for the coming fiscal year, 2006/2007. CDBG project proposals were received in February 2006. The Community Development Council met one time in February and twice in March to hear oral presentations from the public service and public facility applicants. On March 9, 2006, the Community Development Council formulated its recommendations and met with the City Commission during the March 21, 2006, work session to

present their recommendations. Staff recommendations for the remainder of the CDBG project proposals submitted were also presented to the City Commission during the March 21, 2006, work session.

The HOME project proposals were also received in February 2006. HOME funding recommendations were presented to the City Commission during the work session on March 21, 2006. The City Commission will make funding decisions on the HOME proposals at the May 2, 2006, City Commission meeting.

The Proposed Annual Action Plan will be made available to the citizens of Great Falls for review and comment for a 30-day period beginning March 24, 2006, and ending April 22, 2006. The public hearing on April 4 is a forum set to allow the citizens of Great Falls the opportunity to express their views on the proposed use of federal CDBG and HOME dollars and each program's policies and performances.

The City Commission must officially adopt the Annual Action Plan and submit it to HUD before May 15, 2006.

Attachment: 2006/2007 Proposed Use of Federal Grant Funds—CDBG and HOME

**2006/2007 PROPOSED USE OF FEDERAL GRANT FUNDS
COMMUNITY DEVELOPMENT BLOCK GRANT**

AFFORDABLE HOUSING

	<u>Requested</u>	<u>Proposed</u>
NEIGHBORHOOD HOUSING SERVICES, INC. A revolving loan fund for neighborhood revitalization activities including new construction and purchase and rehabilitation of blighted properties and other activities addressing affordable housing and neighborhood revitalization on citywide basis.	\$140,000	\$140,000
COMMUNITY DEVELOPMENT—RENTAL IMPROVEMENT LOAN City-wide no interest loan program for rental property owners to upgrade code requirements and energy efficiency in rental units.	\$100,000	\$0
COMMUNITY DEVELOPMENT REHABILITATION SERVICES Provision of rehab counseling, loan processing, inspections and construction monitoring for all CDBG-funded city housing rehab programs for low income people.	\$56,000	\$56,075

PUBLIC FACILITY IMPROVEMENTS/HANDICAP ACCESSIBILITY

	<u>Requested</u>	<u>Proposed</u>
BOYS & GIRLS CLUB OF NORTH CENTRAL MONTANA Renovations in building located at 600 1 st Avenue Southwest which has programs to serve at-risk youth; renovations to include replacing 9 windows, purchasing and installing 4 electric hand dryers and repairing ceiling.	\$21,156	\$21,156
GREAT FALLS BASEBALL FOUNDATION Construct handicap accessible restrooms at visitor's clubhouse as part of ADA compliance project at Centene Stadium located at 1015 25 th Street North.	\$29,000	\$29,000
GOLDEN TRIANGLE COMMUNITY MENTAL HEALTH CENTER Renovate two sets of bathrooms and replace all interior door latch sets to provide handicap accessibility at facility located at 915 1 st Avenue South.	\$50,000	\$50,000
CHILDREN'S MUSEUM OF MONTANA Renovate east entry to provide main handicap accessible entrance to Children's Museum of Montana, a nationally recognized historic building, located at 22 Railroad Square.	\$55,985	\$55,985

	<u>Requested</u>	<u>Proposed</u>
<p>MONTANA INSTITUTE OF FAMILY LIVING/PARK MANOR Remodel two restrooms on ground floor to provide handicap accessibility at Park Manor, an elderly/handicapped subsidized apartment building located at 100 Central Avenue.</p>	\$18,115	\$18,115
<p>EASTER SEALS--GOODWILL INDUSTRIES Remodel 6 bathrooms in client training areas of adult training center located at 4400 Central Avenue where life skills training and supported employment are provided to adults with developmental disabilities.</p>	\$12,000	\$12,000
<p>GREAT FALLS HABITAT FOR HUMANITY Upgrade residential infrastructure at 3020 2nd Avenue North in preparation for new house to be constructed for low income homebuyer; upgrade to include replacing water, sewer and gas lines and front sidewalk.</p>	\$15,000	\$15,000
<p>URSULINE HISTORICAL FOUNDATION Refinish hardwood floors and repair deteriorating ceilings on second, third and fourth floors of Ursuline Centre, a nationally recognized historic building, located at 2300 Central Avenue.</p>	\$26,000	\$26,000
<p>PARK & RECREATION—NOAH’S ARK PARK Purchase and install handicap accessible play structure, border materials and wood chips at Noah’s Ark Park located at 13th Street and 29th Avenue Northeast.</p>	\$22,500	\$22,500
<p>PARK & RECREATION—ELECTRIC CITY WATER PARK Install sidewalk with ramp handicap accessibility and sod to all attractions in the Electric City Water Park located at 21 River Drive South.</p>	\$37,730	\$37,730
<p>PUBLIC WORKS—HANDICAP RAMPS Install handicap ramps (curb cuts) on Central Avenue from 30th Street to 47th Street and other areas at request of disabled citizens to provide handicap accessibility.</p>	\$75,000	\$75,000
<p>PUBLIC WORKS—SIDEWALK REPLACEMENT Grant program to provide assistance to low income homeowners to remove and replace hazardous sidewalks in Census Tracts 7, 8 & 9 (2nd to 20th Street South between 6th and 9th Avenue South) and other areas at request of low income homeowners.</p>	\$50,000	\$50,000

	<u>Requested</u>	<u>Proposed</u>
<p>PARK & RECREATION—NATATORIUM POOL & MORONY PARK</p> <p>Replace sidewalk around Morony Park and in front of Natatorium Pool building located at 111 12th Street North. Fully fund sidewalk in front of pool building and partially fund around park</p>	\$43,577	\$28,684
<p>PARK & RECREATION—GRANDE VISTA PARK</p> <p>Purchase and install handicap accessible play structure, border materials and wood chips at Grande Vista Park located at Ferguson and Adobe Drive.</p>	\$25,000	\$0
<p>PUBLIC WORKS—1st AVENUE SOUTHWEST</p> <p>Reconstruct 1 block on 1st Avenue SW between 12th and 13th Streets SW, 1 block on 12th Street SW and 1 block on 13th Street SW between Central Avenue West and 1st Avenue SW; construction to include asphalt roadway, curb and gutter, sidewalks with handicap ramps and driveway approaches.</p>	\$262,800	\$0
PUBLIC SERVICE ACTIVITIES		
<p>AREA VIII AGENCY ON AGING</p> <p>Purchase food for Meals on Wheels, a citywide home delivery meal program for seniors who are handicapped or unable to prepare meals.</p>	\$25,000	\$25,000
<p>FOR THE CHILDREN COALITION</p> <p>Replace exterior doors, screen doors, door knobs, sinks and refrigerators in transitional housing for young adults at Agape Youth Investment Center located at 626 Central Avenue West.</p>	\$7,473	\$7,473
<p>VICTIM-WITNESS ASSISTANCE SERVICES</p> <p>Purchase computer hardware and software and provide web-based programming, maintenance fees and technological support for database program for agency that provides assistance for victims of crimes and their families. Agency located at 112 1st Street South.</p>	\$10,000	\$10,000
<p>FAMILY CONNECTIONS</p> <p>Provide child care scholarships for low income families administered through agency located at 600 Central Plaza.</p>	\$6,000	\$6,000
<p>GIRL SCOUTS OF BIG SKY COUNCIL</p> <p>Provide scholarships for girls from low income families to attend activities teaching life skills, citizenship and positive role modeling through agency located at 4930 9th Avenue South.</p>	\$5,145	\$5,145

	<u>Requested</u>	<u>Proposed</u>
<p>BIG BROTHERS BIG SISTERS OF GREAT FALLS Purchase desktop computer, laptop computer, software, printer and provide technical support to increase professionally supported volunteer mentoring program to prevent risk factors in children. Program located at 801 2nd Avenue North.</p>	\$5,230	\$2,687
<p>CASA-CAN CHILDREN'S ADVOCATE NETWORK Purchase 3 laptop computers, scanner/copier, training materials and provide registration fees for training to expand volunteer program located at 325 2nd Avenue North which provides advocates for abused and neglected children in the legal system. Fund computers, training materials and registration fees</p>	\$9,552	\$4,552
<p>GREAT FALLS SENIOR CITIZENS CENTER Purchase 3 wheel handicap travel scooter and purchase and install stair lift and water filter system at center which serves the elderly located at 1004 Central Avenue. Fund water filter system</p>	\$6,900	\$800
<p>HANDS, INC. Provide child care scholarships for children from low income families for before school, after school, and summer child care. Program offered at all Great Falls elementary schools.</p>	\$20,000	\$18,500
<p>YOUNG PARENTS EDUCATION CENTER Provide emergency housing scholarships and day care scholarships to low income teen or young adult parents completing high school or GED programs. Programs located at alternative high school at 3300 3rd Street Northeast.</p>	\$15,000	\$13,500
<p>CONSUMER CREDIT COUNSELING SERVICES OF MONTANA Purchase laptop computer, projector, printer and program materials to provide financial literacy training to low income people who are working toward becoming first time home buyers. Agency located at 2022 Central Avenue. Fund program materials</p>	\$6,500	\$3,300
<p>SPECIAL OLYMPICS MONTANA Purchase 6 laptop computers, 6 monitors, laser printer and projector to improve services of agency who provides people with disabilities with year round sports training and competitions.</p>	\$14,381	\$8,890
<p>SALVATION ARMY Purchase 2 freezers for charitable, faith-based agency which provides a wide variety of services for people in need. Social service department of this agency located at 616 1st Avenue Northwest. Purchase reach-in freezer</p>	\$5,000	\$4,040

	<u>Requested</u>	<u>Proposed</u>
<p>BOYS & GIRLS CLUB OF NORTH CENTRAL MONTANA Recreational/educational scholarships for summer program for children from low income families; programs administered at Housing Authority (1722 Chowen Springs Loop), Whittier (305 8th Street North) and Longfellow (1100 6th Avenue South) Elementary Schools.</p>	\$18,000	\$16,500
<p>INDIAN FAMILY HEALTH CLINIC Purchase treadmill, photo ID system, door alarms and carpeting to increase and improve services to low to moderate income people at the Indian Family Health Clinic located at 1220 Central Avenue. Fund treadmill, photo ID system, door alarms and partial carpeting</p>	\$9,144	\$5,470
<p>EAGLE MOUNT Provide therapeutic recreational scholarships, equipment, uniforms, facility rental and program materials for low income people with physical, developmental, emotional and behavioral disabilities. Program administered through agency located at #9 3rd Street North. Fund any portion except karate facility rental and uniforms</p>	\$7,950	\$5,000
<p>ALLIANCE FOR YOUTH Purchase copier and web-based evaluation software to be used by agency and its partners to improve materials distribution and to perform in-house program and service evaluations to coordinate youth services. Program located at 5305 3rd Avenue South. Fund software and partial copier</p>	\$7,700	\$5,200
<p>PARK & RECREATION—COMMUNITY RECREATION CENTER Provide scholarships for low income children to attend after school and summer programs which provide structured recreational/physical activities for children. Programs offered at community center located at 801 2nd Avenue North.</p>	\$5,920	\$5,000
<p>SKYLINE ALTERNATIVE HIGH SCHOOL Purchase passenger van and license vehicle to provide transportation to develop career opportunities for low and middle income students who attend alternative high school located at 3300 3rd Street Northeast.</p>	\$17,500	\$0
<p>GREAT FALLS COMMUNITY FOOD BANK Purchase newer used truck to increase food pick up and delivery capacity at agency located at 1620 12th Avenue North which gathers food from wholesalers and distributes it to community agencies who then redistribute the food to low income people.</p>	\$35,000	\$0

ADMINISTRATION

CDBG PROGRAM ADMINISTRATION	\$196,075	\$196,075
General oversight, management, promotion, monitoring, and coordination of the CDBG program including activities to further fair housing and the Continuum of Care for Homelessness		
 TOTAL CDBG FUNDING REQUESTED	 1,473,333	
 TOTAL ANTICIPATED CDBG GRANT		 \$980,377
 TOTAL CDBG FUNDS PROPOSED ALLOCATION		 \$980,377

**2006/2007 PROPOSED USE OF FEDERAL GRANT FUNDS
HOME INVESTMENT PARTNERSHIP PROGRAM**

	<u>Requested</u>	<u>Proposed</u>
NEIGHBORHOOD HOUSING SERVICES, INC. Owners in Partnership XIV—construct six single family houses, reconstruct two houses through major rehabilitation and provide subsidies to assist low income buyers, single heads of households and disabled people to purchase these homes.	\$247,275	\$262,346
NEIGHBORHOOD HOUSING SERVICES, INC. Down payment and closing cost assistance to help low income first time homebuyers purchase houses city wide.	\$103,071	\$0
NEIGHBORHOOD HOUSING SERVICES, INC. Purchase/construct and install reusable handicap accessible ramps to allow residents with disabilities to remain in their homes city wide.	\$31,500	\$31,500
CARRY FORWARD FUNDS Funds reserved to balance account for previously allocated project.	\$88,000	\$88,000
HOME PROGRAM ADMINISTRATION General oversight, management, promotion, monitoring, and coordination of the HOME program.	\$28,740	\$28,740
TOTAL HOME FUNDING REQUESTED	\$498,586	
TOTAL ANTICIPATED HOME GRANT		\$410,586
TOTAL HOME FUNDS PROPOSED ALLOCATION		\$410,586

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

DATE April 4, 2006

ITEM Resolution No. 9561, Intent to Annex, and Ordinance No. 2935 to Establish City Zoning for Parcel Mark Nos. 10 and 10B, Section 17, T20N, R4E

INITIATED BY City Administration

ACTION REQUESTED Commission Adopt Resolution No. 9561, which sets Public Hearing for May 2, 2006, and Accept Ordinance No. 2935 on First Reading and Set Hearing

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

- - - - -

RECOMMENDATION:

The City Planning Board has recommended the City Commission annex Parcel Mark Nos. 10 and 10B in Section 17, Township 20 North, Range 4 East, Cascade County, Montana, and the City Zoning Commission has recommended the City Commission apply a zoning classification of C-2 General commercial district, to same.

MOTIONS (Each motion to be separately considered):

“I move the City Commission adopt Resolution No. 9561.”

and

“I move the City Commission accept Ordinance No. 2935 on first reading and set a public hearing for May 2, 2006, to consider adoption of Ordinance No. 2935.”

SYNOPSIS:

Resolution No. 9561 sets a public hearing for May 2, 2006, to consider annexation of subject Parcel Mark Nos. 10 and 10B located along the south side of 10th Avenue South between 26th and 29th Streets South. Ordinance No. 2935 assigns a zoning classification of C-2 General commercial district to subject property upon annexation to the City.

BACKGROUND:

A portion of the block of land located along the south side of 10th Avenue South and between 26th and 29th Streets South has never been annexed to the City. The unincorporated enclave, comprising 2.0 acres, is entirely surrounded by the incorporated area of the City.

The unincorporated area consists of two parcels owned by Zollie Kelman and is legally described as Parcel Mark Nos. 10 & 10B, Section 17, Township 20 North, Range 4 East, Cascade County, Montana. Please refer to the attached vicinity zoning map.

The City Commission has expressed an interest in annexing unincorporated enclaves to the City. For some governmental entities and neighbors these types of unincorporated enclaves have been a source of confusion and inconsistent code application. An example is the fireworks issue where County requirements differ significantly from the City in the type of fireworks that can be sold, the time period during when they may sold and the type of fireworks that are allowed to be discharged. Equity issues also arise where property in the midst of an urban setting is not subject to the same code requirements or standards as surrounding properties when it comes to community decay, weed control, signage requirements, etc. These properties also benefit

from readily available public improvements, such as paved roadways, curb and gutter, and sidewalks which in many cases have been funded by taxpayers within the City.

According to Section 7-2-4501, MCA, a city may include as part of the city any platted or unplatted tract or parcel of land that is wholly surrounded by the city upon passing a resolution of intent, giving notice, and passing a resolution of annexation. Further, Section 7-2-4502, MCA, provides that wholly surrounded land is annexed, if so resolved by the city or town council, whether or not a majority of the real property owners of the area to be annexed object.

Public infrastructure exists to serve the 2.0 acres being considered for annexation. The property is bordered on the north by 10th Avenue South which is improved with paving, curb and gutter and sidewalk. City water mains are located near the northwest and northeast corners of subject property and sanitary sewer is located near the southeast corner in 29th Street South.

Upon annexation, subject property will be subject to City assessments. The existing vehicle display and sales lot is a permitted use in the proposed C-2 General commercial district and would be allowed to continue following annexation. Fireworks stands could continue to operate from the site in accordance with City standards.

Attached is a communication dated February 28, 2006, from Steven Potts, attorney representing the property owner, Zollie Kelman, asking that the annexation process be postponed until a declaratory judgment can be decided. After reviewing Mr. Potts' letter and definitions and land use designations in the Unified Land Development Code, the City Attorney has directed staff to proceed with processing the annexation unless directed otherwise by a court of competent jurisdiction.

Also attached is a communication dated March 16, 2006, from Michael Maeder, Liberty Fireworks, Inc., essentially requesting any action to annex subject property not become effective until after July 4.

Subject Mark Nos. 10 & 10B are presently zoned under the Cascade County Zoning District as "B-2" General Business District. The surrounding incorporated property, as well as the entire frontage on 10th Avenue South, is zoned C-2 General commercial district. It is therefore being recommended subject Mark Nos. 10 & 10B be zoned upon annexation to the City as C-2 General commercial district.

Section 76-2-304 Montana Code Annotated lists the following criteria and guidelines, which must be considered in conjunction with establishing municipal zoning on land:

- a) is designed in accordance with the comprehensive plan;
- b) is designed to lessen congestion in the streets;
- c) will secure safety from fire, panic or other dangers;
- d) will promote health and the general welfare;
- e) will provide adequate light and air;
- f) will prevent overcrowding of land;
- g) will avoid undue concentration of population;
- h) will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- i) gives reasonable consideration to the character of the district;
- j) gives reasonable consideration to the peculiar suitability of the property for particular uses;
- k) will conserve the value of buildings; and
- l) will encourage the most appropriate use of land throughout the municipality.

Designating subject property for commercial use is consistent with property abutting and served by 10th Avenue South, a principal arterial. Staff concludes all of the above mentioned zoning criteria are substantially met.

The City's new Unified Land Development Code (ULDC) also lists the following criteria to be considered in conjunction with annexation:

- 1) The subject property is contiguous to the existing city limits.
- 2) The proposed annexation is consistent with the city's growth policy.
- 3) The proposed annexation is consistent with applicable neighborhood plans, if any.
- 4) The proposed annexation is consistent with other planning documents adopted by the City Commission, including the river corridor plan, transportation plan, and sub-area plans.
- 5) The City has, or will have, the capacity to provide public services to the subject property.
- 6) The subject property has been or will be improved to City standards.
- 7) The owner(s) of the subject property will bear all the cost of improving the property to City standards and/or the owner(s) has signed an agreement waiving the right to protest the creation of a special improvement district created to pay, in whole or in part, any necessary improvement.
- 8) The subject property has been or will be surveyed and officially recorded with the County Clerk and Recorder.
- 9) The City will provide both water and sewer service to each of the uses in the subject property that may require potable water and wastewater treatment and disposal.
- 10) The subject property is not located in an area the City Commission has designated as unsuitable for annexation.
- 11) The subject property is not located in another city or town.
- 12) The subject property is not used in whole or in part for agricultural, mining, smelting, refining, transportation or any other industrial or manufacturing purpose incidental thereto.

Subject property is entirely surrounded by the incorporated area of the City, which has the capability and capacity to provide necessary public related services. Staff concludes all of the above mentioned annexation criteria are substantially met.

It has been an objective of the City Commission to address and eliminate wherever possible, enclaves that are completely surrounded by the incorporated area of the City. Each enclave has its own separate set of characteristics and issues. On a time available basis, staff has been directed, to continue processing these types of wholly surrounded annexations, with the more apparent and less involved ones being processed first.

The Planning Board/Zoning Commission on March 14, 2006, conducted a joint public hearing on the annexation and establishment of City zoning on subject Parcels Mark Nos. 10 & 10B. No proponents or opponents spoke at the public hearing. At the conclusion of the public hearing, the Planning Board passed a motion recommending the City Commission annex subject Parcel Mark Nos. 10 and 10B and the Zoning Commission passed a motion recommending subject Parcel Mark Nos. 10 and 10B be assigned a City zoning classification of C-2 General commercial district upon annexation.

Attach: Res. No. 9561

Ord. No. 2935

Vicinity/Zoning Map

Letter dated Feb 28, 2006, from Steven Potts

Letter dated March 16, 2006, from Michael Maeder, Liberty Fireworks, Inc.

cc: Zollie Kelman, PO Box 2651 GF 59403-2651

Dave Pierce, 2720 10th Ave So

Steve Potts, Attorney, 600 Central Plaza

Mike Maeder, 2407 Central Avenue West

RESOLUTION NO. 9561

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE 2.00 ACRES OF LAND IN THE NW1/4NW1/4 OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND DIRECTING NOTICE TO BE GIVEN BY THE CITY CLERK AS PROVIDED BY LAW.

* * * * *

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

WHEREAS, the following described unincorporated properties are wholly surrounded by said City of Great Falls:

Two tracts of land in the NW1/4NW1/4 Section 17, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, more fully described as follows: Beginning at the NE corner of COS #1991 the true point of beginning; thence S00°02'E, 209.00 feet; thence N89°56'W, 418.00 feet; thence N00°02'W, 209.00 feet; thence S89°56'E, 418.00 feet to the true point of beginning, containing in all 2.00 acres more or less; all as described on a survey document filed August 13, 1999, in the Clerk and Recorder's Office of Cascade County, Montana, under CS# 3674;

all as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof; and,

WHEREAS, Section 7-2-4501, Montana Code Annotated, provides a city may include as part of the city any platted or unplatted tract or parcel of land that is wholly surrounded by the city.

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

That in its judgment it will be to the best interest of said City of Great Falls and the inhabitants thereof, that the boundaries of said City of Great Falls shall be extended so as to include: "TWO TRACTS OF LAND CONSISTING OF 2.00 ACRES LEGALLY DESCRIBED AS PARCEL MARK NOS. 10 AND 10B IN THE NW1/4NW1/4 OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, AS DESCRIBED ON A SURVEY DOCUMENT

FILED AUGUST 13, 1999, IN THE CLERK AND RECORDER'S OFFICE OF CASCADE COUNTY, MONTANA, UNDER CS# 3674."

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION: That Tuesday, the 2nd day of May, 2006, at 7:00 P.M., in the Commission Chambers at the Great Falls Civic Center, Great Falls, Montana, be and the same is hereby set as the time and place for a public hearing at which time the Great Falls City Commission shall hear all persons and all things relative to the proposed annexation of "TWO TRACTS OF LAND CONSISTING OF 2.00 ACRES OF LEGALLY DESCRIBED AS PARCEL MARK NOS. 10 AND 10B IN THE NW1/4NW1/4 OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, AS DESCRIBED ON A SURVEY DOCUMENT FILED AUGUST 13, 1999, IN THE CLERK AND RECORDER'S OFFICE OF CASCADE COUNTY, MONTANA, UNDER CS# 3674."

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the City Clerk of said City shall, at the aforesaid public hearing before the said City Commission and after expiration of a twenty (20) day period following the first publication of notice of passage of this Resolution, lay before the City Commission all communications in writing by her so received pertaining to said annexation.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 4th day of April, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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 No. 9561 was approved by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 4th day of April, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 4th day of April, 2006.

(SEAL OF CITY)

Peggy J. Bourne, City Clerk










TRACTS OF LAND PROPOSED TO BE ANNEXED INTO THE CITY OF GREAT FALLS



Legend

----- CITY LIMITS

Base Zoning Districts

-  U Unincorporated
-  R-3 Single-family high density
-  R-5 Multi-family medium density
-  R-6 Multi-family high density
-  PLI Public Lands and Institutional
-  POS Parks and Open Space
-  C-1 Neighborhood commercial
-  C-2 General commercial
-  BASEMAP

----- PROPOSED TRACTS TO BE ANNEXED



ORDINANCE NO. 2935

AN ORDINANCE ASSIGNING CITY ZONING TO 2.00 ACRES OF LAND
LEGALLY DESCRIBED AS PARCEL MARK NOS. 10 AND 10B
IN THE NW1/4NW1/4 OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M.,
CASCADE COUNTY, MONTANA.

* * * * *

WHEREAS, the two tracts of land legally described as Parcel Mark Nos. 10 and 10B in the NW1/4NW1/4 of Section 17, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, and as further described on a survey document filed August 13, 1999, in the Clerk and Recorder's Office of Cascade County, Montana, under CS # 3674, is an unincorporated enclave entirely surrounded by the incorporated area of the City of Great Falls; and,

WHEREAS, in accordance with Section 7-2-4501 MCA, a city may include as part of the city any platted or unplatted tract or parcel of land that is wholly surrounded by the city; and,

WHEREAS, the City of Great Falls is undertaking the annexation of subject Parcel Mark Nos. 10 and 10B in the NE1/4 NW1/4 of Section 17, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, in accordance with Section 7-2-4501 MCA; and,

WHEREAS, notice of assigning a zoning classification of C-2 General commercial district, to Parcel Mark Nos. 10 and 10B, Section 17, Township 20 North, Range 4 East, Cascade County, Montana, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 2nd day of May, 2006, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and recommended that the said zoning designation be made, NOW THEREFORE,

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

Section 1. It is determined assignment of a C-2 General commercial district zoning classification to the hereinabove described Parcel Mark Nos. 10 and 10B will meet the criteria and guidelines cited in Section 76-2-304 Montana Code Annotated, and Section 17.16.40.030 of the Unified Land Development Code of the City of Great Falls.

Section 2. That the zoning of Parcel Mark Nos. 10 and 10B, of Section 17, Township 20 North, Range 4 East, Cascade County, Montana, be designated as C-2 General commercial district classification.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission or upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing the hereinabove described Parcel Mark Nos. 10 and 10B into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this
2nd day of May, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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 Ordinance No. 2935 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 2nd day of May, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 2nd day of May, 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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

Peggy J. Bourne, being first duly sworn, deposes and says: That on the 2nd day of May, 2006, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Ordinance No. 2935 of the City of Great Falls, in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;
On the Bulletin Board, first floor, Cascade County Court House;
On the Bulletin Board, Great Falls Public Library

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

AGENDA REPORT

DATE April 4, 2006

ITEM: RESOLUTION 9558 INTENT TO MODIFY THE BOUNDARIES OF SPECIAL IMPROVEMENT LIGHTING DISTRICT – ALLEY LIGHTING “SLD-A” NO. 1294 AND INSTALL FOUR (4) 70 WATT HPS ALLEY LIGHTS ON DISTRIBUTION POLES BETWEEN 38TH STREET NORTH AND 40TH STREET NORTH ALONG 4TH ALLEY NORTH

INITIATED BY: FISCAL SERVICES DEPARTMENT

ACTION REQUESTED: ADOPT RESOLUTION OF INTENT TO MODIFY AND SET PUBLIC HEARING

PREPARED BY: JUDY BURG, ACCOUNTING TECHNICIAN

PRESENTED BY: COLEEN BALZARINI, CITY CONTROLLER

RECOMMENDATION:

Staff recommends the City Commission adopt Resolution 9558 and set a public hearing date.

MOTION:

I move the City Commission adopt Resolution 9558 and set a public hearing date for May 2, 2006 at 7:00 p.m.

SYNOPSIS:

MODIFICATION #1

Property owners in the general location of 4th Avenue North between 38th Street North and 40th Street North have petitioned the City for the installation of four (4) 70 watt HPS alley lighting units on 28 foot distribution poles with overhead wiring. There are twenty-nine (29) properties within the proposed boundaries of the alley lighting district. Twenty-four (24) of these properties are condominium units. Boundaries and the positions of the lighting for the petitioned area are outlined on “Modification #1 Exhibit” included in Resolution 9558.

After receipt of the petition, staff reviewed the possibility of installing city owned fixtures to Northwestern Energy’s distribution poles located along the alley. At the present time, Northwestern Energy’s position on the attachment of city owned fixtures to its distribution poles is not favorable or recommended. In order to provide alley lighting for the petitioned area within a timely manner, staff purposes to enter into a lease agreement with Northwestern Energy rather than City ownership of the alley lights.

A modification to the boundary lines of Special Improvement Lighting District – Alley Lighting

“SLD-A” No. 1294 as shown on Exhibit 2006A included in Resolution 9558 would include the properties in the general location of 4th Avenue North between 38th Street North and 40th Street North as petitioned by the property owners. The estimated date of installation of the alley lights is May 2006.

With the modification mentioned above, the estimated annual assessment for consolidated Special Improvement Lighting District – Alley Lighting “SLD-A” No. 1294 will result in \$12.22 for an average lot size of 7,925 square feet as set forth on Exhibit “B” included in Resolution 9558. All light fixtures, poles, and wiring, existing are of similar size, type and material found within the alley lighting areas throughout the City.

MODIFICATION #2

In addition, research regarding alley lighting was initiated by a property owner who lives on 5th Avenue Northwest. It was determined Lots 1 through 16, Block 12, West Great Falls Addition do not have alley lighting. During the original consolidation of Special Improvement Lighting District – Alley Lighting “SLD-A” No. 1294 these properties were included in the district in error. To correct the boundaries of the “SLD-A” No. 1294, the properties located at Lots 1 through 16, Block 12, West Great Falls Addition will be removed from the district. The boundaries of the removed block are outlined on “Modification #2 Exhibit” included in Resolution 9558.

A modification to the boundary lines of Special Improvement Lighting District – Alley Lighting “SLD-A” No. 1294 as shown on Exhibit 2006A included in Resolution 9558 would remove the properties Lots 1 through 16, Block 12, West Great Falls Addition.

M.C.A.7-12-4335 authorizes once a year boundary changes to existing special lighting districts, providing the change does not affect the existing costs in the district. There would be no increase to properties existing in the proposed modified district, as the service in those areas would not change.

BACKGROUND:

CONSOLIDATION

On August, 6, 2002, Resolution 9213 to Consolidate Special Improvement Lighting District – Alley Lighting “SLD-A” No.1294 was adopted consolidating Special Lighting Districts No. 1061, 1165, 1222, 1226, 1258, 1259, 1273, 1276 and 1288 into a single alley lighting district in accordance with 7-12-4354, MCA.

On July 19, 2005, the City Commission adopted Resolution No. 9506 establishing a policy for new street lighting districts. The Commission determined it was in the best interest of the citizens of Great Falls to own and maintain the infrastructure necessary for any street and roadway lighting systems whenever possible.

Since the adoption of Resolution No. 9506, staff continues to refine the procedures related to the installation of street lighting, and will continue to work on possible solutions for the installation of alley lighting.

RESOLUTION NO. 9558

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO MODIFY THE BOUNDARIES OF SPECIAL IMPROVEMENT LIGHTING DISTRICT - ALLEY LIGHTING "SLD-A" NO. 1294 AND TO INSTALL FOUR (4) 70 WATT HPS ALLEY LIGHTING UNITS ON DISTRIBUTION POLES TO INCLUDE PROPERTIES BETWEEN 38TH STREET NORTH AND 40TH STREET NORTH ALONG 4TH ALLEY NORTH

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 modify the boundaries, and the City Commission of the City of Great Falls, Montana intends to order and modify Special Improvement Lighting District – Alley Lighting “SLD-A” No. 1294 as shown on the attached Exhibit 2006A for the installation of the improvements and the removal of a block of properties 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 four (4) 70 watt HPS alley lighting units mounted on 28 foot distribution poles with overhead wiring as shown on the attached Modification #1 Exhibit.

Section 3. That the number of said Modified Special Improvement Lighting District is hereby designated as “Modified Special Improvement Lighting District – Alley Lighting “SLD-A” No. 1294 of the City of Great Falls, Montana.”

Section 4. That the addition to the boundaries of Special Improvement Lighting District – Alley Lighting “SLD-A” No. 1294 are indicated in Modification #1 and are shown on the attached Modification #1 Exhibit.

Section 5. That the removed boundaries of Special Lighting District – Alley Lighting “SLD-A” No. 1294 are indicated in Boundary #12 and are shown on the attached Modification #2 Exhibit.

Section 6. That the boundaries shown on Exhibit 2006A of said Special Improvement Lighting District are hereby declared to be as follows:

Boundary #1:

Beginning at the intersection of the center lines of 9th Street NW and 1st Avenue NW; proceed west along the center line of 1st Avenue NW to the center line of 11th Street NW; thence northerly along the center line of 11th Street NW to the center line of 2nd Avenue NW; thence easterly along the center line of 2nd Avenue NW to the center line of 10th Street NW; thence northerly along the center line of 10th Street NW to the center line of 3rd Avenue NW; thence westerly along the center line of 3rd Avenue NW to the center line of 13th Street NW; thence northerly along the center line of 13th Street NW to the center line of 4th Avenue NW; thence westerly along the center line of 4th Avenue NW to the center line of 14th Street NW; thence southerly along the center line of 14th Street NW to the center line of 2nd Avenue NW; thence easterly along the center line of 2nd Avenue NW to the center line of 13th Street NW; thence southerly along the center line of 13th Street NW to the center line of 1st Avenue NW; thence westerly along the center line of 1st Avenue NW to the center line of Vaughn Road; thence northwesterly along the center line of Vaughn/Watson Coulee Road to the center line of 6th Avenue NW; thence easterly along the center line of 6th Avenue NW to the center line of 16th Street NW; thence northerly along the center line of 16th Street NW to the center line of 8th Avenue NW; thence easterly along the center line of 8th Avenue NW to the extended west property line of Lot 1, Block 12 of Bloomingdale 1st Addition; thence northerly along the extended west property line of Lot 1, Block 12 of Bloomingdale 1st Addition to the center line of the Northwest Bypass; thence easterly along the center line of the Northwest Bypass to the center line of 9th Street NW; thence southerly along the center line of 9th Street NW to the center line of 5th Avenue NW; thence westerly along the center line of 5th Avenue NW to the center line of 10th Street NW; thence southerly along the center line of 10th Street NW to the center line of 5th Avenue NW; thence easterly along the center line of 5th Avenue NW to the center line of 9th Street NW; thence southerly along the center line of 9th Street NW to the center line of 1st Avenue NW and the point of beginning.

Boundary #2:

Beginning at the intersection of the center lines of Central Avenue West and 3rd Street SW; proceed southwest along the center line of 3rd Street SW to the center line of 4th Avenue SW; thence westerly along the center line of 4th Avenue SW to the center line of 7th Street SW; thence southerly along the center line of 7th Street SW to the southwest boundary line of the 6th Addition to Great Falls; thence northwesterly along the southwest boundary line of the 6th Addition to Great Falls to the center line of 8th Street SW; thence northerly along the center line of 8th Street SW to the center line of 4th Avenue SW; thence westerly along the center line of 4th Avenue SW to the southwest boundary line of the 6th Addition to Great

Falls; thence northwesterly along the southwest boundary line of the 6th Addition to Great Falls to the center line of 10th Street SW; thence northerly along the center line of 10th Street SW to the center line of 3rd Avenue SW; thence westerly along the center line of 3rd Avenue SW to the southwest boundary line of the 6th Addition to Great Falls; thence northwesterly along the southwest boundary line of the 6th Addition to Great Falls to the center line of 12th Street SW; thence northerly along the center line of 12th Street SW to the center line of 2nd Avenue SW; thence westerly along the center line of 2nd Avenue SW to the center line of 13th Street SW; thence northerly along the center line of 13th Street SW to the center line of Central Avenue West; thence easterly along the center line of Central Avenue West to the center line of 12th Street SW; thence southerly along the center line of 12th Street SW to the center line of 1st Avenue SW; thence easterly along the center line of 1st Avenue SW to the center line of 9th Street SW; thence southerly along the center line of 9th Street SW to the center line of 2nd Avenue SW; thence easterly along the center line of 2nd Avenue SW to the center line of 8th Street SW; thence northerly along the center line of 8th Street SW to the center line of Central Avenue West; thence easterly along the center line of Central Avenue West to the center line of 3rd Street SW and the point of beginning.

Boundary #3:

Beginning at the intersection of the center lines of 2nd Street South and 15th Avenue South; proceed easterly along the center line of 15th Avenue South to the center line of 4th Street South; thence southerly along the center line of 4th Street South to the center line of 16th Avenue South; thence westerly along the center line of 16th Avenue South to the center line of 2nd Street South; thence northerly along the center line of 2nd Street South to the center line of 15th Avenue South and the point of beginning.

Boundary #4:

Beginning at the intersection of the center lines of 6th Street NE and 21st Avenue NE; proceed west along the center line of 21st Avenue NE to the center line of 5th Street NE; thence northerly along the center line of 5th Street NE to the center line of 22nd Avenue NE; thence westerly along the center line of 22nd Avenue NE to the center line of 4th Street NE; thence northerly along the center line of 4th Street NE to the center line of 23rd Avenue NE; thence easterly along the center line of 23rd Avenue NE to the center line of 6th Street NE; thence southerly along the center line of 6th Street NE to the center line of 21st Avenue NE and the point of beginning.

Boundary #5:

Beginning at the intersection of the center lines of 8th Street NE and 25th Alley NE; proceed west along the center line of 25th Alley NE to the center line of 6th Street NE; thence northerly along the center line of 6th Street NE to the center line of 26th Avenue NE; thence westerly along the center line of 26th Avenue NE to the center line of 4th Street NE; thence northerly along the center line of 4th Street NE to the center line of Riverview Drive East; thence easterly along the center line of Riverview Drive East to the center line of 8th Street NE; thence southerly along the center line of 8th Street NE to the center line of 25th Alley NE and the point of beginning.

Boundary #6:

Beginning at the intersection of the center lines of 1st Avenue North and Park Drive; proceed northeasterly along the center line of Park Drive to its intersection with the center line of 2nd Street North; thence southerly along the center line of 2nd Street North to the center line of 3rd Avenue North; thence easterly along the center line of 3rd Avenue North to the center line of 3rd Street North; thence northerly along the center line of 3rd Street North to the center line of 4th Avenue North; thence westerly along the center line of 4th Avenue North to the center line of Park Drive; thence northeasterly along the center line of Park Drive to its intersection with the extended west property line of Lot 11, Block 79 of the Original Townsite; thence northerly along the west property line of Lot 11 to the south R/W line of Burlington Northern; thence easterly along the south R/W line of Burlington Northern to its intersection with the intersection point of 9th Avenue North and 26th Street North; thence easterly along the center line of 9th Avenue North to the center line of 32nd Street North; thence southerly along the center line of 32nd Street North to the center line of 8th Avenue North; thence easterly along the center line of 8th Avenue North to the center line of 34th Street North; thence northerly along the center line of 34th Street North to the center line of 9th Avenue North; thence easterly along the extended center line of 9th Avenue North to the center line of 36th Street North; thence southerly along the center line of 36th Street North to the center line of 8th Avenue North; thence easterly along the center line of 8th Avenue North to the center line of 38th Street North; thence southerly along the center line of 38th Street North to the center line of 6th Avenue North; thence westerly along the center line of 6th Avenue North to the center line of 36th Street North; thence southerly along the center line of 36th Street North to the center line of 5th Avenue North; thence easterly along the center line of 5th Avenue North to the center line of 44th Street North; thence southerly along the center line of 44th Street North to the center line of 2nd Avenue North; thence westerly along the center line of 2nd Avenue North to the center line of 42nd Street North; thence northerly along the center line of 42nd Street North to the center line of 4th Avenue North; thence westerly along the center line of 4th Avenue North to the center line of 32nd Street North; thence southerly along the center line of 32nd Street North to the center line of 3rd Avenue North; thence easterly along the center line of 3rd Avenue North to the center line of 38th Street North; thence southerly along the

center line of 38th Street North to the center line of 2nd Avenue North; thence westerly along the center line of 2nd Avenue North to the center line of 37th Street North; thence southerly along the center line of 37th Street North to the center line of Central Avenue; thence easterly along the center line of Central Avenue to the center line of 38th Street North; thence southerly along the center line of 38th Street North to the center line of 3rd Avenue South; thence easterly along the center line of 3rd Avenue South to the center line of 43rd Street South; thence southerly along the center line of 43rd Street South to the center line of 4th Avenue South; thence westerly along the center line of 4th Avenue South to the extended west property line of Lot 17, Block 6, First Supplement to Sunrise Terrace Addition; thence southerly along the west property line of Lot 17 to the northwest property line of Lot 4, Block 6, First Supplement to Sunrise Terrace Addition; thence southwesterly along the northwest property line of Lot 4 to the northeast corner of Lot 5, Block 6, First Supplement to Sunrise Terrace Addition; thence southeasterly along the extended northeast property line of Lot 5 to the center line of 5th Avenue South; thence southwesterly along the center line of 5th Avenue South to the extended east property line of Lot 34, Block 3, First Supplement to Sunrise Terrace Addition; thence southerly along the east property line of Lot 34 to the northwest property line of Lot 17, Block 3, First Supplement to Sunrise Terrace Addition; thence northeasterly along the northwest property line of Lot 17 to the south property line of Lot 16, Block 3, First Supplement to Sunrise Terrace Addition; thence easterly along the extended south property line of Lot 16 to the center line of Beth Drive; thence southerly along the center line of Beth Drive to the center line of 6th Avenue South; thence westerly along the center line of 6th Avenue South to the center line of 40th Street South; thence southerly along the center line of 40th Street South to the center line of 9th Avenue South; thence westerly along the center line of 9th Avenue South to the center line of 35th Street South; thence northerly along the center line of 35th Street South to the center line of 7th Avenue South; thence westerly along the center line of 7th Avenue South to the center line of 33rd Street South; thence southerly along the center line of 33rd Street South to the center line of 9th Avenue South; thence westerly along the center line of 9th Avenue South to the center line of 29th Street South; thence northerly along the center line of 29th Street South to the center line of 8th Avenue South; thence westerly along the center line of 8th Avenue South to the center line of 27th Street South; thence southerly along the center line of 27th Street South to the center line of 9th Avenue South; thence westerly along the center line of 9th Avenue South to the center line of 13th Street South; thence southerly along the center line of 13th Street South to the north R/W line of 10th Avenue South; thence westerly along the north R/W line of 10th Avenue South to the southeast corner of the Original Townsite; thence northeasterly along the west boundary line of the Original Townsite to the extended center line of 7th Avenue South; thence easterly along the extended center line of 7th Avenue South to the center line of 3rd Street South; thence northerly along the center line of 3rd Street South to the center line of 2nd Avenue South; thence westerly along the center line of 2nd Avenue South to the west boundary line of the Original Townsite; thence northwesterly along the west boundary line of the Original Townsite to the center line of 1st Avenue South;

thence easterly along the center line of 1st Avenue South to the center line of 9th Street South; thence northerly along the center line of 9th Street South to the center line of 1st Avenue North; thence westerly along the center line of 1st Avenue North to the center line of Park Drive and the point of beginning. *Excluding* all of Blocks 151, 152 and 153 of the Eleventh Addition to Great Falls, along with all of Block 9 of the Boston & Great Falls Addition; along with all of Block 2 of Huy's Addition and all of Block 1 of the Sunrise Homes 5th Addition to Great Falls.

Boundary #7:

Beginning at the intersection of the northeast R/W line of 5th Avenue South and the northwest property line of Lot 20, Block 17, of the 2nd Supplement to Sunrise Terrace; thence northeasterly along the northwest property line of Lot 20, Block 17, to the southwest property line of Lot 4, Block 17; thence northwesterly along the southwest property line of Lot 4 to the northwest property line of Lot 4; thence northeasterly along the northwest property line of Lot 4 to the south R/W line of Diana Drive; thence northeasterly along the south R/W line of Diana Drive to the south property line of Lot 10, Block 17, 2nd Supplement to Sunrise Terrace; thence easterly along the south property line extended of Lot 10 to the center line of 50th Street; thence northerly along the center line of 50th Street to the extended center line of 4th Alley South; thence easterly along the extended center line of 4th Alley South to the extended west property line of Lot 12, Block 20, 2nd Supplement to Sunrise Terrace Addition; thence northerly along the extended west property line of Lot 12 to the center line of 3rd Avenue South; thence easterly along the center line of 3rd Avenue South to the center line of 56th Street South; thence southerly along the center line of 56th Street South to the center line of 8th Avenue South; thence westerly along the center line of 8th Avenue South to the center line of 54th Street South; thence southerly along the center line of 54th Street South to the center line of 9th Avenue South; thence westerly along the center line of 9th Avenue South to the center line of 52nd Street South; thence northerly along the center line of 52nd Street South to the extended north property line of Lot 17, Block 20, 2nd Supplement to Sunrise Terrace; thence westerly along the extended north property line of Lot 17 to the northeast property line of Lot 18, Block 20, 2nd Supplement to Sunrise Terrace; thence southeasterly along the northeast property line of Lot 18 (extended) to the center line of 51st Street South; thence southwestly along the center line of 51st Street South to the extended south property line of Lot 21, Block 20; thence westerly along the south property line of Lot 21 to the east property line of Lot 6, Block 20, 2nd Supplement to Sunrise Terrace; thence southerly along the east property line of Lot 6 to the southeast corner of Lot 6; thence westerly along the south property line of Lot 6 (extended) to the west R/W line of 50th Street South; thence southerly along the west R/W line of 50th Street to the southeast corner of Lot 12, Block 17, 2nd Supplement to Sunrise Terrace; thence westerly along the south property line of Lot 12 to the northeast corner of Lot 15, Block 17, 2nd Supplement to Sunrise Terrace; thence southeasterly along the northeast property line of Lot 15 to the southeast corner of Lot 15 and the north R/W line of 5th Avenue South; thence southwestly and

northwesterly along the north R/W line of 5th Avenue South to the northwest property line of Lot 20, Block 17, 2nd Supplement to Sunrise Terrace and point of beginning.

Boundary #8:

Beginning at the northwest corner of Lot 13, Block 3, 2nd Supplement to Sunrise Terrace Addition; thence southerly along the west property line of Lot 13 to the intersection of said line with the north property line of Lot 11, Block 3, 2nd Supplement to Sunrise Terrace Addition; thence westerly along the north property line of Lot 11 to the east R/W line of 46th Street South; thence southwest along the east R/W line of 46th Street South to the northwest corner of Lot 4, Block 3; thence southerly along the west property line of Lot 4 to the southwest corner of Lot 4; thence easterly along the south property line of Lot 4 to its intersection with the cul-de-sac radius within said Block 3; thence southeasterly along said cul-de-sac radius to its intersection with the west property line of Lot 25, Block 3; thence southerly along the west property line of Lot 25 to the southwest corner of Lot 25; thence southeasterly along the south property line of Lot 25 to the west R/W line of 47th Street South; thence northerly along the west R/W line of 47th Street to the south R/W line of 7th Avenue South; thence easterly along the south R/W line of 7th Avenue South to the northwest corner of Lot 13, Block 13 and the point of beginning.

Boundary #9:

Beginning at the intersection of the center lines of 35th Street South and 10th Avenue South; proceed south along the center line of 35th Street South to the center line of 11th Avenue South; thence westerly along the center line of 11th Avenue South to the center line of 32nd Street South; thence northerly along the center line of 32nd Street South to the center line of 10th Avenue South; thence easterly along the center line of 10th Avenue South to the center line of 35th Street South and the point of beginning.

Boundary #10:

Beginning at the intersection of the center lines of 10th Avenue South and 26th Street South; thence southerly along the center line of 26th Street South to the center line of 13th Avenue South; thence westerly along the center line of 13th Avenue South to the center line of 23rd Street South; thence northerly along the center line of 23rd Street South to the center line of 10th Avenue South; thence easterly along the center line of 10th Avenue South to the center line of 26th Street South and the point of beginning.

Boundary #11:

Beginning at the intersection of the center lines of 13th Street South and 12th Avenue South; proceed east along the center line of 12th Avenue South to the

center line of 14th Street South; thence northerly along the center line of 14th Street South to the center line of 11th Avenue South; thence easterly along the center line of 11th Avenue South to the center line of 16th Street South; thence southerly along the center line of 16th Street South to the center line of 12th Avenue South; thence easterly along the center line of 12th Avenue South to the center line of 20th Street South; thence southerly along the center line of 20th Street South to the center line of 17th Avenue South; thence westerly along the center line of 17th Avenue South to the extended east property line of Lot 10, Block 14, Prospect Park Addition; thence southerly along the extended east property line of Lot 10 to the South R/W line of 18th Avenue South; thence easterly along the extended south R/W line of 18th Avenue South to the center line of 20th Street South; thence southerly along the center line of 20th Street South to the center line of 20th Avenue South; thence westerly along the center line of 20th Avenue South to the center line of 14th Street South; thence northerly along the center line of 14th Street South to the extended north property line of Lot 1, Block 7 of Prospect Park Addition; thence westerly along the extended north property line of Lot 1 to the center line of 13th Street South; thence northwesterly along the center line of 13th Street South to the center line of 12th Avenue South and the point of beginning.

Boundary #12:

~~Beginning at the intersection of the center lines of 9th Street NW and 6th Avenue NW; proceed south along the center line of 9th Street NW to the center line of 5th Avenue NW; thence westerly along the center line of 5th Avenue NW to the center line of 10th Street NW; thence northerly along the center line of 10th Street NW to the center line of 6th Avenue NW; thence easterly along the center line of 6th Avenue NW to the center line of 9th Street NW and the true point of beginning.~~

Boundary #13:

Beginning at the intersection of the center lines of 34th Street North and 6th Avenue North; proceed east along the center line of 6th Avenue North to its intersection with the center line of 35th Street North; thence south along the center line of 35th Street North to its intersection with the center line of 5th Avenue North; thence west along the center line of 5th Avenue North to its intersection with the center line of 34th Street North; thence north along the center line of 34th Street North to its intersection with the center line of 6th Avenue North and the point of beginning.

Boundary #14:

Beginning at the intersection of the center lines of 36th Street North and 6th Avenue North; proceed east along the center line of 6th Avenue North to its intersection with the center line of 38th Street North; thence south along the center line of 38th

Street North to its intersection with the center line of 5th Avenue North; thence west along the center line of 5th Avenue North to its intersection with the center line of 36th Street North; thence north along the center line of 36th Street North to its intersection with the center line of 6th Avenue North and the point of beginning.

Boundary #15:

Beginning at the intersection of the center lines of 3rd Avenue South and 20th Street South; proceed east along the center line of 3rd Avenue South to its intersection with the center line of 21st Street South; thence south along the center line of 21st Street South to its intersection with the center line of 4th Avenue South; thence west along the center line of 4th Avenue South to its intersection with the center line of 20th Street South; thence north along the center line of 20th Street South to its intersection with the center line of 3rd Avenue South and the point of beginning.

Boundary #16:

Beginning at the intersection of the center lines of 32nd Street North and 8th Avenue North; proceed east along the center line of 8th Avenue North to the center line of 34th Street North; thence northerly along the center line of 34th Street North to the center line of 9th Avenue North; thence westerly along the center line of 9th Avenue North to the center line of 32nd Street North; thence southerly along the center line of 32nd Street North to the center line of 8th Avenue North and the point of beginning.

Boundary #17:

Beginning at the intersection of the center lines of 36th Street North and 8th Avenue North; proceed east along the center line of 8th Avenue North to the center line of 38th Street North; thence northerly along the center line of 38th Street North to the center line of 9th Avenue North; thence westerly along the center line of 9th Avenue North to the center line of 36th Street North; thence southerly along the center line of 36th Street North to the center line of 8th Avenue North and the point of beginning.

Boundary #18:

Beginning at the intersection of the center lines of 4th Avenue North and 32nd Street North; proceed south along the center line of 32nd Street North to the center line of 3rd Avenue North; thence easterly along the center line of 3rd Avenue North to the center line of 38th Street North; thence northerly along the center line of 38th Street North to the center line of 4th Avenue North; thence westerly along the center line of 4th Avenue North to the center line of 32nd Street North and the point of beginning.

Boundary #19:

Beginning at the intersection of the center lines of 37th Street North and 2nd Avenue North; proceed east along the center line of 2nd Avenue North to the center line of 38th Street North; thence southerly along the center line of 38th Street North to the center line of 1st Avenue North; thence westerly along the center line of 1st Avenue North to the center line of 37th Street North; thence northerly along the center line of 37th Street North to the center line of 2nd Avenue North and the point of beginning.

Boundary #20:

Beginning at the intersection of the center lines of 4th Avenue SW and 4th Street SW; proceed south along the center line of 4th Street SW to the center line of 5th Avenue SW; thence westerly along the center line of 5th Avenue SW to the extended southeast boundary line of the 6th Addition to Great Falls; thence southwesterly along the southeast boundary line of the 6th Addition to Great Falls to the center line of 6th Street SW; thence northerly along the center line of 6th Street SW to the center line of 5th Avenue SW; thence westerly along the center line of 5th Avenue SW to the center line of 7th Street SW; thence northerly along the center line of 7th Street SW to the center line of 4th Avenue SW; thence easterly along the center line of 4th Avenue SW to the center line of 4th Street SW and the point of beginning.

Modification #1:

Beginning at the intersection of the center lines of 4th Avenue North and 38th Street North; thence proceed east along the center line of 4th Avenue North to it intersection with the center line of 40th Street North; thence proceed south along the center line of 40th Street North to its intersection with the center line of 4th Alley North; thence proceed west along the center line of 4th Alley North to its intersection with the center line of 38th Street North; thence proceed north along the center line of 38th Street North to its intersection with the center line of 4th Avenue North and 38th Street North and the point of beginning.

Section 7. That 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 properties included within the boundaries of said district are hereby declared to be the properties assessed for the cost an expense of making said improvements. The 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 ongoing annual assessment for the utility and administrative costs is estimated to be \$.001542 per square foot assessable area as shown on Exhibit "A".

Section 8. That the modification of this Special Improvement Lighting District will supersede and take precedence over any existing, overlapping street lighting district's boundaries and improvements.

Section 9. That on Tuesday the 2nd day of May, 2006, 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 modification of the Improvement District and pass upon any written protests timely filed against modification 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 10. 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 six (6) days separating each publication.

The City Clerk is 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 letter is attached as Exhibit "B" and the notice is attached as Exhibit "C."

PASSED AND ADOPTED by the Commission of the City of Great Falls, Montana, on this 4th day of April 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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 9558 was passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 21st day of March 2006, and approved by the Mayor of said City on the 21st day of March 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 21st day of March 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

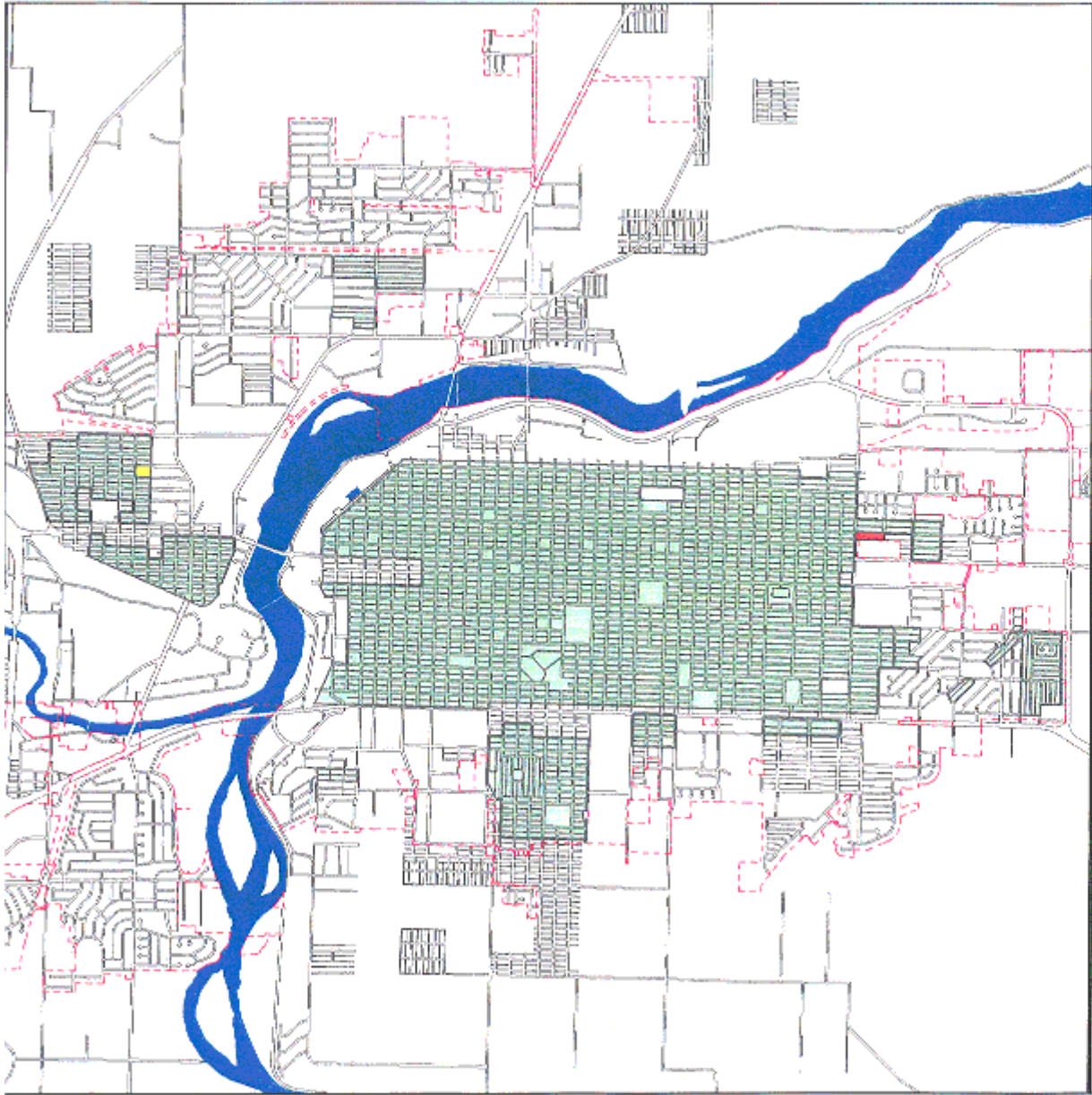








EXHIBIT "2006A" SLD Alley - No. 1294

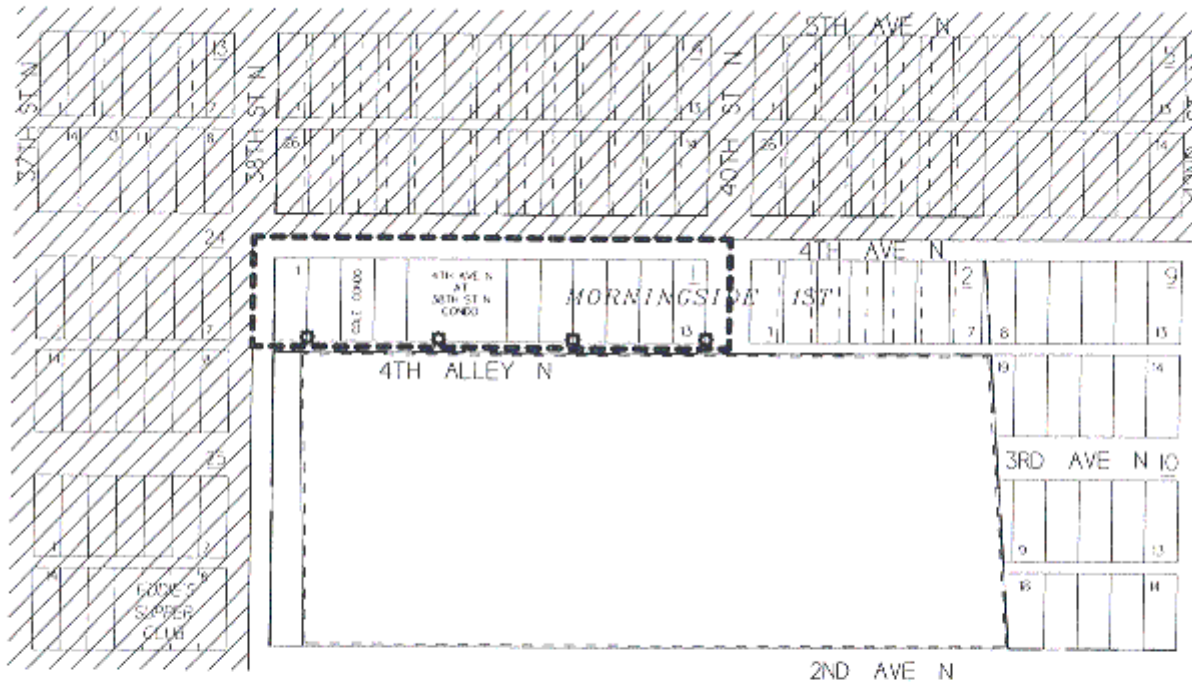
-  City Limit
-  Streets
-  Water_Features
-  Consolidated SLD-A No. 1294
-  Modification #1 Exhibit
-  Modification #2 Exhibit




RESOLUTION 9558

1 in. = 1,337.9 yards



MODIFICATION #1 EXHIBIT PER RESOLUTION #9558

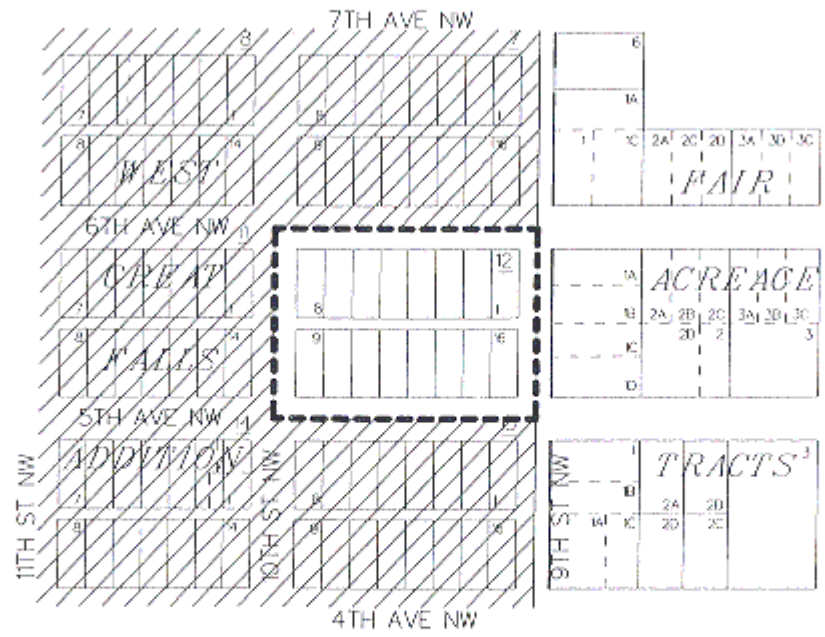




-  BOUNDARY OF CONSOLIDATED "SLD-A" NO 1294
-  BOUNDARY OF PROPOSED MODIFICATION
-  70 WATT LIGHT FIXTURE ON DISTRIBUTION POLES (4)



MODIFIED SPECIAL ALLEY LIGHTING DISTRICT "SLD-A" NO.1294

MODIFICATION #2 EXHIBIT PER RESOLUTION #9558



-  BOUNDARY OF CONSOLIDATED "SLD-A" NO 1294
-  BOUNDARY OF PROPOSED MODIFICATION



MODIFIED SPECIAL ALLEY LIGHTING DISTRICT "SLD-A" NO.1294

EXHIBIT A

**MODIFICATION TO SPECIAL LIGHTING DISTRICT - ALLEY LIGHTING "SLD-A" NO. 1294
ADD DISTRICT FOR NEW LIGHTING BETWEEN 38TH STREET NORTH AND 40TH STREET NORTH ALONG 4TH ALLEY NORTH**

4 - 70 WATT HPS ON 28' DISTRIBUTION POLES \$ 177.39

COST OF OPERATION AND ROUTINE MAINTENANCE 177.39
 10% ADMINISTRATION FEE 17.74
 TOTAL ANNUAL COST TO THE DISTRICT = \$ 195.13

ASSESSMENT BASED ON 12 MONTHS -
 ANNUAL ASSESSMENT FOR AN AVERAGE
 7,925 SQ.FT. LOT IS \$12.22

ANNUAL SQUARE FOOT COST = 0.001542046

PARCEL	LOT	BLOCK	DIVISION	NAME	PROPERTY ADDRESS	SET UP AREA (SQUARE FEET)	ANNUAL COST
*	617081		4th Ave N at 38th St Condo	Condo Common Area		-	0.00
1	617082	Unit 1	4th Ave N at 38th St Condo	Glover & Revocable Trust	3824 4th Ave North	2,265	3.49
2	617083	Unit 2	4th Ave N at 38th St Condo	Randall, Mahlon K & Jean L.	3824 4th Ave North	2,265	3.49
3	617084	Unit 3	4th Ave N at 38th St Condo	Robertson, Blanche E	3824 4th Ave North	2,265	3.49
4	617085	Unit 4	4th Ave N at 38th St Condo	Clarke, Gerald W	3824 4th Ave North	2,265	3.49
5	617086	Unit 5	4th Ave N at 38th St Condo	Morris, Madison L.	3820 4th Ave North	2,265	3.49
6	617087	Unit 6	4th Ave N at 38th St Condo	Anderson, Faye H.	3820 4th Ave North	2,265	3.49
7	617088	Unit 7	4th Ave N at 38th St Condo	Carey, T. Hurly	3820 4th Ave North	2,265	3.49
8	617089	Unit 8	4th Ave N at 38th St Condo	Fitzgerald, William J	3820 4th Ave North	2,265	3.49
9	617090	Unit 9	4th Ave N at 38th St Condo	Neuschwander, Robert & Glenda Ann	3816 4th Ave North	2,265	3.49
10	617091	Unit 10	4th Ave N at 38th St Condo	Johnson, Norma G.	3816 4th Ave North	2,265	3.49
11	617092	Unit 11	4th Ave N at 38th St Condo	Solberg, Neilia M.	3816 4th Ave North	2,265	3.49
12	617093	Unit 12	4th Ave N at 38th St Condo	Smika, Tava E.	3816 4th Ave North	2,265	3.49
13	617095	Unit 13	4th Ave N at 38th St Condo	Barber, Dorothy O. Etal	3812 4th Ave North	2,265	3.49
14	617096	Unit 14	4th Ave N at 38th St Condo	Carey, T. Hurly	3812 4th Ave North	2,265	3.49
15	617097	Unit 15	4th Ave N at 38th St Condo	Kenison, James R. & Marcella L	3812 4th Ave North	2,265	3.49
16	617098	Unit 16	4th Ave N at 38th St Condo	Dohrmann, Sarah	3812 4th Ave North	2,265	3.49
*	642900		East End Condo No. 1	Condo Common Area		-	0.00
17	642910	Unit 1	East End Condo No. 1	Cole, Robert W & Pamela S	3808 4th Ave North	2,265	3.49
18	642920	Unit 2	East End Condo No. 1	Cole, Robert W & Pamela S	3808 4th Ave North	2,265	3.49
19	642930	Unit 3	East End Condo No. 1	Cole, Robert W & Pamela S	3808 4th Ave North	2,265	3.49
20	642940	Unit 4	East End Condo No. 1	Cole, Robert W & Pamela S	3808 4th Ave North	2,265	3.49
*	642950		East End Condo No. 2	Condo Common Area		-	0.00
21	642960	Unit 1	East End Condo No. 2	Cole, Robert W.	3804 4th Ave North	2,265	3.49
22	642970	Unit 2	East End Condo No. 2	Cole, Robert W.	3804 4th Ave North	2,265	3.49
23	642980	Unit 3	East End Condo No. 2	Cole, Robert W.	3804 4th Ave North	2,265	3.49
24	642990	Unit 4	East End Condo No. 2	Cole, Robert W.	3804 4th Ave North	2,265	3.49
25	1151400	1	1	Morningside 1st Addition	Cole, Robert W.	18,034	27.81
26	1152300	8 - 10	1	Morningside 1st Addition	Scott, John V. & Colleen M.	27,094	41.78
27	1152400	11	1	Morningside 1st Addition	Shure, Lois	9,017	13.90
28	1152500	12	1	Morningside 1st Addition	Atchley, Jesse W.	9,017	13.90
29	1152600	13	1	Morningside 1st Addition	Smith, Robert W. & Sharon K.	9,017	13.90

* Condo Common Area - no square feet assigned

TOTAL: 126,539 \$ 195.13

April 7, 2006

EXHIBIT "B"

Property Owner
123 Anywhere Street
Great Falls, MT 59404

Parcel No.: 1079008

INTENT TO MODIFY RESOLUTION #9558

Dear Property Owner:

The modification of Special Improvement Lighting District – Alley Lighting "SLD-A" No. 1294 is being considered as petitioned by property owners in the general location of 4th Avenue North between 38th Street and 40th Street North. This petition has started the process to install four (4) 70 Watt HPS alley lighting units on 28 foot distribution poles with overhead wiring along 4th Alley North.

If the proposed resolution is adopted by the City Commission, it would result in an **estimated** annual lighting maintenance assessment cost of \$XX.XX for your property. This amount would appear on your property tax assessment bill each year beginning with the 2005/2006 assessment year.

Montana State Law requires sending individual notices of intent to each affected property owner in addition to the publication of the legal notice relating to the creation and assessment of the district. The enclosed notice is scheduled to be published in the *Great Falls Tribune* on Friday, April 7, 2006 and the following Friday, April 14, 2006.

At any time within 15 days after the date of the first publication of the notice of the resolution of intent, any owner of property liable to be assessed for said work may make written protest against the modification of the district. Such notice must be in writing, must list the property address and parcel number if known, must include signatures of all owners of the property, must indicate the resolution number being protested and may be mailed or hand-delivered to the City Clerk, 2 Park Drive, Great Falls, MT 59401 who shall endorse thereon the date of its receipt.

Each protest shall be weighted in proportion to the amount of the assessment to be placed upon the lot or parcel of property. If the City Commission finds that such protests constitute a majority of the total assessments, the resolution will be denied. The City Commission shall proceed to hear and pass upon all protests so made, and its decision shall be final and conclusive.

You are invited to attend the public hearing for the modification of Special Improvement Lighting District – Alley Lighting "SLD-A" No. 1294 on May 2, 2006 at 7:00 o'clock p.m. in the Commission Chambers in the Civic Center.

Re: Intent to Create Resolution #9558
Page 2

If you have any questions regarding the modification of SLD No. 1294, please call me at 455-8477.

Sincerely,

Judy Burg
Taxes & Assessments

Enc: Legal Notice

EXHIBIT "C"

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on the 4th day of April 2006, the City Commission of the City of Great Falls, Montana, adopted a Resolution of Intent to Modify No. 9558 entitled:

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO MODIFY THE BOUNDARIES OF SPECIAL IMPROVEMENT LIGHTING DISTRICT - ALLEY LIGHTING "SLD-A" NO. 1294 AND TO INSTALL FOUR (4) 70 WATT HPS ALLEY LIGHTING UNITS ON DISTRIBUTION POLES TO INCLUDE PROPERTIES BETWEEN 38TH STREET NORTH AND 40TH STREET NORTH ALONG 4TH ALLEY NORTH

Resolution of Intent to Modify No. 9558 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 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 alley lighting. This will result in an ongoing estimated annual maintenance assessment of \$12.22 for an average lot of 7,925 square feet for energy and distribution costs of the alley lighting.

That the City Commission of the City of Great Falls, Montana, will be in session on the 2nd day of May, 2006, 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 comments for or against the modification of said Lighting District. Any person or persons, who are owners of any lot or parcel of land within said Special Improvement Lighting District - Alley Lighting "SLD-A" No. 1294, 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 writing for or against the proposed modification of said 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 lighting district should or should not be modified.

Publication Dates: April 7 and 14, 2006

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

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

NEIGHBORHOOD COUNCILS

1. SWEARING IN CEREMONY.

NC Swearing-in. Mayor Stebbins swore in Neighborhood Council Members Sally Schlim (Council 9) and Aaron Weissman (Council 7).

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

NC 8 meeting and North Kiwanis playground equipment project. **Karen Grove**, Neighborhood Council 8, announced that they rescheduled their March meeting to March 23 in order to avoid a conflict with a community meeting on under-aged drinking. She added that Neighborhood Council 8 was beginning the process of raising funds for playground equipment at North Kiwanis Park.

PUBLIC HEARINGS

Res. 9551 and Ordinance 2931, annexation and zoning for Meadowlark Add., Phase 4. Adopted.

3A. RESOLUTION 9551, ANNEXATION OF MEADOWLARK 4 ADDITION.

3B. ORDINANCE 2931, ZONING FOR MEADOWLARK 4 ADDITION.

Planning Director Ben Rangel reported that last July, the City Commission conditionally approved the preliminary plat of Meadowlark Addition 4, an 18-lot single-family residential subdivision southwest of Grande Vista Park. The applicant requested the property be zoned R-3 single-family high-density district, upon annexation.

The combined Planning Board and Zoning Commission, at the conclusion of a public hearing held June 14, 2005, unanimously recommended the City Commission assign the requested zoning classification and approve the annexation resolution, annexation agreement and final plat for Meadowlark Addition 4 subject to the applicant signing the agreement; pay all fees; and correct any errors or

omissions on the final plat noted by staff. Mr. Rangel added that the annexation agreement has been signed and the fees paid.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9551 or Ordinance 2931. Mayor Stebbins closed the public hearing.

Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9551 and approve the final plat and Annexation Agreement all related to Meadowlark Addition No. 4.

Motion carried 5-0.

Commissioner Rosenbaum moved, seconded by Commissioner Hinz, that the City Commission adopt Ordinance 2931.

Motion carried 5-0.

**Res. 9553,
annexation and
zoning for West
Ridge Add., Phase
III. Adopted.**

4A. RESOLUTION 9553, ANNEXATION OF WEST RIDGE ADDITION PHASE III.

4B. ORDINANCE 2932, ZONING FOR WEST RIDGE ADDITION PHASE III.

Planning Director Ben Rangel reported that in November 2002, the City and County Commissions conditionally approved the preliminary plat of West Ridge Addition, a 113-lot single-family residential subdivision located on the north and west sides of Skyline Education Center. The applicant wanted to finalize the plat of West Ridge Addition, Phase III, which consisted of 18 –single-family residential lots to be zoned R-2 single-family medium density district.

The Planning Board, at the conclusion of a public hearing held October 22, 2002, unanimously recommended the City Commission assign the requested zoning classification as well as approve the final plat of West Ridge Addition, Phase III and annexation of the property subject to the following: the applicant sign an agreement; pay applicable fees; correct any errors or omissions on the final plat noted by staff; and receive approval from the Public Works Department on final engineering documents for the required public improvements serving the subdivision.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9553 or Ordinance 2932. Mayor Stebbins closed the public hearing.

Commissioner Beecher moved, seconded by Commissioners Hinz and Jovick-Kuntz, that the City Commission adopt Resolution 9553

and approve the final plat and Annexation Agreement all related to West Ridge Addition Phase III.

Motion carried 5-0.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Ordinance 2932.

Motion carried 5-0.

NEW BUSINESS

**Consent Agenda.
Approved as
printed.**

CONSENT AGENDA

- 5. Minutes, March 7, 2006, Commission meeting.
- 6. Total expenditures of \$733,116 for the period of February 28- March 8, 2006, to include claims over \$5,000 in the amount of \$599,881.
- 7. Contracts list.
- 8. Proposed 2006/2007 CDBG and HOME Program Funds for inclusion in the Annual Consolidated Plan and set a public hearing for April 4, 2006.
- 9. Adopt Resolution 9560 which rescinded and replaced Resolution 9556 pertaining to the SID Subsidiary Debt Service Fund.
- 10. Approve Change Order 1 and final payment to United Materials in the amount of \$184,115.50 for the West Bank Trail Connection/Agri-Business Park Sewer Main Extension Phase 1. (OF 1306 and OF 1348.1)
- 11. Approve final payment to AT Klemens in the amount of \$2,509.05 and the State Miscellaneous Tax Division for the Eagles Crossing Lighting District (SLD 1304).
- 12. Bid Award for three new rotary trim mowers to Midland Implement in the amount of \$87,750.

Commissioner Hinz moved, seconded by Commissioner Beecher, that the City Commission approve the Consent Agenda as printed.

Motion carried 5-0

BOARDS AND COMMISSIONS

**Mansfield Center
for the Performing
Arts Advisory
Board. Appointed
Flaherty.**

13. **APPOINTMENT, MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD.**

Mollie Anne Pugh was appointed to fill the remainder of a three-year term on June 15, 2004. Ms. Pugh's term expired on December 31, 2005, and she was not interested in serving another term. Therefore, it was necessary to appoint a new member.

Commissioner Jovick-Kuntz moved, seconded by Commissioner

Beecher, that the City Commission appoint Laura E. Flaherty to the Mansfield Center for the Performing Arts Advisory Board for a three-year term through December 31, 2009.

Motion carried 5-0.

**Appointment,
Design Review
Board. Appointed
Bailey.**

14. APPOINTMENT, DESIGN REVIEW BOARD.

Cliff Garness was appointed to the Design Review Board in August of 2001 to fill the remainder of a three-year term. He was reappointed for another three-year term in April of 2004. Mr. Garness was eligible but not interested in serving an additional three-year term. Therefore, it was necessary to appoint one member to fill his vacancy.

Commissioner Hinz moved, seconded by Commissioner Beecher, that the City Commission appoint Donn Bailey to the Design Review Board for a three-year term though March 31, 2009.

Motion carried 5-0.

**Advisory
Commission on
International
Relationships.
Appointments
Dolman, Damany
and Baker.**

15. APPOINTMENTS, ADVISORY COMMISSION ON INTERNATIONAL RELATIONSHIPS.

The terms of Aart Dolman and Vandana Damany expire on March 31, 2006. Mr. Dolman and Ms. Damany are both eligible for and interested in being reappointed to the Advisory Commission on International Relationships. The term of Judith McKay also expires on March 31, 2006. Ms. McKay is not interested in serving another term; therefore, it is necessary to appoint one new member.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission reappoint Aart Dolman and Vandana Damany to three-year terms through March 31, 2009, and appoint Robin Baker for a three-year term through March 31, 2009, to the Advisory Commission on International Relationships.

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

Citizen comments.

19. John Hubbard commented on the price of energy, the green-house effect and the impact the co-generation plant would have on it, and an article in the Great Falls Tribune which showed where all the missile silos were located in the area.

Adjourn

ADJOURNMENT

There being no further business to come before the Commission, the

regular meeting of March 21, 2006, adjourned at 7:22 p.m.

Mayor Dona R. Stebbins

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:

MASTER ACCOUNT CHECK RUN FOR MARCH 15, 2006	199,199.71
MASTER ACCOUNT CHECK RUN FOR MARCH 22, 2006	500,413.24
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MARCH 10, 2006	2,645.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MARCH 17, 2006	70,985.86
WIRE TRANSFERS FROM MARCH 15, 2006 THRU MARCH 22, 2006	<u>69,340.46</u>
TOTAL: \$	<u><u>842,584.27</u></u>

GENERAL FUND

POLICE

ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT	1,315.22
-----------------------	-----------------------------	----------

FIRE

ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT	2,352.54
-----------------------	-----------------------------	----------

PARK & RECREATION

ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT	1,266.22
-----------------------	-----------------------------	----------

SPECIAL REVENUE FUND

CTEP PROJECT

NTL ENGINEERING & GEOSCIENCE	PMT-25TH ST N BRIDGE	9,999.75
STELLING ENGINEERS INC	PMT-25TH ST N BRIDGE	8,803.56

POLICE SPECIAL

RONAN AUTO BODY SALE & SVC	BUY OUT LEASE VEHICLE	6,500.00
----------------------------	-----------------------	----------

SPECIAL REVENUE FUND(CONT)

STREET DISTRICT

UNITED MATERIALS FOX FARM CHIP SEAL 18,285.20

LIBRARY

ENERGY WEST RESOURCES FEBRUARY 2006 CHARGES-SPLIT 2,405.65
BRODART INC ASSORTED BOOKS-SPLIT 708.82

LIBRARY TRUST

BRODART INC ASSORTED BOOKS-SPLIT 4,414.12

FEDERAL BLOCK GRANTS

RW CONSTRUCTION CDBG DEFERRED PMT LN-WOOD 5,340.00
HOME RENOVATIONS CDBG DEFERRED PMT LN-EWERT 6,794.00

ECONOMIC REVOLVING

ENERGY WEST RESOURCES FEBRUARY 2006 CHARGES-SPLIT 98.23

CAPITAL PROJECTS

CITY LIGHTING CONSTRUCTION

AT KLEMENS PMT#4-EAGLES CROSSING ST LIGHTS 15,697.89

ENTERPRISE FUNDS

WATER

THOMAS DEAN & HOSKINS PMT#3-BNRR/RIVER DRIVE 6,390.46
THOMAS DEAN & HOSKINS PMT#7-WATER MASTER PLAN 68,883.81
HACH CHEMICAL CO TURBIDITY METERS 13,708.20
NORTHWEST PIPE FITTINGS INC HYDRANTS & PARTS 5,644.27
ENERGY WEST RESOURCES FEBRUARY 2006 CHARGES-SPLIT 5,581.25

SEWER

UNITED MATERIALS 10TH AVE N/NE SS INTERCEPTOR 13,800.00
NEIL CONSULTANTS INC PMT#8-AG PARK SANITARY SEWER 6,691.54
PLANNED & ENGINEERED CONST PMT#2-10TH AVE N SEWER REHAB 20,086.60
VEOLIA WATER NORTH AMERICA WWTP OPERATION 172,490.00
STANLEY CONSULTANTS INC PMT#6-WWTP CO-GEN PROJECT 8,619.75

SANITATION

ENTERPRISE SALES INC SIDE LOAD RECYCLING CONTAINERS 6,570.00
ENERGY WEST RESOURCES FEBRUARY 2006 CHARGES-SPLIT 598.99

ENTERPRISE FUNDS(CONT)

ELECTRIC UTILITY			
DORSEY & WHITNEY	BOND COUNCIL SERVICES		6,248.44
SAFETY SERVICES			
ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT		328.81
PARKING			
APCOA/STANDARD PARKING	APRIL 2006 COMPENSATION		21,824.99
GOLF COURSES			
ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT		488.60
SWIM POOLS			
ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT		3,766.69
RECREATION			
JACKS ATHLETIC SUPPLY	PMT-ICE BREAKER T-SHIRTS		11,302.40
ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT		951.29

INTERNAL SERVICES FUND

HEALTH INSURANCE			
BLUE CROSS/BLUE SHIELD	GROUP & HMO CLAIMS-3/8/06-3/14/06		38,045.02
BLUE CROSS/BLUE SHIELD	GROUP & HMO CLAIMS-3/15/06-3/21/06		31,295.44
BLUE CROSS/BLUE SHIELD	ADMIN & REINS FEES-MARCH 2006		36,528.80
CENTRAL INSURANCE			
MONTANA MUNICIPAL INS AUTH	FEBRUARY G/L DEDUCTIBLES		5,204.59
FISCAL SERVICES			
POSTMASTER	PREPAID POSTAGE		13,135.35
R W BECK INC	CONSULTING SERVICES		14,761.96
INFORMATION TECHNOLOGY			
HEWLETT PACKARD	PC'S FOR GOLF POS		6,701.00
CENTRAL GARAGE			
MOUNTAIN VIEW CO-OP	DIESEL FUEL		14,149.02
PUBLIC WORKS			
ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT		4,729.87

INTERNAL SERVICES FUND(CONT)

PARK & RECREATION ADMINISTRATION

ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT	1,669.86
-----------------------	-----------------------------	----------

FACILITY SERVICES

ENERGY WEST RESOURCES	FEBRUARY 2006 CHARGES-SPLIT	3,647.79
-----------------------	-----------------------------	----------

MUNICIPAL COURT

CITY OF GREAT FALLS	FINES & FORFEITURES TRANSFER TO MASTER ACCOUNT	67,348.86
---------------------	---	-----------

CLAIMS OVER \$5000 TOTAL: \$ 695,174.85

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

**AGENDA: 8
DATE: April 4, 2006**

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: Peggy J. Bourne, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR'S SIGNATURE: _____

CONTRACT LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	FUND	AMOUNT	PURPOSE
A	City Clerk's Office	County of Cascade	2006 Election Year	N/A	None	Rental of premises for use as a polling place
B	Park & Recreation Department	Payne Financial Group Inc.	01/01/06 – 12/31/06	N/A	\$5,000	2006 Ice Breaker Road Race Corporate Sponsor Agreement
C	Park & Recreation Department	U.S. Air Force Heritage Program (USAFHP)	04/01/06 – 03/31/07	N/A	None	Loan of Aircraft F-102A for Static Display Program at Lions Park
D	Park & Recreation Department	Montana Elastomers	04/01/06	563-6471-562-3611	\$27,700	Repair of Flow Rider with similar and improved products.
E	Park & Recreation Department (Events)	LiveTourArtists	07/15/06	561-6419-3961 Project #640603	\$3,500 (less grant of \$1,750)	RiverFest - Sight and Sound Park Performance

F	Fire Department	New World Systems	FY2006	100-2411-522-3691	\$750	License Fee for Aegis Mobile Unit (Fire CAD via Switch)
G	Fiscal Services Department	GPD, Inc.	03/01/06-09/01/06	SID 1306 SLD 1307	Not to exceed \$2,200	Electrical Design for Meadowlark Addition No.4 SID 1306 SLD 1307
H	Public Works – Engineering	Neil Consultants, Inc.	All/Multiple dates	N/A	N/A	Consent and Agreement for Novation of NCI Engineering Company (due to change in business entity by Neil Consultants, Inc.)
I	Public Works – Shop	CTA Architects Engineers	2006	OF 1455	\$5,472	Design and construction management to have the air exchange and radiant heat installed for the street side shop building – Public Works.

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

DATE April 4, 2006ITEM Resolution 9549, Mansfield Theater Fees and RatesINITIATED BY Park and Recreation Department, Mansfield Events DivisionACTION REQUESTED Set Public Hearing on Resolution 9549PRESENTED BY Dona Hughes, Mansfield Events Division SupervisorREVIEWED & APPROVED BY Patty Rearden, Interim Parks & Recreation Director**RECOMMENDATION:**

Staff and the Civic Center Advisory Board recommend that the City Commission set public hearing for Resolution 9549, establishing fees and rates for the Mansfield Theater April 18, 2006, 7:00 p.m. in the Commission Chambers.

MOTION:

"I move the City Commission set the Public Hearing on Resolution 9549, for April 18, 2006, 7:00 p.m.

SYNOPSIS:

Resolution 9549 pertains to proposed fees and rate changes for use **of Mansfield Theater and box office services for the Theater**. A schedule of proposed fees is demonstrated in Exhibit A. An attachment to the resolution demonstrates a market comparison with Helena, MT and Billings, MT.

Traditionally fees for the Mansfield Theater have been established at a subsidized wholesale price with no allowance for cost of living increases. With rising costs through the past three years and with fees remaining the same as last set in 2002, the Mansfield Events Division budget is operating at a deficit. In order to offset costs, Resolution 9549 proposes a rate increase that:

1. **Sets the Theater rates/fees and box office services at fair market value**
2. **Includes an annual increase based on the CPI, Consumers Price Index.**

As demonstrated in Exhibit A, Resolution 9549 proposes the **Mansfield Theater rent be calculated on 8% of gross admission charges with a minimum rent of \$900 and a maximum rent of \$4,000**. Maximum rent and rehearsal rates would increase each year based on the CPI. The rental fee would be inclusive of box office services and all Theater equipment that is City owned. **Discount for multiple day/room rentals would be a maximum of fifteen percent (15%). For FY'07, Great Falls Symphony would be offered a twenty percent (20%) discount off of full rental fees and Great Falls School District would be offered a forty percent (40%) discount off of full rental fees for the Theater. Facility surcharge would remain at \$.25/ticket for FY'07 and would increase to \$.50/ticket for FY'08.** The Mansfield Center for the Performing Arts Advisory Board would like to revisit the facility surcharge fee for FY'09. **Merchandising fee for all souvenir items such as T-shirts, CD's, etc. would increase from 18% of gross to 20% of gross sales.**

The new rate proposal was weighed and discussed by staff, renters and the Mansfield Center for the Performing Arts Advisory Board. The ability for the Mansfield Events Division to remain in business was balanced with the affordability to users and competitiveness in the market. The application of the fees and rates is to begin July 1, 2006. The Mansfield Center for the Performing

Arts Advisory Board approved the proposed fees (Exhibit A) unanimously four to four of the members present.

RESOLUTION 9549

A RESOLUTION ADOPTING NEW RATES AND FEES FOR THE
MANSFIELD EVENTS & MANSFIELD BOX OFFICE

Effective Date: July 1, 2006

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

A. That Resolution 9549 is hereby adopted.

B. That fees for the Mansfield Events Office and the Mansfield Box Office as listed in Exhibit A
shall be established and made a part hereof.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana on this
18th day of April, 2006.

Dona Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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 No. 9549 was placed on its final passage and passed by the City Commission of the
City of Great Falls, Montana, at a meeting thereof held on the 18th day of April, 2006, and approved by
the Mayor of said City, on the 18th day of April, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this
18th day of April, 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)



Resolution #9549, Exhibit A

Mansfield Events Office Fees and Rates

Daily Room Rate:

Mansfield Theater	Current Rate (set 7/1/02) FY'06	Proposed Rate (For 7/1/06) FY'07	Proposed Rate (For 7/1/07) FY'08	Proposed Rate (For 7/1/08) FY'09
1st performance	\$660.00	8% of gross**	8% of gross**	8% of gross**
Additional performance (same day)	\$330.00	8% of gross**	8% of gross**	8% of gross**
(**Minimum rent: \$900; Cap at \$4000)	\$3,747.50	Cap \$4,000	\$4,000 + CPI %	last yr's + CPI %
Multiple days/rooms discount (Does not apply to special rates or already discounted fees)	15%*	15%*	15%*	15%*
Set-up/tear-down day	\$363.00	\$440.00	\$440.00	\$440.00
Rehearsal rate	\$35/hr	\$40/hr	\$40 + CPI%	FY'07 rate + CPI %
Box office service	5% of gross	Eliminate	Eliminate	Eliminate
Facility surcharge (change to facility/equipment surcharge)	\$0.25	\$0.25	\$0.50	To be reviewed
Ticketing surcharge	\$0.50	Eliminate	Eliminate	Eliminate
Merchandise sales	18% of gross	20% of gross	20% of gross	20% of gross

*Current discount for GF Symphony is 30%. Will be reduced to 20% for FY'07 and to 15% for FY'08.

*Current discount for GF School District is 46%. Will be reduced to 40% for the Theater use only for FY'07.

Agenda Report Attachment



The Mansfield Theater at the Great Falls Civic Center

Compare current Mansfield Theater's current fees to proposed fees to Billings' fees to Helena's fees

Includes facility fees and ticketing fees

3/31/2006

<u>Event:</u>	# of shows	Mansfield Theater current fees	Mansfield Theater proposed fees for FY'07	Mansfield Theater proposed fees for FY'08	Alberta Bair (Billings) current fees	Helena Civic Center current fees
Based on Performance Day(s) Only		Total	Total	Total	Total	Total
National Tour (Current FS/TS=\$.75)	1	\$4,327.00	\$4,778.00	\$5,167.00	\$5,039.90	\$4,950.00
National Tour (Current FS/TS=\$.75)	1	\$4,985.00	\$4,825.00	\$5,237.50	\$7,476.75	\$5,610.00
National Tour (Current FS/TS=\$.75)	1	\$4,417.75	\$4,785.84	\$5,205.09	\$4,788.97	\$4,950.00
National Tour (Current FS/TS=\$.75)	1	\$1,704.76	\$1,604.00	\$1,662.25	\$1,678.63	\$1,855.76
National Tour (Current FS/TS=\$.75)	2	\$8,662.88	\$9,565.00	\$10,347.50	\$9,490.15	\$10,435.00
National Tour (Current FS/TS=\$.75)	1	\$2,704.88	\$4,721.50	\$5,082.25	\$4,914.85	\$5,610.00
National Tour (Current FS/TS=\$.75)	1	\$1,036.50	\$1,101.00	\$1,101.00	\$1,528.15	\$1,757.50
Fundraiser for Local (Current FS/TS=\$.75)	1	\$3,262.05	\$2,964.76	\$3,359.01	\$3,145.09	\$4,190.13
Local Producing Company (Current FS/TS=\$.75)	2	\$2,419.36	\$2,137.00	\$2,343.00	\$1,816.17	\$2,529.86
Local Producing Company (Current FS/TS=\$.75)	2	\$2,357.95	\$2,207.00	\$2,341.75	\$1,693.12	\$2,398.45
National Tour (Current FS/TS=\$.75)	1	\$4,419.25	\$4,839.50	\$5,259.25	\$5,117.66	\$5,610.00
Local Presenting Co. Season (Current FS=\$.25)	4	\$3,672.00	\$5,916.00	\$7,344.00	\$7,393.00	\$4,377.22
Local Producing Co. Season (Current FS=\$.25)	8	\$6,381.25	\$12,542.91	\$15,228.16	\$16,209.68	\$5,985.00
	26	\$50,350.62	\$61,987.51	\$69,677.76	\$70,292.11	\$60,258.93
		\$50,350.62	\$61,570.51	\$69,327.76	\$70,292.11	\$60,258.93

***Doesn't include ticketing service

FS = facility surcharge

FS/TS = facility surcharge & ticketing surcharge

CITY OF GREAT FALLS, MONTANA

AGENDA # 10

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

DATE: April 4, 2006

ITEM: Set a public hearing for Justice Assistance Grant

INITIATED BY: Police Department

ACTION REQUESTED: Seek public comment on the recommended use of the Justice Assistance Grant (JAG) for 2006

PRESENTED BY: Interim Chief of Police, Cloyd Grove

RECOMMENDATION:

It is recommended the City Commission to set a time to receive public comment on staff's recommendation to expend the funds to purchase Mobile Data Terminals and related equipment for the Great Falls Police Department and the Cascade County Sheriff's Office.

MOTION:

I move that the City Commission set a public hearing on the Justice Assistance Grant recommendation for May 2, 2006.

SYNOPSIS:

A new grant process has been developed for the administration of the previous Local Law Enforcement Block Grant. The program is now identified as the Justice Assistance Grant (JAG) and it has a new application process and new rules governing the distribution. The new allocation is **\$47,030.00** and it must be a joint application between the Great Falls Police Department and the Cascade County Sheriff's Office. City and County staff feel that it is important to continue growth in data communication. Both agencies currently use the same mobile data equipment and the same communications center. They are currently attempting to adopt a communication system, both voice and data, that will provide easy interoperable communication between street officers.

The proposed use of JAG grant funding will be used to purchase associated equipment, software and installation of that equipment. The funds may also be used to make technological improvements to the existing system and to expand the systems capabilities. These may include but will not be limited to; mobile data terminals, equipment and software. Once the system is fully operational it will improve crime response capabilities. The application process allows 30 days for the review by the governing bodies (City and County) and provides an opportunity for public comment on the grant application.

BACKGROUND:

Congress allocated funds to be dispersed under the Justice Assistance Grant Program, established within the Bureau of Justice Assistance (BJA), US Department of Justice. The allocation is base on the following formula.

FORMULA

The JAG formula includes a *state allocation* consisting of a minimum base allocation with the remaining amount determined on population and Part 1 violent crime statistics, and a *direct allocation* to units of local government. Once the state allocation is calculated, 60% of the funding is awarded to the state and 40% to eligible units of local government. State allocations also have a *variable pass through* requirement to locals, calculated by the Bureau of Justice Statistics (BJS) from each state's crime expenditures.

JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more of the following purpose areas:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment programs
- Planning, evaluation, and technology improvement programs

*Any law enforcement or justice initiative previously eligible for funding under Byrne or LLEBG is eligible for JAG funding.

MATCH

While a match is not required with the JAG Program, a match is an effective strategy for states and units of local government to expand funds and build buy-in for law enforcement and criminal justice initiatives.

TRUST FUND

The unit of local government must establish a trust fund in which to deposit JAG funds. The trust fund may or may not be an interest bearing account.

PROHIBITED

JAG funds cannot be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety. Based on extraordinary and exigent circumstances making the use of funds essential, BJA may certify a unit of local government's request to use funds for:

- Vehicles, vessels, or aircraft
- Luxury items
- Real estate
- Construction projects, other than penal or correctional institutions

CITY OF GREAT FALLS, MONTANA

AGENDA # 11

AGENDA REPORT

DATE April 4, 2006

ITEM LEASE AGREEMENT: PORTION OF CLARA PARK

INITIATED BY PUBLIC WORKS DEPARTMENT

ACTION REQUESTED SET PUBLIC HEARING FOR MAY 2, 2006 TO CONSIDER BID(S)
RECEIVED TO LEASE A PORTION OF CLARA PARK.

PREPARED BY: MIKE JACOBSON, WATER PLANT SUPERVISOR,

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

- - - - -

RECOMMENDATION:

Staff recommends the City Commission set a public hearing to consider bids to lease a portion of Clara Park.

MOTION:

“I move the City Commission set a public hearing for a lease agreement for a portion of Clara Park for May 2, 2006, 7:00 p.m. in the Commission Chambers.”

SYNOPSIS:

The City received a request from Chinook Wireless, a telecommunications company, requesting to use a vacated building in Clara Park that was leased in the past to Voice Stream Corporation. Since the request includes the lease of park property, City Code 3.04 requires that the City advertise for bids, conduct a public hearing and award the lease to the highest responsible bidder. The City will advertise for bids in the Great Falls Tribune and open all bids submitted on Wednesday, April 19, 2006 at 3 pm. At the Commission meeting following the bid opening (May 2, 2006), the City Commission will be asked to conduct the public hearing and barring any protests, approve the lease agreement.

The proposed lease also includes the installation of cellular antenna equipment on the water tower. The installation will not exclude other parties from locating similar equipment on the tower. Chinook Wireless currently leases space on the water tower for wireless communication equipment. If the proposed lease is accepted, the existing equipment will be removed.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Great Falls City Commission scheduled a public hearing for Tuesday, May 2, 2006 to consider proposals regarding the lease of a portion of park land located in Clara Park. Any person may appear and speak for or against the proposed lease at the public hearing or submit in writing any comments to the City Clerk prior to or during the public hearing.

/s/ Peggy J. Bourne
City Clerk

Publication date:
April 16, 2006

CITY OF GREAT FALLS, MONTANA

AGENDA # 12

AGENDA REPORT

DATE April 4, 2006

ITEM LEASE AGREEMENT: PROPERTY ADJACENT TO THE GORE HILL WATER TOWER

INITIATED BY PUBLIC WORKS DEPARTMENT

ACTION REQUESTED SET PUBLIC HEARING FOR MAY 2, 2006 TO CONSIDER BID(S)
RECEIVED TO LEASE CITY PROPERTY ADJACENT TO THE GORE
HILL WATER TOWER.

PREPARED BY: MIKE JACOBSON, WATER PLANT SUPERVISOR,

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

- - - - -

RECOMMENDATION:

Staff recommends the City Commission set a public hearing to consider bids to lease a portion of City property adjacent to the Gore Hill water tower.

MOTION:

“I move the City Commission set a public hearing for a lease agreement for a portion of City property adjacent to the Gore Hill water tower for May 2, 2006, 7:00 p.m. in the Commission Chambers.”

SYNOPSIS:

The City received a request from Chinook Wireless, a telecommunications company, requesting to use the fenced enclosure, concrete pad and existing conduit that was leased in the past to Voice Stream Corporation. Since the request includes the exclusive lease of City property, City Code 3.04 requires that the City advertise for bids, conduct a public hearing and award the lease to the highest responsible bidder. The City will advertise for bids in the Great Falls Tribune and open all bids submitted on Wednesday, April 19, 2006 at 3 pm. At the Commission meeting following the bid opening (May 2, 2006), the City Commission will be asked to conduct the public hearing and barring any protests, approve the lease agreement.

The proposed lease also includes the installation of cellular antenna equipment on the water tower. The installation will not exclude other parties from locating similar equipment on the tower. Chinook Wireless currently leases space on the water tower for wireless communication equipment. If the proposed lease is accepted, the existing equipment will be removed.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Great Falls City Commission scheduled a public hearing for Tuesday, May 2, 2006 to consider proposals regarding the lease of a portion of City property adjacent to the Gore Hill water tower. Any person may appear and speak for or against the proposed lease at the public hearing or submit in writing any comments to the City Clerk prior to or during the public hearing.

/s/ Peggy J. Bourne
City Clerk

Publication date:
April 16, 2006

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

DATE April 4, 2006

ITEM Great Falls Community Ice Foundation Event – Frozen Explosion

INITIATED BY Kelly Stevens, Great Falls Community Ice Foundation

ACTION REQUESTED Co-Sponsor Event on June 30, 2006

PRESENTED BY Peggy Bourne, City Clerk

- - - - -

RECOMMENDATION: It is recommended that the City co-sponsor the Great Falls Community Ice Foundation Event – Frozen Explosion, to be held June 30, 2006, by contributing up to \$500 for the use of the Convention Center.

MOTION: I move the City co-sponsor the Great Falls Community Ice Foundation Event – Frozen Explosion, to be held on June 30, 2006, by contributing up to \$500 for the use of the Convention Center.

SYNOPSIS: In a letter sent to the City Commission, Kelly Stevens requested the City co-sponsor a fundraising event to raise funds which will subsidize construction costs of a new ice complex in Great Falls. The Great Falls Community Ice Foundation is a nonprofit organization working solely to construct and operate a new ice complex which will enable the continuation of ice activities for Great Falls youth.

Staff recommends the Commission approve up to \$500 for the use of the Convention Center. The established guiding principals regarding requests for the City to co-sponsor events requires that the event be free to the public. However, because this event meets all the other criteria and because the City Commission supported a similar fund raiser for the soccer complex, staff recommended the Commission co-sponsor the event.

The guiding principles include:

- Requests should only be accepted from non-profit, public service organizations; and
- Requests will be granted only where the City Commission or another City agency finds a public purpose in co-sponsoring an event; and
- Requests will be considered when the event is to serve the public rather than to raise funds; and
- The event is free to the public; and
- The event benefits the youth of the community.

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

DATE April 4, 2006

ITEM Inter-local Agreement with the Montana Department of Labor and Industry, Building Codes Bureau pertaining to Western Ranch Supply

INITIATED BY Western Ranch Supply

ACTION REQUESTED Approve Agreement

PREPARED & PRESENTED BY Mike Rattray, C.D. Director

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

- - - - -

RECOMMENDATION:

Staff recommends that the City Commission approve the Interlocal Agreement which would allow the City’s building officials to conduct plan review; issue permits; and perform construction inspections for the new Western Ranch Supply building prior to annexation.

MOTION:

I move the City Commission approve the Interlocal Agreement with Montana Department of Labor and Industry, Building Codes Bureau and the City of Great Falls, Building Department.

SYNOPSIS:

To accommodate Western Ranch Supply’s request, City staff requested the Montana Department of Labor and Industry, Building Codes Bureau enter into an Inter-local Agreement, which will authorize the City to assume responsibility from Montana Department of Labor & Industry, Building Codes Bureau to perform plan review, issue permits, conduct inspections, and issue a certificate of occupancy relating to Western Ranch Supply’s proposed construction project.

BACKGROUND:

Western Ranch Supply of Billings, MT petitioned the City for annexation of its property and is anxious to begin construction of its new facility. Apparently, the purchaser of their existing facility stipulated a possession date sooner than the City’s annexation process can be completed. Western Ranch Supply would like to proceed with renovation of a commercial building which would include connection to City water and sewer services. Further, Western Ranch and the City believe the building should be built to City Building Code standards.

The Inter-local agreement would permit City’s official to issue building permits and conduct inspections of the construction project prior to the completion of the annexation process.

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

DATE April 4, 2006

ITEM: CONSTRUCTION CONTRACT AWARD: 1ST, 2ND, 3RD, AND 5TH AVENUES NORTHWEST WATER MAIN REPLACEMENT, O. F. 1435

INITIATED BY: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

ACTION REQUESTED: CONSIDER BIDS AND AWARD CONTRACT

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

MOTION: "I move the City Commission award a contract in the amount of \$673,125.00 to Phillips Construction for the 1st, 2nd, 3rd and 5th Avenues Northwest Water Main Replacement, O. F. 1435, and authorize the City Manager to execute the construction contract documents."

PROJECT TITLE: 1st, 2nd, 3rd, and 5th Avenues Northwest Water Main Replacement, O. F. 1435

RECOMMENDED CONTRACTOR: Phillips Construction

CONTRACT AMOUNT: \$673,125.00

ENGINEER'S ESTIMATE: \$756,157.75

START DATE: Projected for April 2006

COMPLETION DATE: June 2006 (77 Calendar Days)

PENALTY/INCENTIVE TERMS: Liquidated Damages, \$400.00/Day

SYNOPSIS: This project will replace portions of the water system located in 1st Avenue NW from 8th to 11th Street NW; 2nd Avenue NW from 11th to 9th Street NW; 3rd Avenue NW from 11th to 8th Street NW, and 5th Avenue NW from 13th to 9th Street NW. The number of main breaks in these areas is among the highest in the system.

Five bids were received and opened for this project on March 22, 2006. The bids ranged from \$673,125.00 to \$799,495.00. The attached bid tabulation summarizes this information. Water utility funds are available for this project.

BACKGROUND: This project is part of a continuing improvement program to replace old and deteriorated water mains in many areas around the City. Water main breaks have damaged the roadway and disrupted water service to local residences. The breaks are primarily due to corrosive soils and the age and the type of pipe material used. This project, which is identified in the City's Water Capital Improvement Plan, will replace approximately 4,000 lineal feet of 6 and 8 inch, and

1,850 lineal feet of 12 inch deteriorated cast iron pipe with PVC water main. Other improvements include installation of new fire hydrants and replacement of non-copper water services.

The cost of water main replacement work is continuing to rise due to fuel and steel price increases. Since petroleum is also used to make PVC, pipe prices have also increased. An increase in prevailing wage rates is also a contributing factor. While prices bid for water main replacement projects in 2004 averaged around \$101 per foot, this bid is \$115 per foot, an increase of approximately 14%.

City engineering staff completed the project design and will perform construction inspection and contract administration duties.

Attachment: Bid Tabulation Summary

AGENDA REPORT

DATE April 4, 2006

ITEM: WASTEWATER TREATMENT PLANT COGENERATION PROJECT, (O.F. 1404),
CONTRACT 01 – SUPPLY OF ENGINE / GENERATOR / GAS TREATMENT
EQUIPMENT

INITIATED BY: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

ACTION REQUESTED: POSTPONE CONTRACT AWARD

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

RECOMMENDATION: Staff recommends that award of a contract for the Wastewater Treatment Plant Cogeneration Project, (O.F. 1404) be postponed until the next City Commission meeting on April 18, 2006.

MOTION: "I move the City Commission postpone the award of a contract for the Wastewater Treatment Plant Cogeneration Project, (O.F. 1404)".

SYNOPSIS: Bids were received March 22, 2006. Smith Power Products was the sole bidder on the project. Due to the scope and technical complexity of the equipment being procured, additional time is necessary to evaluate the bid and finalize the recommendation for a contract award. It is anticipated that this evaluation will be completed in time to consider a bid award at the April 18 Commission meeting.

BACKGROUND: Stanley Consultants, Inc. was hired to provide procurement documents to furnish and deliver a digester gas and natural gas fueled reciprocating engine generator, gas treatment equipment, and other auxiliary equipment. This equipment will be installed during the project's upcoming construction phase. The project will utilize digester gas produced during the solids treatment process to generate electricity and heat to meet over half of the plant's energy requirements.

CITY OF GREAT FALLS, MONTANA

AGENDA # 17

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

DATE April 4, 2006

ITEM: COMMUNITY RECREATION CENTER PARKING LOT, O.F. 1443

INITIATED BY: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

ACTION REQUESTED: CONSIDER BIDS AND AWARD CONTRACT

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

MOTION: "I move the City Commission award a contract in the amount of \$70,850.30 to Great Falls Sand & Gravel Incorporated for the Community Recreation Center Parking Lot, O.F. 1443 and authorize the City Manager to execute the contract."

PROJECT TITLE: Community Recreation Center Parking Lot, O.F. 1443

RECOMMENDED CONTRACTOR: Great Falls Sand & Gravel Incorporated

CONTRACT AMOUNT: \$70,850.30

ENGINEERS ESTIMATE: \$73,800.00

START DATE: Late-April 2006

COMPLETION DATE: June 2006 (30 Calendar Days)

PENALTY/INCENTIVE TERMS: Liquidated Damages, \$400.00/Day

SYNOPSIS: This project will reconstruct and resurface the parking lots on the west and east sides of the Community Recreation Center building. Areas will be prepared for future landscaping and irrigation to improve the appearance.

BACKGROUND: Currently, the parking lots are gravel surfaced and have poor drainage. The parking areas are disorganized and therefore, space is not well used.

Three bids were received and opened for this project on March 22. The bids ranged from \$70,850.30 to \$90,615.00. The attached bid tabulation summarizes this information. Great Falls Sand and Gravel submitted the low bid.

The work on the site consists of excavation and grading; new concrete sidewalks, curb and gutter; asphalt pavement; storm water detention pond construction; and placement of topsoil. Other provisions are installed to support future landscaping.

City engineering staff completed the project design and will perform construction inspection and contract administration duties.

Attachment: Bid Tabulation Summary **Not Available online; on file in the City Clerk's Office

CITY OF GREAT FALLS, MONTANA

AGENDA # 18

AGENDA REPORT

DATE April 4, 2006

ITEM Award Bid – Bloomingdale Park Lscape-GTF, O.F. 1306.6

INITIATED BY Park & Recreation Department

ACTION REQUESTED Award Bid

PREPARED BY Andrew Finch, CTEP Coordinator

PRESENTED BY Jon Thompson, Natural Resources Manager

- - - - -

RECOMMENDATION:

It is recommended the City Commission approve the following motion.

MOTION:

“I move the City Commission award the bid for Schedule A of the Bloomingdale Park Landscaping project to Forde Nursery in the amount of \$154,611 and authorize the City Manager to execute the necessary documents, contingent upon State Department of Transportation concurrence.”

PROJECT TITLE: BLOOMINGDALE PARK LSCAPE, O.F. 1306.6

LOW BID AMOUNT – SCHEDULE A: \$154,611.00

RECOMMENDED CONTRACTOR: Forde Nursery

ARCHITECT’S ESTIMATE – SCHEDULE A: \$140,956.57

BUDGETED FUNDS: \$145,916.60

FUNDING SOURCES: \$133,862 Community Transportation Enhancement Program (CTEP) funds, matched by \$7,825 Sewer Funds and \$12,924 from the General Capital Projects Fund.

SYNOPSIS:

This project continues the City’s effort to beautify the entrances to Great Falls, and brings much needed irrigation and plantings to the currently undeveloped Bloomingdale Park at the corner of the Northwest Bypass and Watson Coulee Road. In addition, it will fill in an existing open drainage ditch next to the Park, which currently has the potential to be a safety hazard for Park users. Finally, the project will construct a “Welcome to Great Falls” sign in the Park, similar to the one recently installed at the intersection of 15th St. NE and the Old Havre Highway.

A bid opening was held on March 22, 2006 for project construction, with four bidders responding. A summary of bids is attached to this Agenda Report. The lowest responsive, responsible bid, submitted by Forde Nursery, is \$13,654.43 (9.7%) above the Architect’s estimate and \$8,694.40 (6%) above the budgeted construction amount. There are sufficient CTEP and matching funds in reserve to fund the difference.

Attachment: Bid Tabulation Summary

cc: Giles Salyer, Park Supervisor; Jason Handl, Engineering; Mark Frahm, Utilities Systems Supervisor

BID TABULATION

PROJECT

STPE 5299(53)
 BLOOMINGDALE PARK LSCAPE-GTF
 Control No. 4653
 O.F. 1306.6

OPENING INFORMATION

Date: March 22, 2006
 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	
1	Boland Wells Systems, Inc 4701 N Star Blvd Great falls, MT 59405	yes	yes	yes	yes	yes	10%	A	\$174,464.00	
						Bidder List				
						yes		B	\$220,564.00	
2	Williamson Fencing & Sprinklers 1325 Central Ave W Great Falls, MT 59404	yes	yes	yes	yes	yes	10%	A	\$165,288.00	
						Bidder List				
						yes		B	\$213,913.00	
3	Wadsworth Builders, Inc P.O. Box 2073 Great Falls, Mt 59403	yes	yes	yes	yes	yes	10%	A	\$154,775.00	
						Bidder List				
						yes		B	\$205,282.00	
4	Forde Nursery 2025 2nd Ave NW Great Falls, MT 59404	yes	yes	yes	yes	yes	10%	A	\$154,611.00	
						Bidder List				
						yes		B	\$199,528.50	
5								A		
								Bidder List		
									B	
6								A		
								Bidder List		
									B	
7								A		
								Bidder List		
									B	
	Architect's Estimate							A	\$140,956.57	

CITY OF GREAT FALLS
AGENDA REPORT

AGENDA # 19
DATE April 4, 2006

ITEM ANHYDROUS AMMONIA FOR WATER TREATMENT PLANT

INITIATED BY PUBLIC WORKS DEPARTMENT

ACTION REQUIRED APPROVAL OF BID

PRESENTED BY JIM REARDEN, DIRECTOR OF PUBLIC WORKS

- - - - -

RECOMMENDATION:

Staff recommends that the City Commission accept the bid from DPC Industries, Inc., in the amount of \$145.00 per 148-lb. cylinder for anhydrous ammonia for FY 2006/07.

MOTION:

"I move that the City Commission accept the bid from DPC Industries, Inc., and authorize staff to purchase anhydrous ammonia in the amount of \$145.00 per 148-lb. cylinder for FY 2006/07."

SYNOPSIS:

Bids were accepted on March 22, 2006 for FY 2006/07 Water Treatment Plant chemical needs. DPC Industries, Inc., of Billings, Montana, provided the lowest acceptable price for anhydrous ammonia at \$145.00 per 148-lb. cylinder. This price reflects a 44.4% increase per pound from the FY 2005/06 contract price. An average year would require 100 cylinders of anhydrous ammonia; therefore, the anticipated cost for this contract would be \$14,500. The contract would allow the purchase of up to 100 cylinders at the bid price. This Commission action would award a contract for FY 2006/07.

BACKGROUND:

Anhydrous ammonia is used in the water treatment process to produce chloramine, which provides a disinfectant residual in the drinking water. Specifications and bid materials were prepared for the purchase of anhydrous ammonia for the Water Treatment Plant for the upcoming year. Notices were sent out to all prospective bidders and publicly advertised. Thatcher Company's low bid was not acceptable as it did not fully meet our specifications. The bid from DPC Industries, Inc., our current supplier, was acceptable as submitted.

CITY OF GREAT FALLS
AGENDA REPORT

AGENDA # 20
DATE April 4, 2006

ITEM LIQUID ALUMINUM SULFATE FOR WATER TREATMENT PLANT

INITIATED BY PUBLIC WORKS DEPARTMENT

ACTION REQUIRED APPROVAL OF BID

PRESENTED BY JIM REARDEN, DIRECTOR OF PUBLIC WORKS

- - - - -

RECOMMENDATION:

Staff recommends that the City Commission accept the low bid from Thatcher Company in the amount of \$271.00 per dry ton for liquid aluminum sulfate for FY 2006/07.

MOTION:

"I move that the City Commission accept the low bid from Thatcher Company and authorize staff to purchase liquid aluminum sulfate in the amount of \$271.00 per dry ton for FY 2006/07."

SYNOPSIS:

Bids were accepted on March 22, 2006 for FY 2006/07 Water Treatment Plant chemical needs. Thatcher Company, of Missoula, Montana, provided the lowest price for liquid aluminum sulfate at \$271.00 per dry ton. This price reflects a 17.3% increase from the FY 2005/06 contract price. An average year would require 570 dry tons of liquid aluminum sulfate; therefore, the anticipated cost for this contract would be \$154,470. The contract would allow the purchase of up to 700 dry tons at the bid price. This Commission action would award a contract for FY 2006/07.

BACKGROUND:

Liquid aluminum sulfate is used in the water treatment process to coagulate suspended particles in the raw water stream to allow their removal. Specifications and bid materials were prepared for the purchase of liquid aluminum sulfate for the Water Treatment Plant for the upcoming year. Notices were sent out to all prospective bidders and publicly advertised. The low bid from Thatcher Company, our current supplier, was acceptable as submitted.

CITY OF GREAT FALLS
AGENDA REPORT

AGENDA # 21
DATE April 4, 2006

ITEM LIQUID CHLORINE FOR WATER TREATMENT PLANT

INITIATED BY PUBLIC WORKS DEPARTMENT

ACTION REQUIRED APPROVAL OF BID

PRESENTED BY JIM REARDEN, DIRECTOR OF PUBLIC WORKS

- - - - -

RECOMMENDATION:

Staff recommends that the City Commission accept the low bid from DPC Industries, Inc., in the amount of \$559.00 per ton for liquid chlorine for FY 2006/07.

MOTION:

"I move that the City Commission accept the low bid from DPC Industries, Inc., and authorize staff to purchase liquid chlorine in the amount of \$559.00 per ton for FY 2006/07."

SYNOPSIS:

Bids were accepted on March 22, 2006 for FY 2006/07 Water Treatment Plant chemical needs. DPC Industries, Inc., of Billings, Montana, provided the lowest price for liquid chlorine at \$559.00 per ton. This price reflects a 3.5% increase from the FY 2005/06 contract price. An average year would require 65 tons of liquid chlorine; therefore, the anticipated cost for this contract would be \$36,335. The contract would allow the purchase of up to 75 tons at the bid price. This Commission action would award a contract for FY 2006/07.

BACKGROUND:

Liquid chlorine is used in the water treatment process to provide disinfection of the drinking water. Specifications and bid materials were prepared for the purchase of liquid chlorine for the Water Treatment Plant for the upcoming year. Notices were sent out to all prospective bidders and publicly advertised. The low bid from DPC Industries, Inc., our current supplier, was acceptable as submitted.

AGENDA REPORT

DATE April 4, 2006

ITEM Contract for Natural Gas – Terms and Conditions

INITIATED BY Staff

ACTION REQUESTED Approve Terms and Conditions –Authorize purchase range

PRESENTED BY Cheryl Patton, Assistant City Manager

RECOMMENDATION: Staff recommends the following motion:

MOTION: I move the City Commission approve the attached Terms and Conditions for a natural gas contract and authorize the City Manager to secure a contract for natural gas supply at a cost up to \$9.00 per MMBtu for up to 5 years.

SYNOPSIS: The City of Great Falls has been purchasing natural gas through a contract with Energy West Resources which expires June 30, 2006. The City along with Great Falls Public Schools, Benefis Healthcare, the Airport Authority, the Housing Authority, Veolia Water, MANG and Fed Ex have formed a purchasing group and have sent out a Request for Proposals for a new contract for natural gas supply. The proposals are due back April 11, 2006. It will be necessary to select a supplier following review of any proposals and give the supplier approval to secure the gas at the price offered that day. The contract terms are standard terms used in the industry. The City Commission is asked to authorize staff to select a supplier and secure a contract for natural gas supply up to \$9.00/MMBtu. The contract price the City has had from Energy West Resources, Inc since 2002 is \$3.549/MMBtu.

BACKGROUND: The City of Great Falls, Great Falls Public Schools, Airport Authority, Housing Authority, and Veolia Water have been purchasing natural gas supply as a group since 2002. The group has expanded to include Benefis Healthcare, MANG and Fed Ex. The existing contract with Energy West Resources expires June 30, 2006. Therefore, the purchasing group is soliciting proposals for a three, four and five year contract for natural gas supply. The proposals are due April 11, 2006.

Suppliers have told the group that we must be able to select a supplier and authorize that supplier to secure the needed gas supply within hours of receiving bids in order for the price to be honored. Therefore, staff has included the standard industry contract for approval by the City Commission ahead of receiving proposals. We ask that the City Commission authorize staff to secure natural gas supply for up to 5 years from the most advantageous proposal received, with price being the primary consideration, up to the maximum price of \$9.00/MMBtu.

The RFP was mailed out to all natural gas suppliers licensed by the Montana Public Service Commission. The RFP will be advertised March 30 and April 6, 2006 in the Great Falls Tribune. Proposals will be received, opened and reviewed April 11, 2006.

The City has saved thousands of dollars by contracting with the purchasing group since 2002. As an example the market price for natural gas reached a high of \$13.00/MMBtu last November but the City's cost was \$3.549. The City uses approximately 38,000 MMBtu's of natural gas annually.

Attachment: Terms and Conditions

AGENDA REPORT

DATE April 4, 2006

ITEM Appointments, Historic Preservation Advisory Commission

INITIATED BY City Commission

ACTION REQUESTED Appoint One New Member and Reappoint One Member

PRESENTED BY City Commission

- - - - -

RECOMMENDATION: It is recommended that the City Commission appoint one new member and reappoint Jerry McKinney to the Historic Preservation Advisory Commission for three-year terms through April 30, 2009.

MOTION: I move the City Commission appoint _____ and reappoint Jerry McKinney for three-year terms, expiring April 30, 2009.

SYNOPSIS: Aart Dolman has served on the Historic Preservation Advisory Commission since May of 2000 and is not eligible for reappointment. Therefore, it is necessary to appoint one new member to fill his vacancy. Jerry McKinney was appointed to the Historic Preservation Advisory Commission on December 21, 2004, to fill the remainder of a three-year term. Mr. McKinney is eligible for and interested in reappointment.

BACKGROUND: HPAC members must have the following qualifications: All members must have a demonstrated interest, competence, or knowledge in historic preservation and must have expertise/qualifications in history, planning, archaeology, architecture, architectural history, historic archaeology, or other history preservation-related disciplines such as cultural geography or cultural anthropology. Ownership of property nominated to the National Register of Historic Places may be substituted for professional expertise/qualifications.

Continuing City-appointed members on this board are:

- Robison, Ken
- Kiser, Jason

Citizen interested in serving on this board is:

- Clark, Gerald R.