

# The Weekly Update - September 21, 2012

*MMIA Training* – MMIA and the Local Government Center will be offering a free Municipal Risk Management and Montana Local Governance Training in Great Falls on Wednesday, October 17, from 9 a.m. to 4 p.m. Current municipal issues will be discussed. Topics include managing conflict, conducting effective meetings, workplace safety, property coverage, managing workplace violence, covered parties and other emerging liability issues faced by Montana's cities and towns. Clerks, treasurers, finance officers, supervisors, city attorneys, elected officials and department supervisors are encouraged to attend. Those interested in attending can register at <u>www.msulocalgov.org</u>. Please let Lisa know if you plan on attending.

*Montana Downtown Conference* – Please let Lisa know if you are interested in attending the Montana Downtown Conference which is being held here in Great Falls on October 24-26. Thursday, October 25, is free for policy makers. The conference registration form and schedule is attached.

*Library offers Gadget Assistance* - In October the Library will be holding lunchtime trainings and classes to assist people in using their e-readers. E-Readers 101 will be held on Wednesdays, October 10 and October 24, from noon to 1 p.m. in the small meeting room. This class is an instructional presentation on using e-readers. Participants are reminded to bring their user name and password for their Amazon, Barnes & Noble, or Apple accounts. These lunchtime sessions are free and open to the public.

#### Attachments:

- 1. Letter to John Juras, President of the Great Falls Bicycle Club, from the Great Falls Trails Working Group commending him for his work on the new trail on the South Shore.
- 2. Memo to Mick Johnson from Andrew Finch regarding the Bicycle Facilities -- 9<sup>th</sup> Street North Pavement Preservation Project.
- 3. Letter to the State Legislative Environmental Policy Office from the Department of Energy regarding the intent to prepare an environmental assessment for a proposed Federal loan guarantee for Montana Advanced Biofuels, LLC.
- 4. Letter to Great Falls Development Authority and the City from the U.S. Economic Development Administration (EDA) regarding application for investment assistance for road improvements and water and sewer infrastructure for the AgriTech Industrial Park. The application was not selected for funding this cycle.
- 5. Letter from GFDA to the EDA regarding extension request for GFDA's EDA Grant application for the Great Falls AgriTech Park.
- 6. Registration form for the Montana Downtown Conference October 24-26, 2012.
- 7. Letter from Optimum regarding programming changes.
- 8. Design Review Board Task Force Minutes September 6, 2012.
- 9. Central Montana Defense Alliance Report September 19, 2012.
- 10. Registration information for upcoming MMIA Local Government Center training on October 17 in Great Falls.
- 11. Journal of Commission/Staff Agenda Meeting September 12, 2012.
- 12. Thank you from Brenda Vehrs regarding Giles Sayler.
- 13. Invitation to Graduation Matters Event on September 27.
- 14. Request to the City Commission to use the Theater on a Commission Meeting Night for Music in our Schools Concert (March 19, 2013).

A Weekly Report to the Great Falls City Commission

- 15. Press Release Fall Fire Rescue Exchange Academy.
- 16. Press Release Community Development Council Openings.
- 17. Press Release ALA Releases Top Ten List of Most Frequently Challenged Books of 2011.



P. O. Box 5021, 59403-5021

September 11, 2012

John Juras, President Great Falls Bicycle Club 220 Woodland Estates Great Falls, MT 59404 Planning & CD Department

RECEIVED SEP 1 2 2012 CITY MANAGER

Dear John,

On behalf of the Trails Working Group, I want to pass on their commendation for the Club's professional, thorough work constructing the new single-track trail on the South Shore. We've heard from Marty Basta and Matt Marcinek that you've been very careful to make it a safe yet technical ride, which will be a great asset to area mountain bikers – and we hope it will become an attraction to bikers visiting Great Falls that are looking for a challenging experience along a beautiful stretch of river scenery.

Special thanks should go to Edward Henry, who has spent many hours out constructing the trail, identifying route options and working with the City and FWP to ensure a safe yet challenging facility. He has been the force behind the trail's creation, and we hope he continues to care for our local mountain biking trails to keep them a premier destination.

As you wrap up this segment's construction, we also want to thank you and the Club volunteers for the work you do maintaining the rest of the Trail's single-track experience. As you know, Trail managers have very limited resources to allocate to a large trail system. Trail managers are now shifting focus to maintaining the Trail system, and this "Chaos" segment will be the final stretch of new trail that will be built on the South Shore. However, we look forward to a continued partnership with the Great Falls Bicycle Club in maintenance and promotion of our completed system.

Thank you again for your Club's hard work.

Sincerely,

yathick

Andrew Finch, Chairman Great Falls Trails Working Group

Cc: Marty Basta, Park & Recreation Director, City of Great Falls
 Greg Doyon, City Manager, City of Great Falls
 Matt Marcinek, Region 4 Parks Director, Montana Fish, Wildlife & Parks
 Doug Wicks, President, Recreational Trails, Inc.
 Edward Henry, Knicker Biker

# Memorandum

- To: Mick Johnson, District Administrator, GF District-MDT
- **CC:** Greg Doyon, City Manager; Jim Rearden, Public Works Director; , Steve Prinzing, MDT-GF District; Mike Haynes, P&CD Director

From: Andrew Finch, Senior Planner

Date: September 11, 2012

Re: Bicycle Facilities – 9th Street North Pavement Preservation Project



Planning & Community Development Department

RECEIVED

SEP 1 2 2012

**CITY MANAGER** 

As you know, the pavement preservation project on 9<sup>th</sup> Street North has received public comment, requesting the installation of bicycle lanes or facilities as part of the final striping plan. Because of limited width on the roadway, there is not room to install bike lanes if parking is to remain. However, after reviewing the characteristics of adjoining land uses, the City has identified a number of properties that would be adversely impacted by removal of parking. While transportation needs must be paramount when considering design within a public right-of-way, careful consideration should always be given to the needs of adjoining properties, their owners, their customers and residents.

Working cooperatively, MDT and City staff have weighed the options for modifying the layout requested by the public. As part of this consideration, City staff presented the inclusion of bike facilities on 9<sup>th</sup> Street N. at a City Commission Work Session on September 4, 2012. The City Commission would like to see bicyclists accommodated on the street, but felt it could recommend neither removal of parking nor the cost and impact of roadway widening. Therefore, the Commission asked that staff convey to you a request to **install shared lane markings (i.e., "sharrows") and appropriate signage on 9<sup>th</sup> Street from River Drive to 3<sup>rd</sup> Alley North (the project limits). Guidelines for the use and installation of the markings are provided in AASHTO's "Guide for the Development of Bicycle Facilities – Fourth Edition 2012", as well as the most recent edition of the "Manual on Uniform Traffic Control Devices" (MUTCD).** 

Shared lane markings from River Drive to 3<sup>rd</sup> Alley North is the first phase in development of the 9<sup>th</sup> Street bike route, shown in the Transportation Plan. City staff will look for ways to expand the route by providing bike facilities south of the project terminus, in consultation with MDT.

Please advise if I can provide any additional information, or if MDT foresees any difficulty with this request.

cc: Commission Planning PW-finds

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Department of Energy Washington, DC 20585

SEP 6 2012

SEP 1 U 2012

**CITY MANAGER** 

Ms. Hope Stockwell Legislative Environmental Policy Office State Capitol, Room 171 PO Box 201704 Helena, MT 59620-1704

**SUBJECT:** Intent to Prepare an Environmental Assessment (EA) for a proposed Federal loan guarantee for Montana Advanced Biofuels, LLC

Dear Ms. Stockwell:

Under Title XVII of the Energy Policy Act of 2005 (EPAct 05), the U.S. Department of Energy (DOE) is evaluating whether or not to provide a Federal loan guarantee to Montana Advanced Biofuels, LLC (MAB) to support construction of a biorefinery that would produce approximately 115 million gallons per year of ethanol on approximately 220 acres of currently cultivated agricultural land in Great Falls, Montana. The decision to prepare an EA was made in accordance with the requirements of the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations for implementing the procedural provisions of NEPA (40 CFR Parts 1500-1508), and DOE's implementing procedures for compliance with NEPA (10 CFR Part 1021).

The purpose of and need for agency action is to comply with DOE's mandate under Title XVII of EPAct 05 by selecting projects that meet the goals of the Act. DOE is using the NEPA process to assist in determining whether to issue a loan guarantee to MAB to support the proposed project. The biorefinery would utilize renewable biomass in the form of barley and wheat to produce ethanol and other by-products, including wheat gluten, barley bran, and barley meal. The project would employ four previously unassociated technologies in combination to achieve better ethanol yields. The ethanol produced by the facility would displace gasoline and in comparison produce lower emissions of carbon dioxide, a greenhouse gas. MAB estimates that the project would reduce or avoid up to 631,800 tons of carbon dioxide annually when compared to emissions from the equivalent use of gasoline.

The DOE NEPA regulations provide for the notification of host states of NEPA determinations and for the opportunity for host states to review EAs prior to DOE approval. This process is intended to improve coordination and to facilitate early and open communication. DOE will provide the draft EA to Montana and the City of Great Falls for review and comment.

If you or your staff would like to receive further information concerning this project or DOE's NEPA process for Federal energy loan guarantees, please contact Ms. Sharon



Thomas in the DOE Loan Programs Office at 202-586-5335 or email Sharon.R.Thomas@hq.doe.gov.

Sincerely, David G. Frantz

Acting Executive Director Loan Programs Office

cc: Gregory Doyon City Manager #2 Park Drive South, Room 201 P.O. Box 5021 Great Falls, MT 59403

Wickley 12Will



U.S. DEPARTMENT OF COMMERCE Economic Development Administration Denver Regional Office 410 17<sup>th</sup> Street, Suite 250 Denver, Colorado 80202-4454 (303) 844-4403, FAX (303) 844-3968, -6012

July 2, 2012

Mr. Brett Doney, CEO and President Great Falls Montana Development Authority 300 Central Avenue, Suite 406 Great Falls, MT 59403

And

Mr. Gregory T. Doyon, City Manager City of Great Falls P. O. Box 5021 Great Falls, MT 59403

Dear Messrs. Doney and Doyon:

The U. S. Economic Development Administration's (EDA) Denver Regional Office Investment Review Committee (IRC) has considered your application for investment assistance in the current funding cycle for road improvements and water and sewer infrastructure for the AgriTech Industrial Park, a privately-owned industrial park in Great Falls, Montana. For each funding cycle, EDA receives many more meritorious proposals than it can fund. Although the IRC found your application consistent with EDA investment priorities, the Agency regrets to inform you that your application has not been selected for this cycle.

Although EDA cannot fund your project in this cycle, you may elect to have your application carried forward and re-considered in the next competitive funding cycle, which will begin on September 14, 2012. The option to carry your application forward does not guarantee that the application will be funded. The Denver Regional Office IRC, however, is willing to re-consider your application for funding with other applications that are received in the next funding cycle.

If you would like EDA to carry your application forward and consider it in the next funding cycle, please respond in writing to this notice no later than August 6, 2012. You must also address the issues that were raised during the IRC discussion of the project, and the follow-up letter dated June 29, 2012 from Great Falls Montana Development Authority, presented below. If you do not respond, EDA will consider the application withdrawn. You also have the option of withdrawing the application and submitting a new or revised application for the next funding cycle.

#### Fair Market Value of Real Property:

The major issue discussed during the IRC meeting was the significant difference in the acquisition cost of the property identified in the Purchase Agreement compared to the fair market value stated in the November 10, 2009 appraisal.

The appraisal of the project property completed in 2009 stated the fair market value of Parcel A to be \$3,500, Parcel B \$2,500, Parcel C \$5,500, and Parcel D \$15,000 per acre. Section 5 of the Option to Purchase Real Property states, "The initial purchase price of the Property during the first five years of the Option Term is Eight Thousand and 00/100 Dollars (\$8,000) per acre." The last paragraph of Section 5 states, "Not [sic] withstanding any provisions in this Option to the contrary, the value per acre shall not be less than Eight Thousand and 00/100 Dollars (\$8,000.00)."

EDA's position is that in instances where EDA funds will be used to improve a privately-owned industrial park, for a period of four years, the real property must be sold at the fair market value existing prior to the EDA-funded improvements. The fair market value and an inflation factor becomes the Baseline for establishing an allowable sale price. Any sale price that exceeds the Baseline must be justified when increases reflect reasonable values for allowable items, including, but not limited to, the following:

- The portion of the road, water, system, sewer system, and infrastructure improvements not funded by EDA.
- Any other road, sanitary sewer, drainage, water or other utilities improvements serving the property.
- Buildings or other marketable structures.
- Subdivision, parcelization, land use designations and approvals.
- Sale price of comparable parcels in the Recipient's area.
- Change in property tax status.

The terms of the Option to Purchase Real Property are not consistent with the EDA requirement that the sale or lease of any portion of the Project be at fair market value. Fair Market Value is determined by a current appraisal of the property, prior to EDA improvements. An appraisal must be performed by a certified appraiser and must have been performed within one year of receiving EDA assistance.

The letter from Great Falls dated June 29 states, "we respectfully submit that we are not proposing a private industrial park since GFDA is the developer and is acquiring property, under a purchase agreement." This is an incorrect premise for classifying the development of the AgriTech Industrial Park as publicly-owned property because the purchase agreement has a twenty year term and GFDA will only acquire parcels in the industrial park as businesses commit to locating on the property, which could occur shortly after grant approval, or up to the twenty year term of the Purchase Agreement. The Loy Trust property is considered private property until title transfers to a public entity.

In order to proceed with EDA consideration of the GFDA application, a Property Value Agreement would need to be executed by the Loy Trust, and the property value must not exceed the fair market value as determined by a current appraisal. The duration of the Property Value Agreement should be four years.

Other programmatic issues relating to the sale/lease of the Loy Property are as follows:

- In a telephone discussion with GFDA and EDA staff, GFDA stated acquisition funds for the Loy Property will not be needed because loan closings will be structured concurrently, i.e., immediately following the loan closing with GFDA/Loy Trust, GFDA will sell the property to the business committed to locating in the AgriTech Industrial Park. However, both the application and the June 29 letter state that GFDA intends to sell <u>or lease</u>. In the case of lease, does GFDA have firmly committed funds to acquire the parcels from the Loy Trust? Please identify the source and amount of funds available to GFDA for the purchase of the property from Loy Trust to be used for leasing the property.
- 2. Does GFDA have firmly committed funds to pay the closing costs for the property transfer transactions? Please identify the source and amount of funds available to GFDA for use in paying the closing costs for the purchase of the property from Loy Trust.
- 3. Related to the issue of fair market value and the minimum sales price of \$8,000 per acre, EDA is concerned that prospective businesses interested in locating in the AgriTech Industrial Park may not be willing to purchase or be able to obtain financing for sales prices above the fair market value of the property, thereby impacting the viability of the project.

#### Additional Required Information:

Should the above significant items regarding the Property Value Agreement, Fair Market Value based on a current appraisal, and funding availability for acquisition of the property be resolved to the satisfaction of EDA, then the following additional items will need to be submitted for further consideration of your application:

- 1. Section A.5 narrative needs to address the City of Great Falls' capacity to administer the grant.
- 2. The Environmental Narrative must address the following:
  - a. Proposed Construction: What is the total acreage of disturbance?
  - b. Mitigation: A copy of the Burlington Northern Santa Fe (BNSF) rail plan needs to be submitted.
  - c. Wetlands: Complete a wetland delineation in order to obtain concurrence from the U. S. Army Corps of Engineers (USACOE)
  - d. Hazardous or Toxic Substances: Include a signed copy of the applicant certification clause
  - e. Permits: Pending the outcome of the wetland delineation, a permit may need to be obtained from the USACOE
  - f. An NPDES permit will be required for the sewage improvement
- 3. The Engineering Narrative must address the following:
  - a. What is the proposed method of construction? The application indicates that Additive Alternates will be used. EDA prefers including the entire project components as a Base Bid with Deductive Alternates used to get the project cost within the available funds if an overrun occurs.
  - b. Have the easements and Rights-of-Way for the project been purchased? No costs have been included in the application for the acquisition of easements and ROW, although the application indicates that they will be necessary for the project.

The information requested above will supplement your application. Failure to meet this deadline, or the submission of incorrect or incomplete information, will jeopardize approval of your application. If you cannot meet this deadline, please advise Jodi Duncan as soon as possible.

Upon receipt, EDA will assess the information provided. EDA's assessment of this information may result in a determination that:

- 1. No additional information is necessary;
- 2. Additional information is required, because the submission is incomplete, inaccurate, or otherwise unacceptable to EDA, and the applicants must revise the submission before EDA will consider processing the application further; or

3. EDA will discontinue considering your application for funding because the information submitted does not present a project that complies with applicable law or EDA's regulations or policies.

Please do not hesitate to contact Mr. John Rogers, Economic Development Representative, at 406-449-5380, or john.c.rogers@eda.gov, or Mari V. Sutton, Area Director, at 303-844-4403, or mari.v.sutton@eda.gov if you have any questions.

Thank you for your interest in EDA. For more information about our programs and other upcoming funding opportunities, please consult our website at <u>www.eda.gov</u>.

Sincerely,

Robert E. Olson Regional Director

cc: John Rogers, EDR

Concurrences:

Originator\_\_\_\_ Area Director\_\_\_\_ Regional Counsel\_\_\_\_ Regional Dir\_\_\_\_

#### **Greg Doyon**

From:	jodi.g.duncan@eda.gov
Sent:	Tuesday, September 18, 2012 12:43 PM
To:	Greg Doyon; Shaun M. Tatarka
Subject:	RE: Please add the City to the email distribution list related to the GFDA/City- EDA Grant request
Attachments:	Great Falls App Control #05036 Letter.docx

Greg,

I've copied Shawn on this message since he could give you a more recent update. The attached letter that was sent indicated that materials were due by Friday, Sept. 14, 2012 but the application deadline was extended to Sept. 20, 2012 due to <u>www.grants.gov</u> system being down. All application materials for grant consideration must be submitted by tomorrow. EDA is awaiting the submittal of the items identified in the letter. Thanks so much, Jodi Duncan

Jodi Duncan | Program Specialist | Economic Development Administration, Denver Regional Office | 410 17th Street, Suite 250 | Denver, CO 80202 (303) 844-4901 | jodi.g.duncan@eda.gov | (303) 844-3968 (fax)

-----Greg Doyon <<u>gdoyon@greatfallsmt.net</u>> wrote: -----To: "'jodi.g.duncan@eda.gov'" <<u>jodi.g.duncan@eda.gov</u>> From: Greg Doyon <<u>gdoyon@greatfallsmt.net</u>> Date: 09/18/2012 12:17PM Subject: RE: Please add the City to the email distribution list related to the GFDA/City- EDA Grant request

Jodi:

Good morning! Just checking in... Any news on this application process? I have not received any emails on the grant request or heard anything from GFDA.

Thank you.

- Gtd

Gregory T. Doyon

**City Manager** 

City of Great Falls, Montana

Office (406) 455-8450

Fax (406) 727-0005

From: jodi.q.duncan@eda.qov [mailto:jodi.q.duncan@eda.qov] Sent: Wednesday, August 29, 2012 5:36 AM To: Greg Doyon Subject: Re: Please add the City to the email distribution list related to the GFDA/City- EDA Grant request Good Morning Greg, Will do, Thanks, Jodi Jodi Duncan, Program Specialist Economic Development Administration **Denver Regional Office** 410 17th Street, Suite 250 Denver, CO 80202 (303) 844-4901 - work (303) 844-3968 - fax jodi.g.duncan@eda.gov -----Greg Doyon <gdoyon@greatfallsmt.net> wrote: -----To: "'jodi.g.duncan@eda.gov'" <jodi.g.duncan@eda.gov> From: Greg Doyon <gdoyon@greatfallsmt.net> Date: 08/28/2012 05:40PM Subject: Please add the City to the email distribution list related to the GFDA/City- EDA Grant request

Jodi:

Hello from Great Falls!

If you would (and since the City is a co-applicant for the EDA grant), please include me on the email distribution list so I can monitor the grant's progress.

Thank you.

- Gtd

Gregory T. Doyon

**City Manager** 

City of Great Falls, Montana

Office (406) 455-8450

Fax (406) 727-0005

All City of Great Falls e-mails are subject to Montana's Right To Know law (Article II Sec 9, Montana Constitution) and can be considered Public Record (2-6-202, Montana Code Annotated) available for public disclosure.

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GREAT FALLSMONTANA

300 Central Avenue, 4th Floor PO Box 949. Great Felle, MT 59403



DEVELOPASERTAUTHORITY

www.gidevalopment.org 406.771.9020

September 20, 2012

Jodi Duncan Program Specialist EDA 410 17<sup>th</sup> St., Suite 250 Denver, CO 80202

RE: Extension Request for GFDA's EDA Grant Application for the Great Falls AgriTech Park

Dear Jodi,

GFDA would like to request an extension and have our application for the Great Falls AgriTech Park project be carried forward to the December 2012 round. Great progress was made on this project this summer and GFDA is continuing to work on the development of this industrial park. However, we do feel at this time that we will have a stronger application in December, and also need more time to work on some requested issues that EDA has requested we address.

As you know, we have been working on items requested by EDA in July. I would like to address the items mentioned in Robert Olson's letter to GFDA and the City of Great Falls dated July 2, 2012.

The statuses of the numbered items mentioned on page 3 of Mr. Olson's Letter are as follows:

1. We are still in the process of obtaining an appraisal and property value agreement. Additionally, we would like to remove the term "or lease" from our application. We will only sell lots, not lease them.

2. You have received a letter from our attorney, Mr. Brion Lindseth, which explains how closing costs will be handled. The tenants will pay closing costs. We will sign an agreement with a lot buyer and then assign the rights to them.

3. As noted above, we will have the PVA and appraisal to the EDA by December. The statuses of the numbered items mentioned on page 4 of Mr. Olson's letter are as follows:

1. Section A.5 narrative-City of Great Falls capacity I have included with this email, a paragraph speaking to the City's capacity to administer the grant.

2. a. Proposed Construction. The total acreage of disturbance is 7.5 acres.

2.b. I have emailed you a copy of the Burlington Northern Santa Fe (BNSF) rail plan. Please let me know if you would like another copy.

#### 2 c. Wetlands Delineation

We have sent you a copy of a letter from the Army Corps of Engineers stating no wetlands delineation is needed. Please let me know if you need another copy.

2. d. You have informed me you do have a signed copy of the applicant certification clause.

2 e. We have sent you a copy of a letter from the Army Corps of Engineers stating no wetlands delineation is needed. Please let me know if you need another copy.

2 f. We understand and will comply. We will obtain an NPDES permit.

3. a. We understand and will comply. We will use the base bid with deductive alternates method as requested by EDA.

3. b. All easements are in place and have been recorded. There are no right-of-ways to be purchased.

I would also like to add that our President & CEO, Brett Doney, is reworking the environmental narrative (M.8) per your July 30<sup>th</sup> email request. We will have this in our December application. Please let me know if you would like this sooner.

Thank you for considering this request. And thanks to you, John, Janet and Mari for all your help and guidance throughout this application process.

Sincerely 5 top

Shaun Tatarka Grant Writer

GFDA EDA Application Great Falls AgriTech Park

#### Section A.5 Addendum

The City of Great Falls federal funding oversight is primarily undertaken by the Planning and Community Development Department. The office is responsible for HUD CDBG and HOME grantee project development, financial oversight working with the City of Great Falls Fiscal Department, open professional and construction procurement with notification of minority and women owned businesses, wage rate compliance, insurance compliance, conflict of interest compliance, contracting, and timely completion. The Department managed a number of stimulus grants from other federal agencies and is accustomed to meeting reporting requirements. A-133 audits of the utilization of federal funds has consistently expressed an unqualified positive opinion with no findings.

# **REGISTRATION FORM** 2012 Montana Downtown Conference Hosted by the Great Falls BID October 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup> 2012

Please fill out a registration form for EACH p	person attending the conference. Duplicate this form as necessary.	
Name:		
Organization:		
Mailing Address:		
City/State/Zip:		
Phone #: E-	-mail:	
Registration options:		
Conference registration included in	sponsorship	
Additional Options:		
Thursday night dinner featuring the	Preservation Players in "An Act of Imagination"	
Guest for dinner, \$10 per person _		
REGISTRATION FEE: \$ Included in s	ponsorship	
ADDITIONAL FEES: \$		
TOTAL DUE: \$		
Check is enclosed (Please make checks payable to: Great Falls BID)		
Please invoice me at the address above (Registration will not be finalized until payment is received)		
Great Falls	turn completed form to: Business Improvement District 13 5 <sup>th</sup> Street North Great Falls MT 59401 431 E-mail: info@greatfallsbid.com	







Downtown and Main Street organizations from across the state of Montana have created the Montana Downtown Coalition. The primary function of the newly formed Montana Downtown Coalition is to support the Annual Montana Downtown Conference, a three-day gathering of downtown professionals, business leaders and community champions.

The Montana Downtown Conference is an annual gathering of downtown management professionals from across the state and beyond. The conference is held in a different Montana community each fall and is hosted by the corresponding Montana Downtown Coalition member organization. This year the conference will be held in Great Falls from October 24-26, 2012.

# 2012 Tentative Conference Topics:

- Squeezing Operating Funds out of Special Events
- Master Planning
- Parking
- E-Marketing Trends, Social Media
- Wayfinding
- Board Dynamics
- Beautification/Art in our downtown
- Branding
- Design/Development Review
- We're creating a special Thursday on *Taxation with Representation* and will be covering topics including:
  - ♦ Tax Increment Financing
  - ◊ Tax Abatements
  - ♦ Historic Tax Credits

We encourage you to invite your legislators and policy makers, attendance on Thursday at the conference for those individuals will be complimentary!

# **REGISTER TODAY!** Early bird deadline is 9/30/12!

# **REGISTRATION FORM**

http://www.greatfallsbid.com/wp-content/uploads/2012/06/Registration-Form-2012-FINAL-Version.pdf

# **Lodging Information:**

All conference activities and sessions will take place in Downtown Great Falls in the Great Falls Civic Center. Hotels are all within walking distance, the farthest being a distance of seven blocks. Free parking is available at the Civic Center during the conference.

Mid-Town Motel, 526 2nd Ave North-rates beginning at \$49, plus tax - 453-2411

Quality Inn, 220 Central Avenue-rates beginning at \$59.99, plus tax - 761-3410

O 'Haire Motor Inn, 17 7th Street South—rates beginning at \$66.81, tax included – 454-2141 Greystone, 621 Central Avenue—rates beginning at \$55, plus tax – 452-1470

Plan NOW to stay an extra day and take advantage of all that Great Falls has to offer! River 's Edge Trail, CM Russell Museum, etc...so much to do, so little time! Be sure you make time!

# ADDITIONAL CONFERENCE INFORMATION:

For more information, contact the Great Falls Business Improvement District at 406-727-5430 TENTATIVE CONFERENCE SCHEDULE

http://www.greatfallsbid.com/wp-content/uploads/2012/08/2012-Proposed-Conference-Schedule.pdf

# SPONSORSHIP OPPORTUNITIES

http://www.greatfallsbid.com/wp-content/uploads/2012/06/CORPORATE-SPONSOR-PACKAGES-2012-Flyer.pdf

# MONTANA DOWNTOWN COALITION

http://www.downtownbozeman.org/downloads/2011%20FINAL%20Montana%20Downtown% 20Coalition.pdf



# MONTANA DOWNTOWN COALITION FOUNDING MEMBERS

MAINSTREET UPTOWN BUTTE

















RECENED SEP 1.7 2012 CITY CLERK

Optimum 1860 Monad Road Billings, MT 59102 Office: 406-238-7700 Fax: 406-238-7777

September 12, 2012

The Honorable Michael Winters Mayor, City of Great Falls P.O. Box 5021 Great Falls, MT 59403

Dear Mayor Winters:

Please accept this letter as our notification that effective Friday, October 12, Optimum will be offering our analog channel guide on channel 2 instead of channel 13. Customers will be notified of this change in writing.

Cablevision's launch of our Optimum brand of products, Interactive Optimum digital television, Optimum Online high-speed Internet and Optimum Voice flat-rate broadband voice is ensuring that our customers in Great Falls get the best and most advanced services available anywhere in the country.

Since launching our services in Great Falls, we've made many new product enhancements, including dramatically increasing our High Definition programming to over 100 channels, nearly doubling of our standard Internet speeds from up to 8 Mbps to up to 15 Mbps and adding many new voice features, including free 411, all at affordable rates.

Should you have any questions, please do not hesitate to contact me at (406) 670-3496 or by email at mshannon@cablevision.com.

Sincerely,

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Michosa Sta

Melissa Shannon Area Director, Government Affairs

CC City Comicsion

#### Design Review Board Task Force Meeting Minutes September 6, 2012

Members present: Phil Faccenda, Katie Hanning, Stephen L'Heureux, Craig Raymond, John Rosenbaum, Tara Tronson

Members absent: John Harding

#### Coalition Representative: Terry Thompson

Reviewed the reason the task force was formed. Shared the basis and purpose of the survey the Coalition created and supplied to the public to address concerns with the City Planning and Building Departments/Development Processes.

In the beginning the DRB:

- Intent was building review
- Was not mandatory
- Steel buildings were the first issue
- The City forester was very active on the board to make recommendations on trees and landscaping
- The City Commissioners had a work session where a presentation was made as to what a design review board was and how it functioned. From that the concept developed and was adopted by the commission.
- A book had been developed to address development. Research was completed all across the western part of the United States.

Then the DRB:

Was inserted into the Land Use Code so that it was a requirement to appear before the DRB. In other words, a permit will
not be issued until the process has been completed.

Discussion of Examples of Projects Reviewed by the DRB:

- Pacific Steel did some trading of less parking spaces for more landscaping
- Dairy Queen asked to enclose garbage dumpster location. Owners disputed spending the money and that the neighboring dumpsters weren't enclosed.

#### Questions

- Is the DRB currently doing what it's supposed to do?
- Do we care what our community looks like?

#### Comments/Thoughts Shared:

- Impartiality of the process is important
- Streamline the process
- Public Relations problem
- Not understanding the problems
- Educating the builders and the public

Recommendation for next meeting:

 2 week process for DRB review – some don't need to go before the board, 90% can be checked in advance of a meeting and pushed through.

Next meeting: Thursday, September 13 at 8:00 a.m.

Respectfully presented by: Terry Thompson



# CENTRAL MONTANA DEFENSE ALLIANCE CMDA Report September 19, 2012

Greetings Central Montana Defense Alliance members! We have made it through another beautiful, albeit smoky, Montana summer. I can think of no other place I would rather be in the summer! While we have experienced some changes at the Weissman home with our twin sons, and only kids, heading off to MSU I am happy to inform you that Doni and I are adjusting. It is just a bit strange, but I think we will survive. In fact, I am enjoying getting reacquainted!

It seems I have the most time to dedicate to an update when I am flying off to another CMDA related meeting. This time Warren Wenz and I are headed to Washington D.C. where we will attend a Nuclear Triad Symposium for our elected officials. Thank you very much Warren for taking the reins and helping arrange this important meeting. Naturally, we will be making the most of our short time in D.C.

We will have a dinner meeting with Col S.L. Davis, former Malmstrom Vice-Commander as well as former Commander at Minot A.F.B. and now in the Pentagon dealing with ICBM's. We will also have a dinner meeting with General Fortney, former Malmstrom Commander, and we will meet with a BRAC consulting firm before we jump on a plane and head back home Friday. UPDATE: we were able to meet with staffers for Rep Rehberg and Senator Baucus, and Senator Tester was invited to make remarks on ICBM's and his stance on the issue at the Symposium.

In August Commissioner Briggs, City Manager Greg Doyon, and I attended the summer Association of Defense Communities Conference in Monterey. Beautiful, but chilly place. Of course, we really mostly see the four walls of the conference rooms and the curvature of the fuselage between home and meetings, so weather does not really play a factor. This was a particularly fruitful meeting for the CMDA. We ended up spending quite a bit of time with Gary Kuwabara, the Western Region Director for the Department of Defense, Office of Economic Adjustment.

The OEA has proven very helpful to our community since the loss of the 564th Missile Squadron. They have provided the lion's share of the funding for the Regional Economic Diversification Study, the regional transportation study and the recently completed Joint Land Use Study that Joe Briggs has been overseeing. Our relationship with OEA is very strong and in good part due to Joe's efforts. OEA can be used when missions are lost, gained, and even maintained. Our JLUS is the first of its kind and considered cutting edge by the DoD. Joe was at the conference as a guest of the ADC and was once again speaking in regard to this project.

100 1st Avenue North Great Falls, MT 59401 406-761-4434 Fax: 406-761-6129 www.greatfallschamber.org When not speaking, Joe joined Greg and me meeting "one on one" with Assistant Secretary Terry Yonkers, staff from the Real Properties office of the Secretary of the Air Force and the National Guard Bureau.

We found it interesting that the CMDA was one of only three organizations representing communities such as Great Falls that had a "one on one" with Secretary Yonkers. We also had a "one on one" meeting with the folks in charge of Enhanced Use Leases. This is an area we have felt Malmstrom could benefit greatly from as all revenues from any lease fitting the criteria go directly to the base for the Commander to use as they see fit. When a base has underutilized assets and Enhanced Use Lease is an excellent route. EUL's also help bases during BRAC rounds. Of course we had some great ideas we shared with them, as did they with us. Hopefully we will be able to find a good fit in the near future to benefit Malmstrom and Great Falls.

You may have been out to Malmstrom recently? If so, you undoubtedly used the 2nd Ave North entrance/exit and noticed the major improvements to the road from 57th to the base entrance. The Central Montana Defense Alliance was instrumental in getting this process started and will be supplying matching funds on the project. Kudos to Commissioner Briggs taking the lead with the County and the State to get the project moving forward, and just in time for the 50<sup>th</sup> Anniversary of the Aces in the hole! This major event will bring upwards of 900 folks into Great Falls, including quite a bit of top brass present and some friends from the past as well.

On the Montana Air National Guard front we are in a, pardon the pun, holding pattern. The F-15's will not be departing as originally planned and should be in our airspace for another year. This is a good thing where the continuation of positions at MTANG is concerned. The plan, right now, is still to move forward with transitioning of the F-15's to Fresno and MTANG moving to the C-130 transport plane. The Pentagon has no current plans to change direction. There is a small possibility that we will be able to gain a secondary mission at MTANG to fill all current positions and have no reductions in personnel. We are working this now and plan to stay on it until we succeed or the potential is exhausted.

We have met the new TAG for the Montana Guard, General Quinn, and plan on a "one on one" with him in the upcoming month. The new 20<sup>th</sup> Air Force General, General Carey was in Great Falls recently with his chief visiting the Troops at Malmstrom and having a dinner meeting with members of the MAC and the CMDA. We have also met with all Montana candidates running for the various offices over the summer months and plan to stay in close tabs with the elected as the dust settles in November/December.

We met with the new director of DHS, (Department of Homeland Security) and his team here in Great Falls to introduce ourselves to him and to keep in touch with the part of the team in place from the previous director. We are lucky to have such a great organization in Great Falls!

In the coming months the CMDA will return to D.C. to work with our Delegation and the Pentagon as we track Sequestration and Administration direction. I will be attending the Semi-Annual Commanders Conference at Barksdale A.F.B., and we will attend the winter Association of Defense Communities Conference.

As always, I am sure there is something I missed with all that is going on! If anything of major importance comes up, we will be sure to get out the information either via e-mail, the Chamber website, or in letter form. I also post all items related to MTANG and Malmstrom our FaceBook page. It's easy to find, just search it on <u>FaceBook.com</u> under the Central Montana Defense Alliance.

Please feel free to contact me at any time if you have input questions, or information. I am fairly easy to find: cell (406) 868-3004 or e-mail <u>subwaymt@gmail.com</u>. I will always take your call!

Respectfully David Weissman

Chair, Central Montana Defense Alliance a Committee of the Great Falls Chamber of Commerce

#### **Jennifer Reichelt**

From:	Lisa C. Kunz
Sent:	Thursday, September 20, 2012 2:26 PM
To:	Bill Bronson; Bob Jones; Fred Burow; Mary Jolley; Michael Winters
Cc:	Jennifer Reichelt; Patricia Cadwell; Dona Hughes; Melissa Kinzler; Linda Williams; Jon Legan;
	Dave Nielsen; Kathy Mora; 'khager@gfhousing.org'; Michael Haynes; Randy McCamley; Dave
	Bowen; Jim Rearden; Angela Swingley
Subject:	MMIA and MSU Extension Local Government Center - Free Municipal Training in Great Falls
377	

Friends – just a reminder if you haven't done so already to register by October 10, 2012 at <u>www.msulocalgov.org</u> (click on the Regional Municipal Officials button) to attend this free training on October 17<sup>th</sup> from 9 am to 4 pm in the Gibson Room. Please share with staff.

Commissioners – please advise if you plan on attending so that I can prepare a notice of quorum.

# Local Government Center

MMIA and the LGC are bringing MUNICIPAL RISK MANAGEMENT and MONTANA LOCAL GOVERNANCE to your Region!

#### Who should attend?

Clerks, Treasurers, Finance Officers, Supervisors, City Attorneys, Elected Officials, Mayors, City Council Members and Department Supervisors are all welcome!

#### Why should I attend?

To participate in educational sessions with the staff of both the Local Government Center and the MMIA, as well as to interact with your counterparts from surrounding cities and towns. Current municipal issues will be discussed with plenty of time to have your questions answered. We want to provide you with the tools to serve your communities in the best possible way.

#### What topics will be covered?

Managing conflict, conducting effective meetings, workplace safety, property coverage. managing workplace violence, covered parties and other emerging liability issues faced by Montana's cities and towns will be discussed by the staff at MMIA and the Local Government Center. A representative of the Community Development Division of the Department of Commerce will be present in Libby, Columbia Falls, Big Timber, Glendive and Glasgow to discuss municipal land issues.

#### Lisa

Lisa Kunz City Clerk P.O. Box 5021 Great Falls, MT 59403 406.455.8451

#### JOURNAL OF COMMISSION/STAFF AGENDA MEETING 2012.30

September 12, 2012 3:30 p.m.

PRESENT: Commissioners Bob Jones, Bill Bronson and Mary Jolley.

STAFF PRESENT: Deputy City Manager; City Manager's Executive Assistant; Interim City Attorney; Directors of Fiscal Services, Park and Recreation, and Planning and Community Development; and the City Clerk.

OTHERS PRESENT: Tribune reporter Richard Ecke and citizen Mike Witsoe.

#### Work Session Review

Deputy City Manager Jennifer Reichelt reported that Brett Doney with the Great Falls Development Authority will provide a Brand Alliance update.

#### Agenda Review

Copies of the draft \$5,000 report were available to the Commissioners.

Deputy Manager Reichelt reviewed the proposed agenda topics for the September 18, 2012, Commission Meeting.

Department heads discussed agenda report information as set forth on the attached proposed agenda.

After discussion regarding Item 4, language shall be added to the agenda report to reflect RTI's 50% reimbursement request.

There were no additional changes to the agenda requested by the Commissioners.

#### Miscellaneous

Commissioner Bronson reported that the results of Joe Minicozzi's economic impact research of Downtown Great Falls will be discussed at the Montana Downtown Conference on Thursday, October 25, 2012. Joan Redeen with the Business Improvement District would like a head count of public officials anticipating attending that morning.

The Commission gave staff direction to send a letter of support to the GFDA Canadian Prospect, which will be used in the Transportation Plan the company is submitting to MDT.

There being no further discussion, the informal agenda meeting of September 12, 2012, was adjourned at 3:45 p.m.



# WORK SESSION AGENDA September 18, 2012

5:30 PM - Gibson Room

Brand Alliance - Brett Doney 1.

### **UPCOMING MEETING SCHEDULE**

- Agenda Meeting, September 26, 2012, 3:30 p.m., Gibson Room. Work Session October 2, 2012, 5:30 p.m. Commission Meeting October 2, 2012, 7:00 p.m. 1.
- 2.
- 3.



## City Commission Agenda for September 18, 2012

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

CALL TO ORDER: 7:00 P.M.

#### PLEDGE OF ALLEGIANCE

#### **ROLL CALL**

#### PROCLAMATIONS

Constitution Week Graduation Matters Great Falls

#### **NEIGHBORHOOD COUNCILS**

1. Miscellaneous reports and announcements from Neighborhood Councils.

#### **BOARDS & COMMISSIONS**

2. Miscellaneous reports and announcements from Boards and Commissions.

#### **PUBLIC HEARINGS**

3. Res. 9990, to Levy and Assess Properties within Special Improvement Lighting District. Action: Conduct public hearing and adopt or deny Res. 9990. (*Presented by: Melissa Kinzler*)

#### **OLD BUSINESS**

- 4. Reimbursement of eligible public infrastructure expenses from the West Bank Tax Increment Financing District. (*Presented by: Mike Haynes*)
  - A. Reimbursement of \$110,197 to Talcott Properties, LLC from the West Bank Urban Renewal Fund upon documented project completion and Development Agreement. Action: Approve or deny Reimbursement and Development Agreement.
  - B. Reimbursement of \$15,000 to Recreational Trails Incorporated from the West Bank Urban Renewal Fund upon documented project completion and Development Agreement. Action: Approve or deny Reimbursement and Development Agreement.

#### NEW BUSINESS

#### ORDINANCES/RESOLUTIONS

**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.

5. Minutes, September 4, 2012, Commission meeting.

- 6. Total Expenditures of \$ for the period of 2012, to include claims over \$5000, in the amount of \$
- 7. Contracts list.
- 8. Lien Release list.
- 9. Award contract in the amount of \$94,725 to A.T. Klemens, Inc. for the Natatorium Boiler Replacement.
- 10. Approve Final Payment for the Northwest Great Falls Storm Drain Improvements Phase 4 – 6<sup>th</sup> Street NE Storm Water Detention Pond in the amount of \$9,849.84 to Missouri River Trucking and Excavation, Inc. and \$99.49 to the State Miscellaneous Tax Fund.

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

**PETITIONS AND COMMUNICATIONS** (Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 5 minutes. When at the podium, state your name and address for the record.)

11. Miscellaneous reports and announcements.

#### **CITY MANAGER**

12. Miscellaneous reports and announcements from the City Manager.

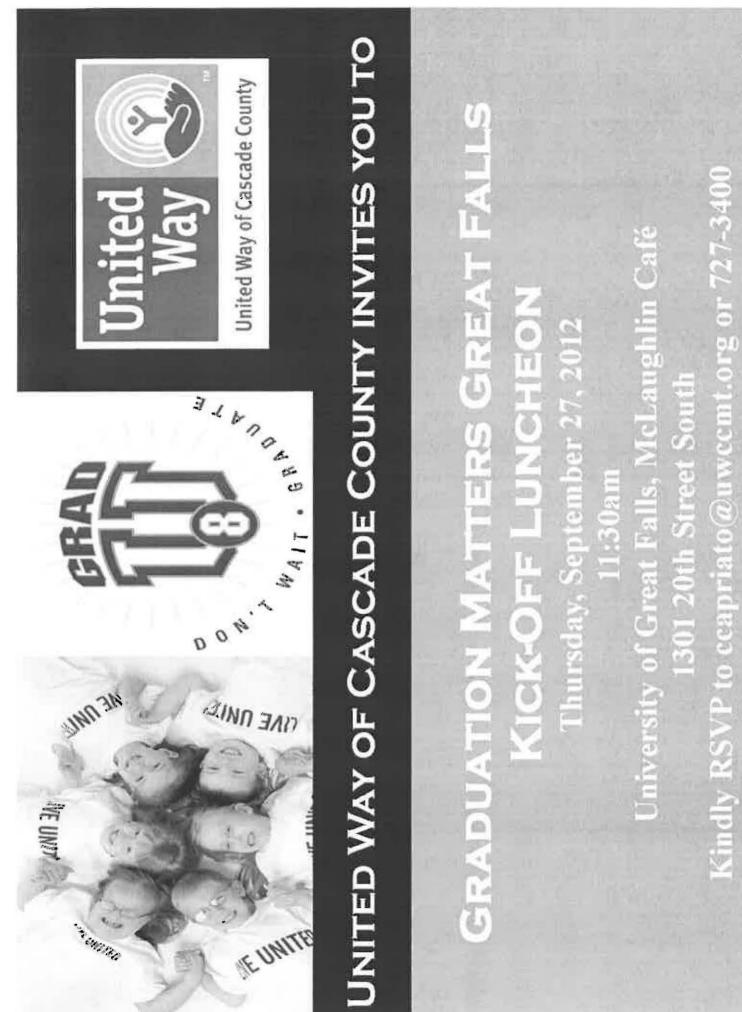
#### **CITY COMMISSION**

- 13. Miscellaneous reports and announcements from the City Commission.
- 14. Commission initiatives.

**MOTION TO ADJOURN** (Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting)

Dear Mr. Basta -I am Writing this note of thanks to make you aware of an outstanding and committed employee of the Great Falls. Parkand Hecreation. Giles Salyer Went above and beyond to help repair my fence after it was damaged by a riding mower. I am so Very grateful for his efforts and for his professional attention to the matter. It is no wonder our parks are so beautiful. Giles is a true asset to the community! Brenda Vehrs Great Falls. MT

12



Inter-Office Memorandum

City of Great Falls, Montana

#### PARK AND RECREATON MANSFIELD CENTER FOR THE PERFORMING ARTS City of Great Falls, P.O. Box 5021, Great Falls, MT 59403, 406-455-8495 or 406-455-8510

TO:	Greg Doyon, City Manager

September 21, 2012

FROM: Dona Hughes, Events Supervisor

SUBJECT: Theater event on Commission meeting night

Greg,

The following event is scheduled on a Commission meeting night for the Mansfield Theater:

• Tuesday, March 19, 2013 Music In Our Schools Month (MIOSM) middle and high school concert featuring top choirs, bands and orchestras from School District 1

We are very appreciative of the City Commission's support of the variety of events held in the Mansfield Center for the Performing Arts at the Civic Center. While we always strive to steer promoters/renters away from the first and third Tuesdays in the Mansfield Theater, it is impossible to do so 100% of the time without losing an event and a rental. This year Events Specialist, Mandi Ross, has work hard to keep the Commission meeting nights clear of Theater events. So far, she was able to book most events on other dates. However, with the changing of leadership in Great Falls School District's music programs, the MIOSM concert was scheduled and calendared for Tuesday, March 19, 2013 in the Mansfield Theater without booking with our office. Upon discovering the error, Dusty Molyneaux, the new Music and Art Department Supervisor, has asked if there is any flexibility or consideration, he may seek for allowing the concert to be held in the Mansfield Theater on Tuesday, March 19, 2013 at 7:00pm. While the School District has other venues, none rivals the optimum performance environment the Mansfield Theater provides for these young musicians. Music Educators so value what the Mansfield Theater has to offer that they choose to annually budget for rental expenses in order to provide the students the experience of playing in one of Montana's premier professional theaters.

Please let me know if there is any other information we can provide or any issues that need resolving in order to obtain Commission approval.

Thanks,

Dona Hughes

Dona Hughes Events Supervisor



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City of Great Falls #2 Park Drive South P.O. Box 5021 Great Falls, MT 59403 (406)-455-8450 www.greatfallsmt.net

#### PRESS RELEASE

#### FOR IMMEDIATE RELEASE

DATE: September 21, 2012

CONTACT: Fire Chief Randy McCamley, 727-8070

### REGISTER NOW FOR THE FALL FIRE RESCUE EXCHANGE ACADEMY

**GREAT FALLS, Montana** – Great Falls Fire Rescue is pleased to announce it has scheduled the upcoming Fall session of the Fire Rescue Exchange Academy (FRX). FRX is designed to provide citizens of Great Falls the opportunity to experience firsthand how their fire department is organized and operates.

Over the course of eight weeks, FRX participants will learn about different areas of the fire department ranging from the training of fire fighters, to special rescue operations. Participants will also experience working with a number of fire rescue tools and techniques commonly used by firefighters. Those participating in FRX will be encouraged to provide feedback and insight into how they view the current level of fire rescue services and their expectations for the future.

According to Chief McCamley, "FRX is a great outreach tool for our Department. It is an excellent way for the public to gain a better understanding of the Fire Department and truly experience what our fire fighters do on a daily basis."

FRX is free to the public and consists of one class weekly for eight weeks. These evening classes will be held from 6:30 p.m. to 8:30 p.m. at the Charles Carrico Regional Training Center and will run October 24 – December 12, 2012. Those interested in attending must be 18 years of age or older, must be a resident of the city of Great Falls and pass a law enforcement background check. Applications and liability release forms are available at Fire Station 1 (105 9<sup>th</sup> Street South) weekdays from 8 a.m. to 5 p.m. or at <u>www.greatfallsmt.net/fire</u> beginning Monday, September 24. Space for the program is limited to twenty citizens per academy and applications are due October 15.

For more information regarding the Fire Rescue Exchange Academy contact Chief McCamley at 727-8070.

(End)



PRESS RELEASE

### FOR IMMEDIATE RELEASE

DATE: September 17, 2012

Home to the Lewis & Clark National Historic Trail Interpretive Center

CT: Joyce Thares, 455-8450 Executive Assistant City Manager's Office

#### **COMMUNITY DEVELOPMENT COUNCIL OPENINGS**

**GREAT FALLS, Montana** – The City Commission is seeking two citizens interested in serving on the Community Development Council for three-year terms beginning November 1, 2012, and expiring October 31, 2015.

The Council consists of ten members appointed by the City Commission. The Community Development Council reviews CDBG funding applications and makes recommendations to the City Commission concerning funding from the City's annual Community Development Block Grant. Interested applicants must live within the city limits. The Council meets on demand, generally in February and March. For more information, contact Chris Imhoff at 455-8407.

Applications are available at the City Manager's Office, Civic Center, Room 201, by calling 455-8450; or may be obtained from the Advisory Boards section on the City's website at www.greatfallsmt.net. **Application deadline is Friday, October 12, 2012, by 5:00 p.m.** 

###

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### PRESS RELEASE FOR IMMEDIATE RELEASE

Date: September 19, 2012

Contact: Jude Smith, 453-0349 Great Falls Library

> ALA releases Top Ten List of Most Frequently Challenged Books of 2011

**Great Falls, Montana** – Banned Book Week, September 30 – October 6, is celebrating 30 years of working to liberate literature. This work to bring awareness to our right as a society to have free access to information is most notable in public and school libraries. During Banned Book Week and the week prior, the Great Falls Public Library will have a special exhibit that will offer information about banned and challenged books, and also many of the books in question. Patrons will be able to check out these materials.

Book banning efforts were alive and well in 2011. The ALA Office for Intellectual Freedom (OIF) received 326 reports regarding attempts to remove or restrict materials from school curricula and library bookshelves. The Top Ten Most Frequently Challenged Books of 2011 include the following titles; each title is followed by the reasons given for challenging the book:

1) *ttyl*; *ttfn*; *l8r*, *g8r* (series), by Lauren Myracle Offensive language; religious viewpoint; sexually explicit; unsuited to age group

2) The Color of Earth (series), by Kim Dong Hwa Nudity; sex education; sexually explicit; unsuited to age group

3) *The Hunger Games* trilogy, by Suzanne Collins Anti-ethnic; anti-family; insensitivity; offensive language; occult/satanic; violence

4) My Mom's Having A Baby! A Kid's Month-by-Month Guide to Pregnancy, by Dori Hillestad Butler Nudity; sex education; sexually explicit; unsuited to age group

- more -

5) The Absolutely True Diary of a Part-Time Indian, by Sherman Alexie Offensive language; racism; religious viewpoint; sexually explicit; unsuited to age group

6) *Alice* (series), by Phyllis Reynolds Naylor Nudity; offensive language; religious viewpoint

7) Brave New World, by Aldous Huxley Insensitivity; nudity; racism; religious viewpoint; sexually explicit

8) *What My Mother Doesn't Know*, by Sonya Sones Nudity; offensive language; sexually explicit

9) Gossip Girl (series), by Cecily Von Ziegesar Drugs; offensive language; sexually explicit

10) *To Kill a Mockingbird*, by Harper Lee Offensive language; racism

\*A challenge is defined as a formal, written complaint filed with a library or school requesting that a book or other material be restricted or removed because of its content or appropriateness.

In addition to book challenges, publishers limiting library e-book lending, and budget cuts are just a few library trends of the past year that are placing free access to information in jeopardy. These trends as well as other are detailed in the <u>2012 State of America's Libraries</u> <u>Report</u> released by the American Library Association (ALA).

The rapid growth of e-books has stimulated increasing demand for them in libraries, but libraries only have limited access to e-books because of restrictions placed on their use by publishers. Macmillan Publishing, Simon and Schuster and Hachette Book Group refused to sell e-books to libraries. HarperCollins imposed an arbitrary 26 loans per e-book license, and Penguin refused to let libraries lend its new titles altogether. When Random House raised e-book prices, the ALA urged it to reconsider. "In a time of extreme financial constraint, a major price increase effectively curtails access for many libraries, and especially our communities that are hardest hit economically," Molly Raphael, ALA president, said in a statement.

The single-minded drive to reduce budget deficits continued to take its toll on essential services at all levels of society in 2011, with teachers and librarians sometimes seen as easy targets for layoffs. Even the federal Institute of Museum and Library Services suffered budget cuts, and the Library of Congress lost nearly 10 percent of its workforce.

School librarians faced especially draconian budgetary challenges in 2011. Cuts began at the federal level in May 2011, when the Department of Education eliminated fiscal 2011 funding for the Improving Literacy Through School Libraries program, the only federal program solely for school libraries in the United States. The effects were soon felt at the state and local levels.

Academic librarians and their colleagues in higher education in the United States also continued to navigate a "new normal," characterized by stagnating budgets, unsustainable costs, increased student enrollments and reduced staff.

Even during a period of budget battles, however, the library community, led by the ALA, stood firm against censorship. Internet-age versions of copyright and piracy issues shot to the forefront as 2011 turned into 2012, and the acronyms SOPA (the Stop Online Piracy Act) and PIPA (the PROTECT IP Act of 2011) became part of the vocabulary as the library and First Amendment communities took a strong stand against proponents of the legislation.

The State of America's Libraries Report documents trends in library usage and details the impact of library budget cuts, technology use and the various other challenges facing U.S. libraries. The full Report is available at <a href="http://www.ala.org/news/mediapresscenter/americaslibraries/soal2012">http://www.ala.org/news/mediapresscenter/americaslibraries/soal2012</a>.

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