

CITY OF BILLINGS

**CITY OF BILLINGS MISSION STATEMENT:
TO DELIVER COST EFFECTIVE PUBLIC SERVICES
THAT ENHANCE OUR COMMUNITY'S QUALITY OF LIFE**

AGENDA

COUNCIL CHAMBERS

December 18, 2006

6:30 P.M.

**CALL TO ORDER – Mayor Tussing
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember Richard Clark
ROLL CALL
MINUTES – December 11, 2006
COURTESIES
PROCLAMATIONS
ADMINISTRATOR REPORTS – Tina Volek**

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 and #6 ONLY. Speaker sign-in required. (Comments offered here are limited to 1 minute per speaker. Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item.)

(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)

CONSENT AGENDA:

1. A. Change Order #1, AIP 30: Runway 10R/28L Rehabilitation, JTL Group, Inc., deduct \$40,011.01.
[\(Corresponding Staff Memo A\)](#)

B. Change Order #1, AIP 30: Commercial Ramp Improvements, JTL Group, Inc., deduct \$156,820.93.
[\(Corresponding Staff Memo B\)](#)

C. Change Order #14, W.O. 04-13: Schedule I – Filter Building Expansion and Improvements, COP Construction, \$66,254.75.
[\(Corresponding Staff Memo C\)](#)

D. Amendment #4, W.O. 00-15: Grand Avenue Widening from 8th St. W to 12th St. W, Professional Services Contract, Kadrmass, Lee & Jackson, \$59,814.00.
([Corresponding Staff Memo D](#))

E. W.O. 04-18: Park II Expansion and Improvements, easement to NorthWestern Energy, \$0.00.
([Corresponding Staff Memo E](#))

F. Renewal of *Billings Urban Fire Service Area* (BUFSA) Agreement with Yellowstone County, term: 7/1/07 to 6/20/2012.
([Corresponding Staff Memo F](#))

G. Agreement with Billings Housing Authority to fund one officer, \$36,151.00, term: 1/1/07 – 6/30/07.
([Corresponding Staff Memo G](#))

H. Renewal of Limited Commercial Aviation Ground Lease with Corporate Air, Inc, \$41,328.48 first year, adjusted annually by CPI-U, term: 10 years.
([Corresponding Staff Memo H](#))

I. Final plat of Amended Lot 5, Block 10, Parkland West Subdivision, 6th Filing.
([Corresponding Staff Memo I](#))

J. Bills and Payroll.
(1) November 22, 2006
([Corresponding Staff Memo J1](#))
(2) November 1 – 30, 2006 (Court)
([Corresponding Staff Memo J2](#))

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. PUBLIC HEARING AND FIRST READING ORDINANCE expanding the boundaries of Ward IV to include recently annexed properties in Annex #06-15, described as: Tract 1A, of Amended Tracts 1 and 2, C/S 3279 and generally located east of the intersection of Grand Avenue and 54th St. W adjacent to Bishop Fox Subdivision, Rod Wilson and Judith Deines, owners & petitioners. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
([Corresponding Staff Memo 2](#))

3. **PUBLIC HEARING AND RESOLUTION** creating SID 1375: public improvements on Claremont Road between Lake Hills Drive and Gleneagles Boulevard. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
[\(Corresponding Staff Memo 3\)](#)
4. **PUBLIC HEARING** on Federal Legislation Priorities. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
[\(Corresponding Staff Memo 4\)](#)
5. **PUBLIC HEARING AND RESOLUTION** making FY2007 budget Adjustments for a Downtown Billings Partnership (DBP) request for transferring \$110,000 from undesignated funds to urban design projects. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
[\(Corresponding Staff Memo 5\)](#)
6. **EXCHANGE CITY GOLF CORPORATION 2007 ANNUAL BUDGET.** Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
[\(Corresponding Staff Memo 6\)](#)
7. **PUBLIC COMMENT on Non-Agenda Items -- Speaker sign-in required.**
(Restricted to ONLY items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.)

Council Initiatives

ADJOURN

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

<p>Visit our Web site at: http://ci.billings.mt.us</p>

CALENDAR

(Council AND Boards & Commissions)

DECEMBER 2006:

12/18/2006	Council WORK SESSION REGULAR Council Meeting (re- Scheduled from 12/16/06)	5:30 p.m. 6:30 p.m.	CANCELLED Council Chambers
12/21/2006	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
12/25/2006	CHRISTMAS DAY – CITY OFFICES CLOSED		
12/26/2006	Planning Board REGULAR Council Meeting	6:00 p.m. 6:30 p.m.	CANCELLED CANCELLED
12/27/2006	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 st Avenue North CH Conference Room
12/28/2006	Yellowstone County Board of Health	TO BE ANNOUNCED	

JANUARY:

1/01/2007	NEW YEAR'S DAY – CITY OFFICES CLOSED		
1/02/2007	Council WORK SESSION Community Development Board Zoning Commission Aviation & Transit Commission	5:30 p.m. 3:00 p.m. 4:30 p.m. 5:30 p.m.	CANCELLED 4 th Floor Library Council Chambers Airport Terminal
1/03/2007	Board of Adjustment	6:00 p.m.	Council Chambers
1/04/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
1/08/2007	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
1/09/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 th Floor Library
1/10/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
1/11/2007	Library Board Committee on Homelessness	NOON 1:30 p.m.	3 rd Floor Library 3 rd Floor Library

1/15/2007	MARTIN LUTHER KING DAY – CITY OFFICES CLOSED		
1/16/2007	Yellowstone Historic Preservation Board Council WORK SESSION	8:00 a.m. 5:30 p.m.	4 th Floor Library Community Center 360 N. 23 rd St
1/22/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
1/23/2007	Planning Board	6:00 p.m.	4 th Floor Library
1/24/2007	Traffic Control Board Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	4 th Floor Library CH Conference Room
1/25/2007	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 th Street
1/29/2007	Council WORK SESSION	5:30 p.m.	Community Center
1/30/2007	Council Agenda Setting Meeting	5:30 p.m.	CH Conference Room
1/31/2007	Housing Authority	NOON	2415 1 st Avenue North

AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Approval of Change Order One with JTL Group, Inc., Airport Improvement Program (AIP) 30 Project, Runway 10R/28L Rehabilitation

DEPARTMENT: Aviation and Transit

PRESENTED BY: Thomas H. Binford, A.A.E., Acting Director of Aviation and Transit

PROBLEM/ISSUE STATEMENT: One of the projects included in the City's approved Capital Improvement Program, is the Runway 10R/28L Rehabilitation project. This was also a Federal Aviation Administration (FAA) approved Airport Improvement Program (AIP) project. This is the final change order, which balances the bid quantities cost to match the installed quantities. The comparison of these costs indicates either an addition or deduction to the contract amount. The major changes to this contract are as follows:

- Increase in the amount of pavement to be removed.
- Decrease in the amount of asphalt required.
- Decrease in the amount of runway striping required

FINANCIAL IMPACT: These changes will result in a deduct of \$40,011.01. The original contract amount of \$695,905.80 will be reduced to \$655,894.79. This AIP project is funded Federally at 95% and locally at 5%. The City's portion of this Change Order deduct is approximately \$2,000.55.

RECOMMENDATION

Staff recommends that the City Council approve Change Order One to JTL Group, Inc. for AIP 30 project, Runway 10R/28L Rehabilitation.

Approved By: City Administrator ____ City Attorney ____

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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Approval of Change Order One with JTL Group, Inc., Airport Improvement Program (AIP) 30 Project, Commercial Ramp Improvements

DEPARTMENT: Aviation and Transit

PRESENTED BY: Thomas H. Binford, A.A.E., Acting Director of Aviation and Transit

PROBLEM/ISSUE STATEMENT: One of the projects included in the City's approved Capital Improvement Program, is the Commercial Air Carrier Ramp Improvement project. This was also a Federal Aviation Administration (FAA) approved Airport Improvement Program (AIP) project. This is the final balancing change order, which corrects the bid quantities to match the installed quantities for this project. The comparison of these quantities indicates either an addition or deduction to the contract amount. The major changes to this contract are as follows:

- Deduct for cost of security to operate in Airport Secured Area.
- Additional concrete restoration.
- Replacements of a deteriorated 40-year-old storm drain manhole cover.
- Installation of motion detectors to control the garage doors for the baggage claim area.
- Additional ramp painting to accommodate Big Sky Airlines' larger fleet aircraft.
- Deduct for excavation work.

FINANCIAL IMPACT: These changes will result in a deduct of \$156,820.93. The original contract amount of \$2,421,505.65 will be reduced to \$2,264,684.72. This AIP project is funded Federally at 95% and locally at 5%. The City's portion of this Change Order deduct is approximately \$7,841.05.

RECOMMENDATION

Staff recommends that the City Council approve Change Order One to JTL Group, Inc. for AIP 30 project, Commercial Ramp Improvements.

Approved By: City Administrator _____ City Attorney _____

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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: W.O. 04-13, Schedule I—Filter Building Expansion and Improvements,
 Change Order Number 14

DEPARTMENT: Public Works

PRESENTED BY: David D. Mumford, P.E., Public Works Director

PROBLEM/ISSUE STATEMENT: HDR Engineering has submitted Change Order Number 14 (CO No. 14) to modify the construction contract with COP Construction on the Water Treatment Plant Filter Building. CO No. 14 involves labor and materials related to additions to the security allowance, adding windows to the public entry, providing additional power for overhead door openers, and procedures allowing work with and around lead-base paint and lead joint connections. No additional time has been requested, but a change in costs results from the recommended changes.

FINANCIAL IMPACT: This project is being funded by a State Revolving Fund (SRF) loan and supplemented by the City's Utilities Water Building and Operation Facilities Fund. CO No. 14 represents an increase of \$66,254.75 to the contract amount. The approved project budget includes a contingency to pay for unforeseen circumstances characteristic with those depicted in CO No. 14. There are adequate funds available to cover the additional costs. The table below summarizes the financial impact to the project.

ORIGINAL CONSTRUCTION CONTRACT:	\$16,400,000.00		
	Amount	% of Contract	Total % of Contract
Change Orders 1 thru 10	\$161,072.71	0.98%	
Change Orders 11 and 12	\$199,145.94	1.21%	
(Not-to-exceed addition of \$199,145.94, Less \$199,145.94 reimbursement from HDR)			
Change Order No. 13	\$ 11,302.76	0.07%	
Change Order No. 14	\$ 66,254.75	0.40%	
TOTALs to date:	\$437,776.16		2.67%

RECOMMENDATION

Staff recommends that Council approve Change Order Number 14 to the construction contract with COP Construction for W.O. 04-13, Schedule I—Filter Building Expansion and Improvements, adding \$66,254.75 to the contract.

Approved By: **City Administrator** ____ **City Attorney** ____

INTRODUCTION

HDR Engineering, the designer and consultant for the expansion and improvements to the Water Treatment Plant (WTP) Filter Building (W.O. 04-13), has submitted Change Order Number 14 to modify the construction contract with COP Construction. Change Order No. 14 involves labor and materials related to additions to the security allowance, adding windows to the public entry, providing additional power for overhead door openers, and procedures allowing work with and around lead-based paint and lead joint connections. No additional time has been requested, but a change in costs results from the recommended changes. Approval of Change Order No. 14 is recommended to allow progress to continue on the project and to provide a better finished product.

BACKGROUND

The project was bid and awarded with a \$100,000 allowance included to be used for new security measures and equipment associated with the new Filter Building. As the security sub-contractor began work, WTP staff requested things that were not foreseen at the time of bidding. These things include upgrading from existing equipment and better integrating the new equipment with the existing equipment. The final costs from the security sub-contractor came in slightly above the allowance, but it was deemed beneficial to the entire WTP to pay the additional costs and receive a better security system. The additional security costs total \$11,141.45 above the \$100,000 allowance.

The plans call for a new public entry to the Filter Building and Operations Center, which includes ADA ramping. There are windows to provide visibility into the Operations Center, but none into the new filter area. It has been requested and recommended by the consultant and WTP staff to install three windows that also provide visibility into the filter area. This will allow visitors to see the activities and equipment inside the Filter Building as they enter the new facility without having to be part of a formal guided tour. Tours will still be available, but adding the windows will allow for better awareness during normal visits. The labor and materials required to install the new windows result in additional costs of \$2,420.31.

The project plans call for power openers on all overhead doors. The actual full load (amps) drawn by three of the door openers is greater than what was originally anticipated and consequently exceeds the allowable load on the two circuits designed to provide power to the openers. Additional circuits must be installed for these three doors to allow normal operation that corresponds to all the other doors. The labor and materials to install this power result in additional costs of \$3,410.35.

After construction began, paint samples were taken from various pipes in different locations to determine whether or not lead-based paint was present. The test results showed lead present, in varying degrees, in all samples. This was declared to be a hazardous condition that was unknown at the time of bidding. As approved by Change Order Number Eight, a mock-up procedure was performed for all construction activities in which lead-based paint or lead joints would be encountered. The exact level of lead exposure resulting from these activities was

measured to determine what precautions must be followed to stay within OSHA regulations. Change Order No. 14 includes the additional costs associated with the precautions that must be followed while handling and/or cutting pipe, unbolting flanges, etc. during demolition of Areas B, C, and D and on Filters 9-12. Cost associations include, but are not limited to, training to work under the hazardous conditions and additional personal protection devices. Change Order No. Eight was approved on a time and materials basis. Change Order No. 14 includes a credit from the actual costs of Change Order No. Eight. The final costs of Change Order No. 14 reflect \$49,282.64 to be added to the contract.

In summary, Change Order Number 14 creates an increase of \$66,254.75 to the contract amount, but no change to the schedule for time of completion.

RECOMMENDATION

Staff recommends that Council approve Change Order Number 14 to the construction contract with COP Construction for W.O. 04-13, Schedule I—Filter Building Expansion and Improvements, adding \$66,254.75 to the contract.

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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Amendment #4 to Professional Services Contract for W.O. 00-15 Grand Avenue Widening from 8th Street West to 12th Street West

DEPARTMENT: Public Works/Engineering

PRESENTED BY: David D. Mumford, PE, Public Works Director

PROBLEM/ISSUE STATEMENT: The City of Billings entered into a contract with Kadrmas, Lee & Jackson for design services for W.O. 00-15 Grand Avenue on April 9, 2001, totaling \$415,802.47. With Right-of-Way negotiations with the remaining 4 property owners possibly progressing to a point to start construction, the city engineer's office is preparing for construction to begin spring 2007. Attached is Amendment #4 to the professional services contract with Kadrmas, Lee & Jackson. Contract Amendment #4 will provide the necessary design services and construction administration services necessary to complete this project. The total cost of this amendment will be \$59,814.00.

ALTERNATIVES ANALYZED:

1. Approve Amendment #4 to the professional services contract for W.O. 00-15 in the amount \$59,814.00.
2. Do not approve Amendment #4 to the professional services contract for W.O. 00-15.

FINANCIAL IMPACT: Contract Amendment #4 represents a net increase to the original contract in the amount of \$59,814.00.

		<u>% of Contract</u>	<u>Cumulative %</u>
Original Design Contract	\$415,802.47		
Contract Amendment #1	\$ 5,997.00	1.44%	1.44%
Contract Amendment #2	\$ 8,858.00	2.13%	3.57%
Contract Amendment #3	\$ 28,082.00	6.75%	10.33%
Contract Amendment #4	\$ 59,814.00	14.39%	24.72%
Total Contract Amount	\$518,553.47		

RECOMMENDATION

Staff recommends that Council approve Amendment #4 to the professional services contract for W.O. 00-15 Grand Avenue with Kadrmas, Lee & Jackson in the amount \$59,814.00.

Approved By: **City Administrator** ____ **City Attorney** ____

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INTRODUCTION

Work Order 00-15 Grand Avenue was designed to widen Grand Avenue from 8th Street West to 12th Street West. The City Engineer's Office is preparing for construction to begin in the spring 2007. Items needed for construction include design of water main replacement in 12th Street West between Grand Avenue and Lewis Avenue, plan updates, record drawings, and consulting during construction. All of these items were not included in the original design.

PROCEDURAL HISTORY

If the proposed contract amendment is approved, Kadrmas, Lee, and Jackson will proceed with the design of the water main replacement in 12th Street West. The project will bid in February 2007 with construction starting in March 2007. The construction is anticipated to be completed by September 2007.

ALTERNATIVES ANALYSIS

Approve Amendment #4 to the professional services contract for W.O. 00-15 Grand Avenue with Kadrmas, Lee & Jackson in the amount \$59,814.00. Under this option, Kadrmas, Lee, and Jackson will proceed with the design of water main in 12th Street West and the City Engineer's Office will be ready to bid Grand Avenue February 2007.

Do not approve Amendment #4 to the professional services contract for W.O. 00-15 Grand Avenue with Kadrmas, Lee & Jackson. Under this option, the City Engineer's Office will need to design the water main internally and perform all of the construction administration internally which may delay the bid of the project.

RECOMMENDATION

Staff recommends that Council approve Amendment #4 to the professional services contract for W.O. 00-15 Grand Avenue with Kadrmas, Lee & Jackson in the amount \$59,814.00.

AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Request of Easement to NorthWestern Energy—W.O. 04-18, Park II Expansion and Improvements

DEPARTMENT: Public Works

PRESENTED BY: David D. Mumford, P.E., Public Works Director

PROBLEM/ISSUE STATEMENT: A new electric switch vault is required for NorthWestern Energy (NWE) to provide power to the Park II expansion parking garage. NWE is requesting an easement be granted from the City on the property where the Park II expansion is being constructed to allow installation and/or maintenance of electricity-supplying equipment. The easement encompasses areas on which the vault is located and a stretch of buried power line between the vault and the transformer that will feed the new garage.

Copies of the official easement documents, as prepared by a licensed Professional Land Surveyor (PLS) in the State of Montana, are on file in the City Clerk's office.

FINANCIAL IMPACT: The fees to record the easement documents will be less than \$50. These fees will be paid with funds from the Park II Expansion project budget.

RECOMMENDATION

Staff recommends Council approve the granting of an easement to NorthWestern Energy on the Park II expansion property.

Approved By: City Administrator ____ City Attorney ____

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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Billings Urban Fire Service Area (BUFSA) Agreement Renewal 2007-2012

DEPARTMENT: Fire

PRESENTED BY: Marvin L. Jochems, Fire Chief

PROBLEM/ISSUE STATEMENT: The City of Billings Fire Department is willing to provide the following services to properties and residents within the BUFSA, at the same level as such services are provided to properties and residents within the corporate limits of the City: fire protection; fire investigation; hazardous material response; medical emergency first responder and grass and timberland fire suppression.

The Yellowstone County Commissioners approved the new Agreement on November 21, 2006. By signing the attached Agreement, the Board of County Commissioners for Yellowstone County has approved the continuation of the Agreement for Fire Services for another five (5) years. The current five-year contract expires June 30, 2007. The new Agreement will be effective July 1, 2007 and shall terminate on June 20, 2012. A copy of the agreement is on file at the City Clerk's office.

ALTERNATIVES ANALYZED: None.

FINANCIAL IMPACT: The fee for providing services for the first full year of this Agreement shall be \$792,361.00. The 2006 contract was in the amount of \$758,037.00. This new contract represents an increase of 4.5%. One half of said fees will be paid by Yellowstone County on behalf of the BUFSA on or before December 31, 2007. The remaining one-half shall be paid on or before June 30, 2008. Fees for the remaining years of this Agreement shall be paid in the same fashion on or before each succeeding December 31st and June 30th.

RECOMMENDATION

Staff recommends that Council approve the five-year Agreement for Fire Service between the City of Billings and Yellowstone County Commissioners.

Approved By: **City Administrator** ____ **City Attorney** ____

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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Agreement with Billings Housing Authority to Fund One Officer
From January 1, 2007 through June 30, 2007

DEPARTMENT: Police Department

PRESENTED BY: Rich St. John, Chief of Police

PROBLEM/ISSUE STATEMENT: Since 1991, the Billings Housing Authority has funded one police officer under an agreement with the City of Billings. The funding consists of salary, benefits, and maximum of four (4) hours of overtime per month. Due to the loss of a grant, the Housing Authority is now funding this position from its office budget for a six month period. Staff is recommending City Council approve this agreement for the funding of the officer through from January 1, 2007 through June 30, 2007.

FINANCIAL IMPACT: There is no financial impact to the City since the Billings Housing Authority funds the officer for salary and benefits to a maximum amount of \$36,151 for the 6 month period of January 1 through June 30, 2007. This amount is budgeted in the current budget. If the position is not funded after June 30, 2007, it will be absorbed either by attrition or will become a public safety levy position (fiscal 07/08).

RECOMMENDATION

Staff recommends Council approve the agreement with Billings Housing Authority to fund one Police Officer for the period of January 1, 2007 through June 30, 2007.

Approved By: City Administrator ____ City Attorney ____

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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Limited Commercial Aviation Ground Lease Renewal with Corporate Air, Inc.

DEPARTMENT: Aviation and Transit

PRESENTED BY: Tom Binford, A.A.E., Director of Aviation and Transit

PROBLEM/ISSUE STATEMENT: Earlier this year Corporate Air's Limited Commercial Aviation Ground Lease expired. The previous Lease was a thirty (30) year lease, for approximately seventeen acres of Airport property on the west end of the Airport where Corporate Air's large maintenance hangar and offices are located. Corporate Air has had control of this property since 1982 when the Lease was assumed. During this time, the majority of the leasehold has remained undeveloped; subsequently the new Lease only incorporates the property being utilized by Corporate Air. The new leasehold size is 243,108.48 square feet or approximately 5.58 acres. Since the previous Lease rate, from thirty (30) years ago, was capped at \$.05 per square foot per year, this new Lease reflects an adjustment in the lease rental rate to \$.17 per square foot per year, which more closely matches the rates of the other commercial properties at the Airport. The new lease term is for ten years.

FINANCIAL IMPACT: This Lease will generate \$41,328.48 of revenue for the Airport in the first year. This rate will be adjusted by the Consumer Price Index for all Urban Users (CPI-U) in the subsequent years.

RECOMMENDATION

Staff recommends that Council approve the renewal of the Limited Aviation Ground Lease with Corporate Air, Inc. for an additional ten-year period.

Approved By: City Administrator _____ City Attorney _____

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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Final Plat of Amended Lot 5, Block 10, Parkland West Subdivision, 6th Filing

DEPARTMENT: Planning and Community Services

PRESENTED BY: Aura Lindstrand, Planner II

PROBLEM/ISSUE STATEMENT: The final plat of Amended Lot 5, Block 10, Parkland West Subdivision, 6th Filing is being presented to the City Council for approval. On March 27, 2006, the City Council conditionally approved the four (4) lot preliminary minor plat containing a total of 3.71 acres. The subject property is located on the west side of South 32nd Street West, midway between Central Avenue and Banff Avenue and is within the Parkland West Planned Unit Development (PUD). The owner is MLZ, LLP and the representing agent is Engineering, Inc. The City Council conditions of approval have been satisfied and the City Attorney has reviewed and approved the subdivision plat and the associated documents. Upon City Council approval, these documents are appropriate as to form for filing with the Yellowstone County Clerk and Recorder.

FINANCIAL IMPACT: Should the City Council approve the final plat, the subject property will further develop, resulting in additional tax revenues for the City.

RECOMMENDATION

Staff recommends that the City Council approve the final plat of Amended Lot 5, Block 10, Parkland West Subdivision, 6th Filing.

Approved By: City Administrator _____ City Attorney _____

ATTACHMENT

A: Final Plat

Plat

PARKLAND WEST SUBDIVISION, SIXTH FILING
SITUATED IN THE NE 1/4 OF SECTION 11, T. 1 S., R. 25 E., P.M.M.
BILLINGS, YELLOWSTONE COUNTY, MONTANA

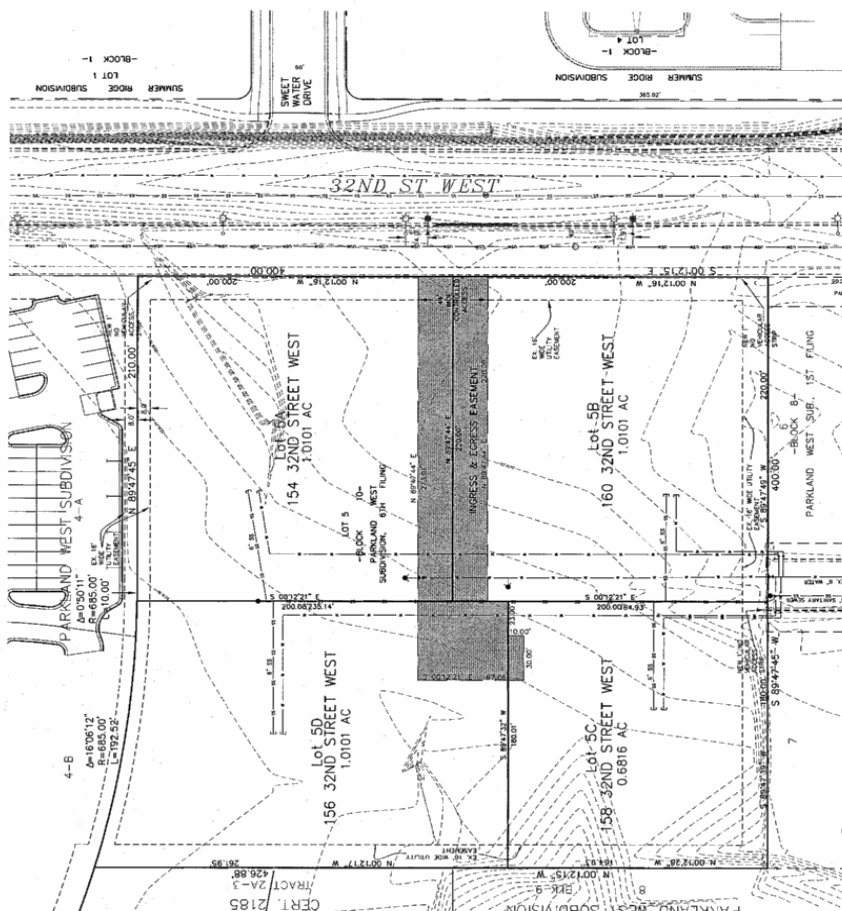
PREPARED FOR : MLZ, LLC
PREPARED BY : ENGINEERING, INC.
SCALE : 1" = 30'

FEBRUARY, 2006
BILLINGS, MONTANA

ADJACENT OWNER'S LIST

[illegible]PLAT DATA

GROSS AREA	=	161,689 SF
NET AREA	=	161,689 SF
NUMBER OF LOTS	=	4
AVERAGE LOT SIZE	=	32,531 SF
MAXIMUM LOT SIZE	=	4,770 SF
MINIMUM LOT SIZE	=	N/A
PARKING REQUIREMENTS	=	N/A
PARKING AND DEDICATION	=	N/A
PLANNED UNIT DEVELOPMENT ZONING	=	PLANNED UNIT DEVELOPMENT
SURROUNDING ZONING	=	NORTH SOUTH EAST
EXISTING LAND USE	=	PLANNED UNIT DEVELOPMENT
PROPOSED LAND USE	=	RESIDENTIAL 9608 MULTI-FAMILY RESTRICTED PLANNED UNIT DEVELOPMENT



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J1

AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Payment of Claims
DEPARTMENT: Administration – Finance Division
PRESENTED BY: Patrick M. Weber, Financial Services Manager

PROBLEM/ISSUE STATEMENT: Claims in the amount of \$260,564.60 have been audited and are presented for your approval for payment. A complete listing of the claims dated November 22, 2006, is on file in the Finance Department.

RECOMMENDATION

Staff recommends that Council approve Payment of Claims.

Approved By: City Administrator ____ City Attorney ____

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CITY COUNCIL AGENDA ITEM

CITY OF BILLINGS, MONTANA

Monday, December 18, 2006

SUBJECT: Payment of Claims
DEPARTMENT: Municipal Court
PRESENTED BY: Nikki R. Schaubel, Municipal Court Administrator

PROBLEM/ISSUE STATEMENT: Claims in the amount of \$184,210.34 have been audited and are presented for your approval for payment. A complete listing of the claims dated November 1, 2006 to November 30, 2006 is on file in the Municipal Court. Claims include payments to individual victims and businesses for restitution, disbursement of surcharges and revenues and return of bonds posted to ensure court appearance.

RECOMMENDATION

Staff recommends that Council approve Payment of Claims.

Approved By: City Administrator _____ City Attorney _____

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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Public Hearing and First Reading of an Ordinance Expanding Ward IV
DEPARTMENT: Planning and Community Services Department
PRESENTED BY: Aura Lindstrand, Planner II

PROBLEM/ISSUE STATEMENT: On December 11, 2006, the City Council approved the annexation of an approximate 39.65 acre parcel legally described Tract 1-A of Amended Tracts 1 and 2 of Certificate of Survey 3279. The request for annexation was submitted by Judith Deines and Rod Wilson, the owners of property. Upon annexation, the property must be added to one of the City's election wards. The first reading and public hearing on the ordinance to add the property to Ward IV will be conducted on December 18, 2006. The second reading of the ordinance is scheduled for Council action on January 8, 2007.

FINANCIAL IMPACT: There are no direct financial impacts if this ordinance is approved.

RECOMMENDATION

Staff recommends that the City Council hold the public hearing and approve the first reading of this ordinance that adds property to City Ward IV.

Approved by: **City Administrator** _____ **City Attorney** _____

ATTACHMENT

A. Ward Ordinance and Exhibit A

ATTACHMENT A

ORDINANCE NO. 06-_____

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD IV PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to the following designated Ward the following described real property:

Tract 1-A of Amended Tracts 1 & 2 of Certificate of Survey 3279, Recorded November 22, 2006, Under Document No. 3401372, Records of Yellowstone County, Montana; including all adjacent right-of-way of Grand Avenue.

Containing 39.649 gross and 39.546 net acres.
(# 06-15 Exhibit "A" Attached)

2. CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.
3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 18th day of December, 2006.

PASSED by the City Council on the second reading this 8th day of January, 2007.

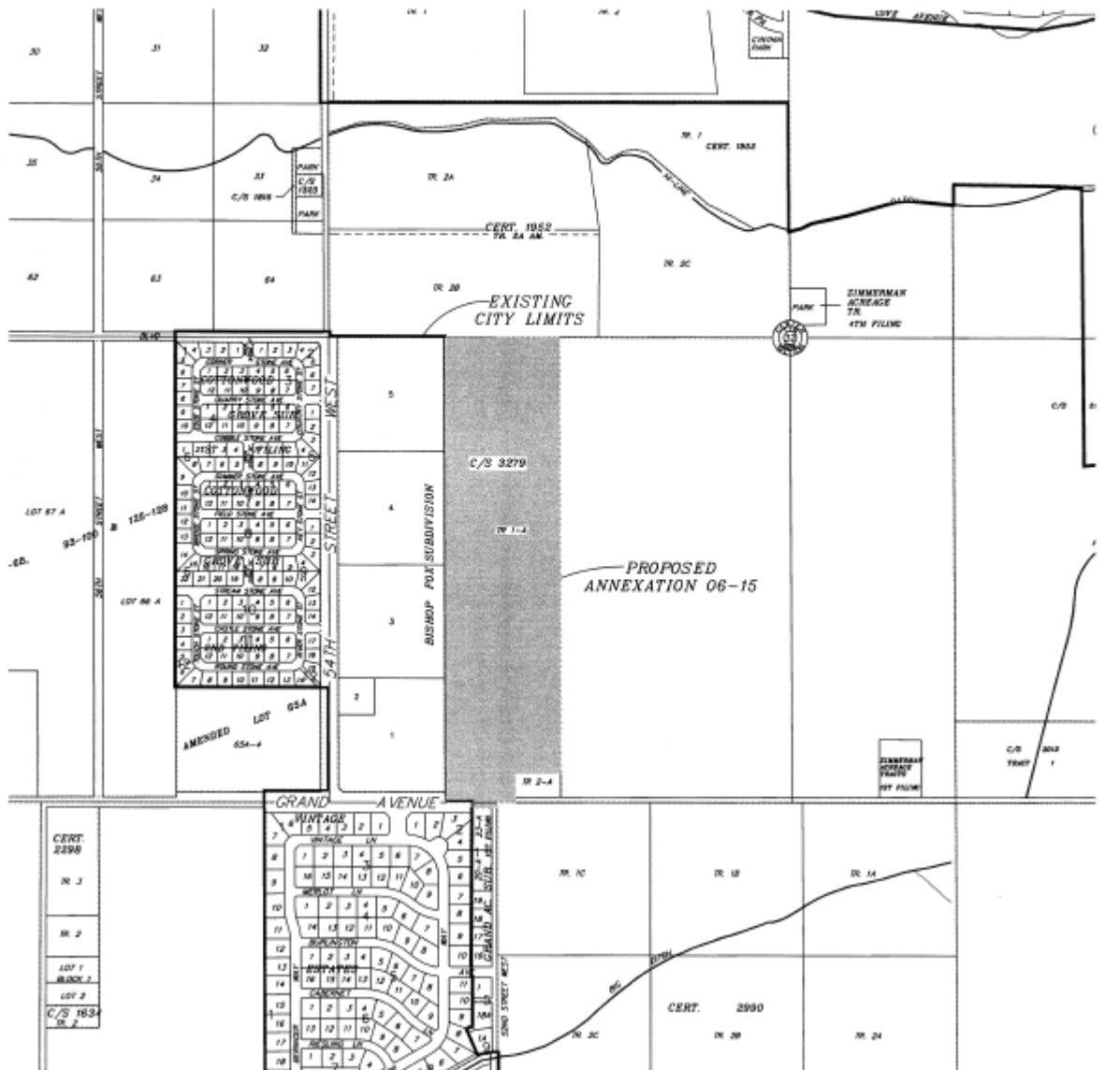
THE CITY OF BILLINGS:

Ron Tussing, MAYOR

ATTEST:

BY:_____
Marita Herold, CITY CLERK

EXHIBIT A



[\(Back to Regular Agenda\)](#)

AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: SID 1375 Claremont Road Public Hearing and Resolution Creating District

DEPARTMENT: Public Works/Engineering

PRESENTED BY: David D. Mumford, PE, Public Works Director

PROBLEM/ISSUE STATEMENT: Jeff Engel Construction, Inc., owner of 13 of the 17 lots proposed in the SID district boundary, has the desire to construct public improvements on Claremont Road between Lake Hills Drive and Gleneagles Boulevard. These improvements generally consist of water, sanitary sewer, storm drain, curb and gutter, and street improvements to Claremont Road as shown on the attached exhibit. The protest period for SID 1375 will end on December 15th. The protest count will be announced at the Council Meeting.

ALTERNATIVES ANALYZED:

1. After holding a public hearing, approve Resolution Creating SID 1375; or
2. After holding a public hearing do not approve the Resolution Creating SID 1375.

FINANCIAL IMPACT: The total estimated costs of the Improvements are \$424,476.45. The costs of the Improvements are to be paid from the following sources: (1) \$110,000.00 of Special Improvement District bonds to be assessed to 4 properties with equal assessments; and (2) \$314,476.45 of cash contribution by Jeff Engel Construction, Inc., owner of 13 of the 17 lots in the District.

RECOMMENDATION

Staff recommends that Council approve the Resolution Creating SID 1375.

Approved By: City Administrator ____ City Attorney ____

INTRODUCTION

Jeff Engel Construction, Inc., owner of 13 of the 17 lots within the proposed boundary of the SID, has a desire to develop lots on Claremont Road. In order to develop these lots, all the necessary street improvements need to be constructed on Claremont Road. These improvements generally consist of water, sanitary sewer, storm drain, curb and gutter, and street improvements. To complete the project, it is necessary to create a Special Improvement District.

PROCEDURAL HISTORY

- November 27, 2006 – Resolution of Intent to Create SID 1375.
- December 18, 2006 – Public Hearing and Resolution Creating SID 1375.
- Spring 2007 – Professional Services Contract Award, Resolution Authorizing for Construction Bids and Construction Contract Award. (Proposed Schedule)

BACKGROUND

The boundary of this proposed special improvement district is as indicated on the attached map. The public improvements contemplated under the terms of this project include water, sanitary sewer, storm drain, curb and gutter, street improvements to Claremont Road. Jeff Engel Construction, Inc., owner of 13 of the 17 lots in the District will pay a cash contribution to the project. The total cash contribution is equal to \$314,476.45 and represents 74 percent of the construction and administrative costs of the Improvements. This condition is necessary to satisfy the City's Special Improvement District Policy regarding raw land subdivision.

If approved, it is anticipated that construction of SID 1375 will begin in the spring of 2007 and be completed by the summer of 2007.

RECOMMENDATION

Staff recommends that Council approve the Resolution Creating SID 1375.

ATTACHMENTS

- A. Boundary of Proposed Special Improvement District (1 page)
- B. SID 1375 Claremont Road Resolution Creating District

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. 06-_____, entitled: "RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1375; CREATING THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND AND ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on **December 18, 2006**, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Councilmembers voted in favor thereof: _____

_____; voted against the same: _____

_____; abstained from voting thereon: _____

_____; or were absent: _____

_____.

WITNESS my hand officially this _____ day of _____.

Marita Herold, MMC

CITY CLERK

RESOLUTION NO. 06-_____

RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. **1375**; CREATING THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND AND ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE.

BE IT RESOLVED by the City Council of the City of Billings (the "City"), Montana, as follows:

Section 1. Passage of Resolution of Intention. This Council, on **November 27, 2006**, adopted Resolution No. **18510** (the "Resolution of Intention"), pursuant to which this Council declared its intention to create a special improvement district, designated as Special Improvement District No. **1375** of the City, under Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, for the purpose of financing the costs of certain local improvements described generally therein (the "Improvements") and paying costs incidental thereto, including costs associated with the sale and the security of special improvement district bonds drawn on the District (the "Bonds"), the creating and administration of the District, the funding of a deposit to the City's Special Improvement District Revolving Fund (the "Revolving Fund").

Section 2. Notice and Public Hearing. Notice of passage of the Resolution of Intention was duly published and mailed in all respects in accordance with the law, and on **December 18, 2006**, this Council conducted a public hearing on the creation or extension of the District and the making of the Improvements. The meeting of this Council at which this resolution was adopted is the first regular meeting of the Council following the expiration of the period ended 15 days after the first date of publication of the notice of passage of the Resolution of Intention (the "Protest Period").

Section 3. Protests. Within the Protest Period, _____ protest was filed with the City Clerk and not withdrawn by the owners of property in the District subject to assessment for 100% of the total costs of the Improvements or representing 100% of the area of the District to be assessed for the cost of the Improvements. **The protest represents _____% of the assessed cost.**

Section 4. Creation of the District; Insufficiency of Protests. The District is hereby created on the terms and conditions set forth in, and otherwise in accordance with, the Resolution of Intention. The protests against the creation or extension of the District or the making of the Improvements filed during the Protest Period, if any, are hereby found to be insufficient. The findings and determinations made in the Resolution of Intention are hereby ratified and confirmed.

Section 5. Reimbursement Expenditures.

5.01. **Regulations.** The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the "Regulations") require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the "small issuer" exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in

service or abandoned, but (unless the issue qualifies for the "small issuer" exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

5.02. Prior Expenditures. Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2 (j) (2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2 (f) (2) of the Regulations, or (iv) expenditures in a "de minimus" amount (as defined in Section 1.150-2 (f) (1) of the Regulations), no expenditures for the Improvements have been paid by the City before the date 60 days before the date of adoption of this resolution.

5.03. Declaration of Intent. The City reasonably expects to reimburse the expenditures made for costs for the Improvements out of the proceeds of Bonds in an estimated maximum aggregate principal amount of **\$110,000** after the date of payment of all or a portion of the costs of the Improvements. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds or other expenditures eligible for reimbursement under Section 1.150-2 (d) (3) of the Regulations.

5.04. Budgetary Matters. As of the date hereof, there are not City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Improvements, other than pursuant to the issuance of the Bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

5.05. Reimbursement Allocations. The City's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Improvements. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds or the Improvements and shall specifically identify the actual original expenditure being reimbursed.

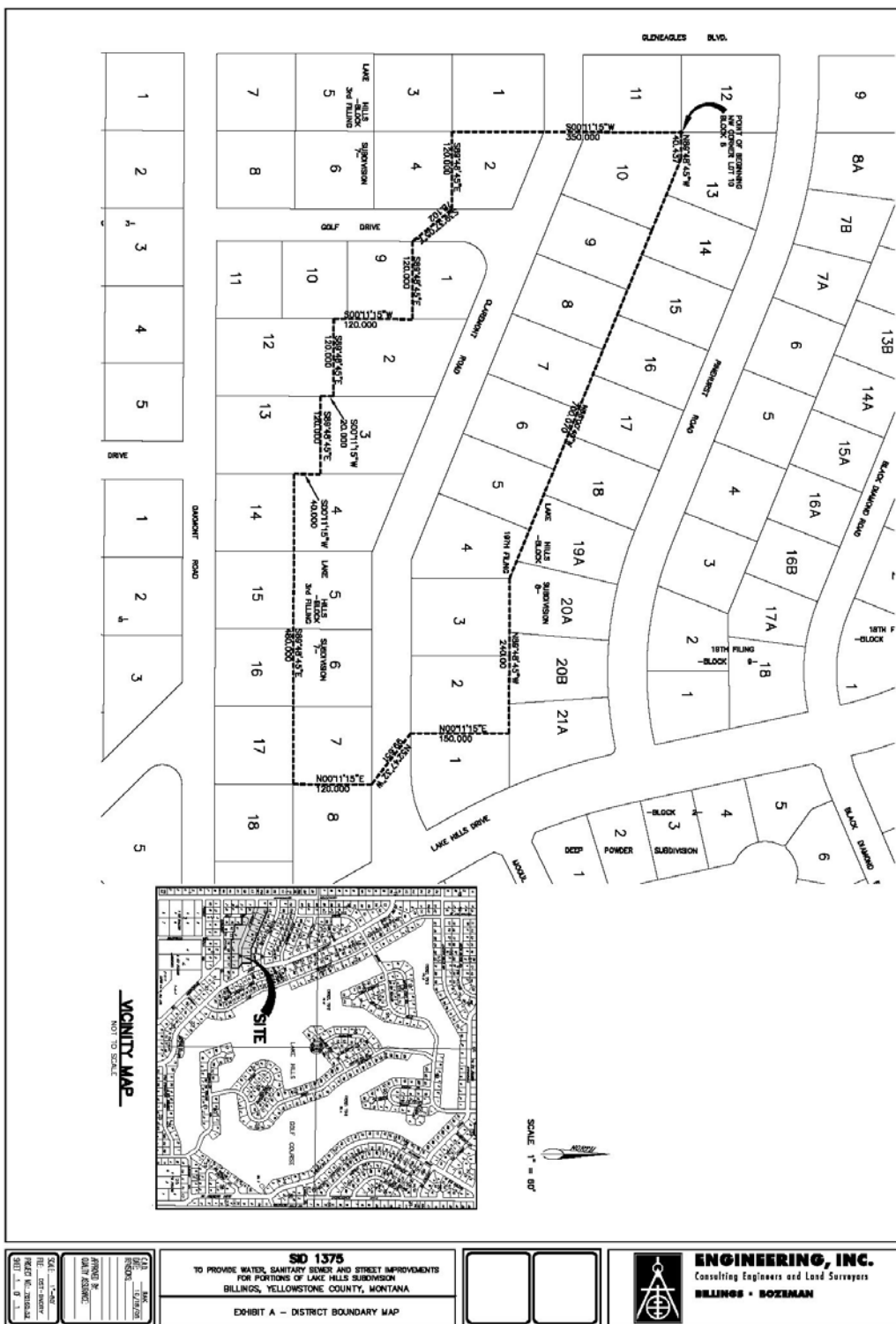
PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this **18th** Day of December, 2006.

THE CITY OF BILLINGS:

BY _____
Ron Tussing MAYOR

ATTEST:

BY _____
Marita Herold, MMC CITY CLERK



AGENDA ITEM:

**CITY COUNCIL AGENDA ITEM**

CITY OF BILLINGS, MONTANA

Monday, December 18, 2006

TITLE: Approval of 2007 Federal Legislative Program

DEPARTMENT: City Administrator's Office

PRESENTED BY: Tina Volek, City Administrator

PROBLEM/ISSUE STATEMENT: The City Council is being asked to approve the 2007 Federal Funding Project Requests that were reviewed at a Dec. 4, 2006, work session. The approved items will be put into the same package as in previous years and the U.S. Congressional delegation from Montana will be asked to sponsor the various requests.

ALTERNATIVES ANALYZED:

- Approve the requests as presented.
- Modify the requests.
- Do not approve the proclamation.

FINANCIAL IMPACT: If funded, the requests could result in significant programs or equipment being paid for in Billings by Federal appropriation.

RECOMMENDATION

Approve the requests as presented.

ATTACHMENTS

A: Federal Funding Projects Requests

Approved By: City Administrator ____ City Attorney ____

12/07/06--**4TH DRAFT**

NOTE: THESE PROJECTS ARE NOT PRIORITIZED ON PURPOSE TO PROVIDE FLEXIBILITY TO CONGRESSIONAL STAFF.

FEDERAL FUNDING PROJECTS REQUESTS

PROJECT TITLE	SCOPE	REQUEST ESTIMATE	PROJECT PROPOSED BY
Cobb Field Renovations	Funding continues to be sought to renovate this important community asset. The voters approved funding for this project in November. The requested funds will serve to reduce the size of the bonding.	\$1,500,000 over 3 years	City Council
Naval Reserve Center Environmental Remediation and Demolition.	These city-owned facilities, originally built and occupied by the Dept. of the Navy, have significant environmental problems. Funding is being sought to deal with these issues.	\$700,000	Finance and Administrative Services
Rimrock Road Improvements from: A) 17th Street W to Rehberg Rd. B) Rehberg Rd. to Shiloh	This major east/west arterial connection has been reconstructed from 27th to 17th Street West. This will complete the upgrade of the last 2.5 miles of Rimrock Road.	A) \$5,000,000 B) \$4,000,000	Public Works Department
Water Treatment Plant Backup Power	This will provide for a series of 4–5 large portable generators to provide emergency power to critical water facilities and place Billings in compliance with Federally mandated water system vulnerability standards.	\$750,000	Public Works Department

FEDERAL FUNDING PROJECTS REQUESTS			
PROJECT TITLE	SCOPE	REQUEST ESTIMATE	PROJECT CONTACT
Railroad Project	Funds a long-range planning project to relocate the railroad's mainline out of downtown Billings.	\$300,000	City Council
Crime Scene Investigation Vehicle	A public safety vehicle and the necessary equipment to make it functional would be purchased to serve as a mobile lab and office for public safety staff. It will replace a 1981 vehicle that is undersized and worn out. It would be used on site at serious crimes and accidents.	\$250,000	Police Department
Digital Video Cameras	This project will purchase digital in-car video equipment in 70 patrol cars. This will be a significant improvement over inadequate VHS equipment presently used. It will assist the Department in prosecuting crimes and will enhance officer safety and increase officer accountability.	\$465,000	Police Department
Airport Taxiway Pavement Rehabilitation and Storm Drainage Improvements	This involves the replacement of the last section of pavement in the critical aircraft movement area on the airfield, and the necessary upgrade of the storm water surface drainage area.	\$2,200,000	Aviation and Transit Department
Transit Bus Wash Facility Rehabilitation	This is the replacement of the 1983 equipment that has outlived its useful life. This facility serves a fleet of 40 vehicles, thousands of times each year.	\$250,000	Aviation and Transit Department

FEDERAL FUNDING PROJECTS REQUESTS			
PROJECT TITLE	SCOPE	REQUEST ESTIMATE	PROJECT CONTACT
Transit Mobile Data Terminals and GPS/AVL Equipment	This purchase of mobile data terminals is for the Paratransit and fixed route coaches. It allows operators to change scheduled rides/requests, monitor progress of the on route coaches, and alerts dispatchers to alterations in schedule times, thereby enhancing operational efficiency and safety.	\$250,000	Aviation and Transit Department
West Billings Flood Mitigation and Groundwater Recharge Plan	This study would prepare a comprehensive mitigation plan that identifies solutions for both flooding potential and groundwater recharge needs. It would include engineering designs, but not construction plans.	\$350,000	Planning
"Housing First Project" (Homes for the homeless)	Funding is being sought to augment a "food stamp bonus program grant" to construct a "housing first" project in Billings. This would be a demonstration project for other Montana communities.	\$400,000	Planning
Support for MSU Billings-COT Library project	MSU Billings is going to pursue appropriations for the joint library project for the College Of Technology Campus. The City's role again would be to support their request.	_____	Library and City Administration
West Wicks Lane Sewer/Water Infrastructure Improvements	This funding is being requested by Harvest Community Foundation, for improvements to accommodate property owners, including the City, in the 1200 block of West Wicks Lane. The money	\$250,000	City Council

	would be used to extend 1,170 linear feet each of 8-inch sanitary sewer main and 12-inch water main; 660 linear feet of storm drain; and associated valves and manholes.		
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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2006

TITLE: Downtown Billings Partnership 2006/07 Budget Amendments and Public Hearing

DEPARTMENT: City Administrator's Office

PRESENTED BY: Tina Volek, City Administrator

PROBLEM/ISSUE STATEMENT: The Downtown Billings Partnership (DBP) is requesting the transfer of \$110,000 from undesignated fund balance to urban design projects to cover up to \$25,000 for site appraisal work for the Met Transfer Center; \$35,000 for sidewalk concrete replacement for the Wayfinding Signage Project; and \$50,000 for major streetscape work on public right-of-way at N. 27th St. and 2nd Avenue North to match more than \$200,000 worth of private investment.

ALTERNATIVES ANALYZED:

- Approve the transfer;
- Modify the transfer; or
- Do not approve the transfer.

FINANCIAL IMPACT: There are sufficient funds in the unreserved and undesignated fund balances to cover the transfer. The transfer would pay for appraisals for a possible re-orientation of the transfer center; cover part of the cost over-run due to concrete on the bids for the Wayfinding project; and encourage private investment in downtown streetscaping.

RECOMMENDATION

Hold a public hearing and approve the budget amendment.

Approved By: City Administrator ____ City Attorney ____

ATTACHMENTS

- A:** DBP Memorandum
- B:** Resolution

RESOLUTION 06-

A RESOLUTION TO MAKE **FISCAL YEAR 2007**
ADJUSTMENTS APPROPRIATIONS PURSUANT TO M.C.A. 7-
6-4006 AS AMENDED, AND PROVIDING TRANSFERS AND
REVISIONS WITHIN THE GENERAL CLASS OF SALARIES
AND WAGES, MAINTENANCE AND SUPPORT AND
CAPITAL OUTLAY.

WHEREAS, M.C.A. 7-6-4006 provides that the City Council, upon proper resolution, adopted by said Council at a regular meeting and entered into its Minutes, may transfer or revise appropriations within the general class of salaries and wages, maintenance and support, and capital outlay, and

WHEREAS, based upon additional expenditures required, it is necessary to alter and change said appropriations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

That the attached transfers or revisions are hereby adopted.
(SEE EXHIBIT)

PASSED AND APPROVED by the City Council, this 18th day of December, 2006.

THE CITY OF BILLINGS:

BY: _____
Ron Tussing, MAYOR

ATTEST:

BY: _____
Marita Herold, MMC CITY CLERK

EXHIBIT A

BUDGET ADJUSTMENT

	<u>Revenue</u>	<u>Expenditure</u>
202 Tax Increment Fund		\$110,000

To establish budget for \$110,000 from undesignated fund balance to urban design projects to cover estimated costs of \$25,000 for site appraisal work for the Met Transfer Center; \$35,000 for sidewalk concrete replacement for the Wayfinding Signage Project; and \$50,000 for major streetscape work on public right-of-way at N. 27th St. and 2nd Avenue North to match more than \$200,000 worth of private investment.

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AGENDA ITEM:



CITY COUNCIL AGENDA ITEM
CITY OF BILLINGS, MONTANA
Monday, December 18, 2005

TITLE: Exchange City Golf Corporation 2007 Annual Budget

DEPARTMENT: Parks, Recreation and Public Lands

PRESENTED BY: Mike Whitaker, Parks, Recreation and Public Lands Director

PROBLEM/ISSUE STATEMENT: Every year the Exchange City Golf Corporation (ECGC) is required to submit an annual budget to the City Council for approval in December or around the 1st of the year. The proposed budget for the 2007 operating year is being submitted by the ECGC Board of Directors for consideration for approval. The annual distribution of net profit is declared by the ECGC Board of Directors based on: 1st meeting the expenses of the operation; 2nd paying for debt retirement; 3rd providing reserves for the operational expenses; 4th to provide a reserve for the proposed capital expenditures included in the proposed budget; and, 5th providing the net profit distribution to the City and the Downtown Exchange Club on a 2/3-1/3 basis, respectively, as outlined in the operating contract between the City of Billings and the ECGC Corporation. The 2007 proposed budget was reviewed at the November 6th, 2006, City Council Work Session and was reviewed by the Billings Parks, Recreation, and Cemetery Advisory Board on December 13th, 2006. The PRC Board reviewed the proposed budget at the Parks, Recreation, and Cemetery Board meeting December 13, 2006, recommends the ECGC budget for 2007 be adopted as presented.

ALTERNATIVES ANALYZED: Staff has analyzed the following alternatives.

1. Approve the ECGC 2007 annual budget. (recommended)
2. Approve the proposed budget with requested changes.

FINANCIAL IMPACT: The 2006 net cash proceeds are projected at \$106,737. The 2007 net cash proceeds are projected to be \$121,538. The proposed budget does not include any increases in Daily Fees. It is proposed to increase the fee for the Driving Range by \$0.50 per bucket of balls, and increase the Golf Cart rental charge by 5% and the increase in revenues from these changes is estimated to be \$9,198 for the 2007 operating year. The proposed budget includes capital expenditures of \$32,987 for equipment replacement and course improvements which would come out of the net cash proceeds. Also to come out the net cash proceeds will be the debt retirement for the new clubhouse construction loan of \$18,000.

RECOMMENDATION

Staff recommends that Council approve the 2007 Exchange City Golf Course budget as presented.

Approved By: **City Administrator** ____ **City Attorney** ____

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