



City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Gibson Room ~~Commission Chambers~~, Civic Center
July 07, 2020
7:00 PM
REVISED

City Commission members and City staff will attend the meeting via remote location, using a virtual meeting method.

UPDATES CONCERNING PROCESS OF MEETINGS

Due to the COVID-19 health concerns, the format of the City Commission meeting may be modified to accommodate Commission member attendance in person, via a remote location/virtual meeting method, or to appear telephonically. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation. Public participation is welcome in the following ways:

- Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the ~~Commission Chambers~~ **Gibson Room** according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 5:00 PM on Tuesday, July 7, 2020, to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.
- Call-in. The public may call in during specific public comment periods at [406-761-4786](tel:406-761-4786). All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. We ask for your patience in the event there are technical difficulties.
- The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The Public may view and listen to the meeting on government access channel City-190, cable channel 190; or online at <https://greatfallsmt.net/livestream>. Public comment will be taken during the meeting as indicated on the agenda with an asterisk.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

PETITIONS AND COMMUNICATIONS/NEIGHBORHOOD COUNCILS/BOARDS AND COMMISSIONS

(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 3 minutes. When at the podium, state your name and address for the record.)

1. Miscellaneous reports and announcements.

* Members of the public participating telephonically, please follow along with the City Commission meeting at <https://greatfallsmt.net/livestream> or on cable channel 190. The Mayor will announce Agenda Item 1. At that time call 406-761-4786. You will be placed in a queue until the City Clerk or Mayor calls on you to speak, at which time your line will be unmuted and you will be able to address the City Commission for up to three minutes, first giving your name and address for the record. You will be able to hear the meeting through the phone, so you should continue to follow along online or on your television. When it is your turn to speak, please mute your online or television audio to avoid time-delayed background noise/feedback through the phone, and do not use speakerphone when commenting.

2. Reappointment to the Tourism Business Improvement District Board.

* Members of the public participating telephonically, please follow along with the City Commission meeting at <https://greatfallsmt.net/livestream> or on cable channel 190. After the motion is presented the Mayor will ask if there are any comments from the public pertaining to the agenda item 2. At that time call 406-761-4786. You will be placed in a queue until the City Clerk or Mayor calls on you to speak, at which time your line will be unmuted and you will be able to address the City Commission for up to five minutes, first giving your name and address for the record. You will be able to hear the meeting through the phone, so you should continue to follow along online or on your television. When it is your turn to speak, please mute your online or television audio to avoid time-delayed background noise/feedback through the phone, and do not use speakerphone when commenting.

3. Appointment to the Business Improvement District Board of Trustees.

* Members of the public participating telephonically, please follow along with the City Commission meeting at <https://greatfallsmt.net/livestream> or on cable channel 190. After the motion is presented the Mayor will ask if there are any comments from the public pertaining to the agenda item 3. At that time call 406-761-4786. You will be placed in a queue until the City Clerk or Mayor calls on you to speak, at which time your line will be unmuted and you will be able to address the City Commission for up to five minutes, first giving your name and address for the record. You will be able to hear the meeting through the phone, so you should continue to follow along online or on your television. When it is your turn to speak, please mute your online or television audio to avoid time-delayed background noise/feedback through the phone, and do not use speakerphone when commenting.

4. Appointment to the Library Board.

* Members of the public participating telephonically, please follow along with the City Commission meeting at <https://greatfallsmt.net/livestream> or on cable channel 190. After the motion is presented the Mayor will ask if there are any comments from the public pertaining to the agenda item 4. At that time call 406-761-4786. You will be placed in a queue until the City Clerk or Mayor calls on you to speak, at which time your line will be unmuted and you will be able to address the City Commission for up to five minutes, first giving your name and address for the record. You will be able to hear the meeting through the phone, so you should continue to follow along online or on your television. When it is your turn to speak, please mute your online or television audio to avoid time-delayed background noise/feedback through the phone, and do not use speakerphone when commenting.

5. Appointments to the Police Commission.

* Members of the public participating telephonically, please follow along with the City Commission meeting at <https://greatfallsmt.net/livestream> or on cable channel 190. After the motion is presented the Mayor will ask if there are any comments from the public pertaining to the agenda item 5. At that time call 406-761-4786. You will be placed in a queue until the City Clerk or Mayor calls on you to speak, at which time your line will be unmuted and you will be able to address the City Commission for up to five minutes, first giving your name and address for the record. You will be able to hear the meeting through the phone, so you should continue to follow along online or

on your television. When it is your turn to speak, please mute your online or television audio to avoid time-delayed background noise/feedback through the phone, and do not use speakerphone when commenting.

CITY MANAGER

6. Miscellaneous reports and announcements from City Manager.

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.

7. Minutes, June 16, 2020, City Commission Meeting.
8. Total Expenditures of \$3,933,607 for the period of June 2, 2020 through June 24, 2020, to include claims over \$5000, in the amount of \$3,512,017.
9. Contracts List.
10. Approve the 2020-2021 School Resource Officer (SRO) Agreement between the City of Great Falls and the Great Falls Public Schools District.
11. Approve Change Order No. 1 in the amount of \$20,400 and approve a final payment for the 2019 CDBG ADA Handicap Ramps and Sidewalk in the amount of \$5,634.88 to David Kuglin Construction and \$56.92 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.
12. Approve Change Order No. 1 in the amount of \$58,605 to Missouri River Trucking and Excavation, Inc. (MRTE) for the Gibson Park and Elks Park Trail Restoration project and authorize the City Manager to execute the document.
13. Approve the agreement with OpWorks for reporting software to enhance the recent Ignition upgrade of the Water Plant's Supervisory Control and Data Acquisition (SCADA) program.
14. Approve a Professional Services Agreement in the amount of \$125,326 to Morrison-Maierle, Inc. for the America's Water Infrastructure Act Risk and Resilience Assessment and Emergency Response Plan, and authorize the City Manager to execute the agreement.
15. Approve a final payment for the Gore Hill Water Tower Replacement, to Landmark Structures I, L.P. in the amount of \$50,559.32 and \$510.70 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.
16. Set the Annual Budget Hearing on Resolution 10350, Annual Budget Resolution for July 21, 2020.
17. Set a public hearing for Resolution 10354 to levy and assess the Street Maintenance District for August 4, 2020.
18. Set a public hearing for Resolution 10355 to levy and assess the General Boulevard Maintenance District No. 3570 for August 4, 2020.

19. Set a public hearing for Resolution 10356 to levy and assess the Portage Meadows Maintenance District No. 1195 for August 4, 2020.
20. Set a public hearing for Resolution 10357 to levy and assess properties within Special Improvement Lighting Districts for August 4, 2020.
21. Set a public hearing for Resolution 10358 to levy and assess Great Falls Park District No. 1 for August 4, 2020.
22. Set a public hearing for Tourism Business Improvement District (TBID) 2020/2021 Budget and Work Plan for July 21, 2020.

Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote by any Commission member.

* Members of the public participating telephonically, please follow along with the City Commission meeting at <https://greatfallsmt.net/livestream> or on cable channel 190. After the motion is presented the Mayor will ask if there are any comments from the public pertaining to the consent agenda items 7-22. At this time call 406-761-4786. You will be placed in a queue until the City Clerk or Mayor calls on you to speak, at which time your line will be unmuted and you will be able to address the City Commission for up to five minutes, first giving your name and address for the record. You will be able to hear the meeting through the phone, so you should continue to follow along online or on your television. When it is your turn to speak, please mute your online or television audio to avoid time-delayed background noise/feedback through the phone, and do not use speakerphone when commenting.

PUBLIC HEARINGS

23. Proposed Amendments to the 2019/2020 Annual Action Plan and Citizen Participation Plan.
Action: Conduct a public hearing and approve or deny the Annual Action Plan and the Citizen Participation Plan. (Presented by Craig Raymond)

* Members of the public participating telephonically, please follow along with the City Commission meeting at <https://greatfallsmt.net/livestream> or on cable channel 190. After the staff presentation and motion is presented the Mayor will ask if there are any comments from the public pertaining to the agenda item 23. At this time call 406-761-4786. You will be placed in a queue until the City Clerk or Mayor calls on you to speak, at which time your line will be unmuted and you will be able to address the City Commission for up to five minutes, first giving your name and address for the record. You will be able to hear the meeting through the phone, so you should continue to follow along online or on your television. When it is your turn to speak, please mute your online or television audio to avoid time-delayed background noise/feedback through the phone, and do not use speakerphone when commenting.

OLD BUSINESS

NEW BUSINESS

ORDINANCES / RESOLUTIONS

24. Resolution No. 10359, Amending Resolution 10322, Rule 10.1 of the City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings. *Action: Adopt or deny Res. 10359. (Presented by Sara Sexe)*

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follow along online or on your television. When it is your turn to speak, please mute your online or television audio to avoid time-delayed background noise/feedback through the phone, and do not use speakerphone when commenting.

CITY COMMISSION

25. Miscellaneous reports and announcements from the City Commission.

ADJOURNMENT

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

Assistive listening devices are available for the hard of hearing, please arrive a few minutes early for set up, or contact the City Clerk's Office in advance at 455-8451. Wi-Fi is available during the meetings for viewing of the online meeting documents.

Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.



Item: Reappointment to the Tourism Business Improvement District Board
From: City Manager's Office
Initiated By: City Commission
Presented By: City Commission
Action Requested: Reappoint two members to the Tourism Business Improvement District Board of Trustees

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (reappoint/not reappoint) Laurie Price and Becky Amaral-Miller to the Tourism Business Improvement District Board of Trustees for four-year terms through June 30, 2024.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

TBID Recommendation: Executive Director Rebecca Engum recommended that the City Commission reappoint Laurie Price and Becky Amaral-Miller to the Tourism Business Improvement District Board of Trustees for four-year terms through June 30, 2024.

Summary: Laurie Price was appointed to the TBID Board in November of 2014 and served a partial term followed by a full four-year term through June 30, 2020. She is eligible and interested for an additional four-year term. Becky Amaral-Miller was appointed to the Board in July 2012 serving two four-year terms.

The Board Liaison, Rebecca Engum sent out letters to all property owners within the TBID district seeking interested candidates. She also sent emails and made phone calls to encourage applications. No new applications were received for these positions.

Since no other applications were received, Ms. Engum is recommending reappointment of Ms. Price and in accordance to Resolution 10235, Section 1b reappoint Ms. Amaral-Miller.

Excerpt from Resolution 10235:

1. Except as provided below, or as otherwise specified by ordinance or other resolution adopted by the City Commission, the maximum uninterrupted length of service on any single

board or commission shall be two consecutive terms, exclusive of the time served on any unexpired term, for each person appointed by the City Commission.

The following boards and commissions are excepted from this requirement, in the following particulars:

- b) Business Improvement Districts: district boards established to govern the affairs of a business improvement district may recommend to the City Commission appointments pursuant to any by-laws adopted by the recommending district. Subject to the provisions of Section 5 below, if a district board can demonstrate that its active efforts to recruit qualified and eligible new applicants to replace a board member who has served two consecutive terms have been unsuccessful, the City Commission will consider waiving the term limit for no more than one additional term.

Background:

Purpose

The Tourism Business Improvement District (TBID) was established by Resolution 9792 on December 2, 2008 and recreated by Resolution 10222 on February 6, 2018 for an additional ten years. Its overall purpose is to utilize tax dollars through the TBID assessment and direct those monies to be used for the purpose of promoting tourism, conventions, trade shows, and travel to the City of Great Falls. Trustees must be an owner of property within the TBID or their assignee.

Continuing members of this board are:

Robert Dompier	7/19/16 – 6/30/23
Sandra Johnson-Thares	8/21/18 – 6/30/23
Scott Schull	5/3/11 – 6/30/22
David Buckingham	10/17/17 – 6/30/21
Peggy Ohare-Becker	2/4/20 – 6/30/21

Members seeking reappointment are:

Laurie Price-Manning	10/18/14 – 6/30/20
Becky Amaral-Miller	7/3/12 – 6/30/20

Alternatives:

Seek alternative applications.

Attachments:

Recommendation Letter
Applications



29 May 2020

Great Falls Mayor and Great Falls City Commissioners
City of Great Falls Montana
P O Box 5021
Great Falls MT 59403

Mayor and Commissioners:

The Great Falls Montana Tourism Business Improvement District (TBID) Board of Trustees would like to recommend that Laurie Price and Becky Amaral-Miller be appointed as trustee to the Great Falls Montana Tourism Business Improvement District for the term of 7-1-2020 to 6-30-2024.

Laurie Price is the Owner of the Hilton Garden Inn and Becky Amaral-Miller is the General Manager of the Staybridge Suites. These two Trustees were selected as they are:

1. Owners of land within the geographic area of the TBID or represent a land owner
2. Committed to the well-being of the TBID
3. Respected citizen and leader
4. Able to work effectively as part of a group
5. Competent in an area of value to achieve objectives of the TBID
6. Able to maintain a commitment for the term of appointment
7. Balances board in terms of representation of large, medium and small hotel properties

A request was made to all lodging properties to apply for the openings. There were no other candidates to consider as Ms. Price and Ms. Amaral-Miller were the sole applicants interested in serving a four-year term. Great Falls Montana Tourism mailed letters, sent an email, and made phone calls to encourage applications. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca Engum".

Rebecca Engum
Executive Director



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

RECEIVED
MAY - 4 2020
CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: TBID		Date of Application: 5/1/2020
Name: Becky Amaral-Miller		
Home Address: 120 20th St Sw		Email address: becky@staybridgegreatfalls.com
Home Phone:	Work Phone:	Cell Phone: 406-870-3342
Occupation: General Manager		Employer: Staybridge Suites- Great Falls
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: I have been involved with the TBID for many years, as well as in hospitality for 20 + years. I truly have enjoyed my time with the group and feel Tourism efforts are very important to our community		
Educational Background: C M R Highschool, MSU college of Technology , Ecornell		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: TBID, Great Falls Area Lodging Association, MCQMA, GF Figure Skating Club		
Previous and current public experience (elective or appointive): TBID, Chamber, GF Area Lodging Association, MCQMA		
Membership in other community organizations: TBID, GF Area Lodging Association, MCQMA		

Have you ever worked for or are you currently working for the City of Great Falls? Yes No If yes, where and when?

Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes No If yes, who, which department, and relationship?

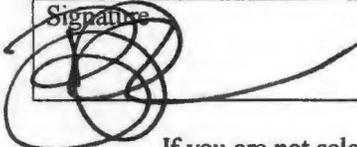
Have you ever served on a City or County board? Yes No If yes, what board and when did you serve?
TBID

Are you currently serving on a Board? Yes No If yes, which board?
TBID

Please describe your interest in serving on this board/commission?
I would like to continue on this board for many reasons. I enjoy being on this board, and have learned a lot from the board and even more about great falls. I have completed the city's board training as well.

Please describe your experience and/or background which you believe qualifies you for service on this board/commission?
I have been in great falls all my life, and all of my adult life I have been in the tourism industry. I was a member of the Lodging Association when we were in the begining processes of putting the TBID together. We have come so far since the first conversation of putting this together. While I may be the quiet one I do support the goal of this goup, and keeping Great Falls as a destination for tourism.

Additional comments:

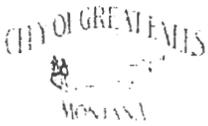
Signature:  Date: 5/4/2020

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

Return this form to:
City Manager's Office
P.O. Box 5021
Great Falls, MT 59403

Fax:
(406) 727-0005

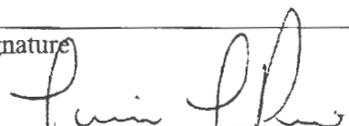
Email:
kartis@greatfallsmt.net



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: TBID Great Falls Tourism Business Improvement		Date of Application: 5-28-2020
Name: Laurie Price		
Home Address: 6 Prospect Drive Great Falls, MT		Email address: Price.l@icloud.com
Home Phone: 406 868-9844	Work Phone: 406-452-1000	Cell Phone: 406-868-9844
Occupation: Hotel Owner Operator		Employer: Great Falls Hilton Garden Inn
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: Hampton Inn owner, HGI owner operator Current TBID Board Member		
Educational Background: Great Falls High ONline Courses		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: CVB Board member TBID Board member		
Previous and current public experience (elective or appointive): TBID Board member CVB Marketing Co-Chair		
Membership in other community organizations: Great Falls Chamber Member CVB member member Great Falls Lodging member		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, what board and when did you serve? TBID Board Only	
Are you currently serving on a Board? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, which board? TBID.	
Please describe your interest in serving on this board/commission? <ul style="list-style-type: none"> • TO Increase visitors to Great Falls, MT. • Increase over night stays in G.F. • Increase Revenue throughout the Community 	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I have Been Dedicated to Increasing Revenue to the Great Falls Area For over 30 years	
Additional comments:	
Signature 	Date: 5-28-2020.

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

Return this form to:
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P.O. Box 5021
Great Falls, MT 59403

Fax:
(406) 727-0005

Email:
kartis@greatfallsmt.net



Item: Appointment to the Business Improvement District Board of Trustees
From: City Manager's Office
Initiated By: City Commission
Presented By: City Commission
Action Requested: Appoint one member to the Business Improvement District Board of Trustees to fill a four-year term through June 30, 2024.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission appoint _____ to the Business Improvement District Board of Trustees to a four-year term expiring June 30, 2024.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

BID Board Recommendation: It is recommended that the City Commission appoint Sherrie Arey to the Business Improvement District Board of Trustees to a four-year term beginning July 7, 2020 and expiring June 30, 2024. At their meeting on June 11, 2020, the BID Board recommended appointment of Sherrie Arey.

Summary of Board Vacancies: Travis Neil was appointed to the BID Board in 2012 and has served 2 full terms, thus not eligible for reappointment. Sheri Dolan recently accepted a job that is not located within the BID district so she is not eligible to remain on the Board and on June 9, 2020 Matthias Schalper resigned from the board.

Advertising for citizen interest began in April 2020 for several vacancies and was advertised on the City Website and with the local media through a press release. Ms. Arey submitted an application. Staff will continue to advertise until all vacancies are filled.

Background:

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

During past meetings the Board discussed the need for Board members with the following backgrounds:

- Developer/construction experience
- Finance experience
- Social media/marketing experience

Continuing members of this board are:

Alison Fried	2/7/2017 – 6/30/2021
Jason Kunz	7/1/2019 – 6/30/2023
Max Grebe	8/16/2016 – 6/30/2024
Trista Besich	6/3/2020 – 6/30/2024

Members leaving the board are:

Travis Neil	12/18/2012 – 6/30/2020
Sheri Dolan	7/1/2019 – 6/30/2023
Matthias Schalper	7/1/2019 – 6/30/2023

Citizen interested in serving on the board is:

Sherrie Arey

Alternatives: The City Commission could choose not to appoint Ms. Arey and request staff to continue advertising for all positions.

Attachments/Exhibits:

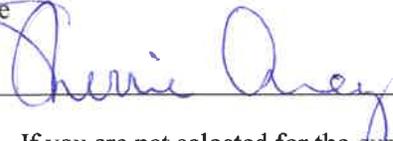
Application



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Business Improvement District Board		Date of Application: May 18, 2020
Name: Sherrie Arey		
Home Address: 2700 3rd Ave North		Email address: sarey@nwgf.org
Home Phone:	Work Phone: 406-216-3512	Cell Phone: 479-979-2326
Occupation: Executive Director		Employer: NeighborWorks Great Falls
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: I have 20+ years of experience in Community and Leadership Development. I have been a project team member for major construction projects and served on the University of Providence Master Facility Planning Committee. While with NWGF I have been apart of HOME and CDBG grants and served on the project team for Rockcross Commons.		
Educational Background: Bachelors of Science in History and Political Science and a Master of Science in Counseling		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: Leadership Great Falls 2016-2017		
Previous and current public experience (elective or appointive): NA		
Membership in other community organizations: Downtown Development Partnership Board Great Falls Development Authority Board Great Falls Rotary Club		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? As the Executive Director for a BID property owner I would like the opportunity to serve the BID business owners as a board member.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I have 20+ years of experience in Community and Leadership Development. I have been a project team member for major construction projects and served on the University of Providence Master Facility Planning Committee. While with NWGF I have been apart of HOME and CDBG grants and served on the project team for Rockcross Commons. I have a unique combination of experience in community development, construction and affordable housing that could benefit the BID Board.	
Additional comments: I look forward to expand my service to the community.	
Signature 	Date: May 18, 2020

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Item: Appointment to the Library Board
From: City Manager’s Office
Initiated By: City Commission
Presented By: City Commission
Action Requested: Appoint one member to the Library Board for a five-year term through June 30, 2025.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission appoint _____ to the Library Board for a five-year term through June 30, 2025.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Library Trustee Recommendation: It is recommended that the City Commission appoint Jill Baker for a five-year term through June 30, 2025, to the Library Board.

Background: Mitch Tropila’s term on the Library Board expired on June 30, 2020. Mr. Tropila has served two five year terms and is not eligible for reappointment. Advertising for the opening was done through the local media and also on the City’s website. Six applications were received.

Purpose

The Library Board is comprised of five members who are appointed by the City Commission. The Board oversees the Library policies and operations including book policies and service to the City, County, and Pathfinder Federation of Libraries. Members serve for five-year terms, but no more than two full terms in succession, exclusive of time served on any unexpired term.

Continuing members of this board are:

Samantha DeForest	5/15/18 – 6/30/21
Whitney Olson	7/18/17 – 6/30/22
Anne Bulger	7/17/18 – 6/30/23
Susan McCord	7/ 1/19 – 6/30/24

Citizens interested in serving on the board are:

Sandra Rice

Shannon Myrick

Pamela S. Timberlake

Jessica Crist

Mary Lehman

Jill Baker

Concurrences: During their meeting on June 23, 2020, the Library Board recommended that Jill Baker be appointed to the Board.

Attachments/Exhibits:

Applications



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM**
(PLEASE PRINT OR TYPE)



Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: <p align="center">LIBRARY BOARD</p>		Date of Application: <p align="center">4/24/2020</p>
Name: <p align="center">SANDRA RICE</p>		
Home Address: <p align="center">909 3rd Ave North GF 59401</p>		Email address: <p align="center">SANDYLOVESBOOKS@gmail.com</p>
Home Phone:	Work Phone:	Cell Phone: <p align="center">908-328-1658</p>
Occupation: <p align="center">RETIRED</p>		Employer:
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: <p align="center">20 YEARS WITH BARNES & NOBLE AAUW BOOK SALE FRIENDS OF THE LIBRARY BOOK SALE</p>		
Educational Background: <p align="center">BA NOTRE DAME OF MARYLAND UNIVERSITY HUMAN RESOURCES/BUSINESS MAJOR</p>		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: <p align="center">AAUW MEMBER 2016 TO PRESENT (great falls chapter) FRIENDS OF THE LIBRARY MEMBER 2018 TO PRESENT MEALS ON WHEELS VOLUNTEER 2016 TO PRESENT</p>		
Previous and current public experience (elective or appointive): <p align="center">MEMBER OF NEIGHBORHOOD COUNCIL #7 2017 TO PRESENT (SECRETARY) NC #7 REPRESENTATIVE TO DOWNTOWN SAFETY ALLIANCE (CHAIR)</p>		
Membership in other community organizations:		

Have you ever worked for or are you currently working for the City of Great Falls? Yes No If yes, where and when? 1964-1968 GF PUBLIC LIBRARY PART-TIME

Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes No If yes, who, which department, and relationship?

Have you ever served on a City or County board? Yes No If yes, what board and when did you serve?

Are you currently serving on a Board? Yes No If yes, which board?

Please describe your interest in serving on this board/commission?
WITH MY B&N BACKGROUND AND LIFELONG LOVE OF BOOKS, I THINK I WOULD BE A good fit FOR THE LIBRARY BOARD

Please describe your experience and/or background which you believe qualifies you for service on this board/commission?
20 YEARS WITH BARNES + NOBLE

Additional comments:

Signature: *Audra Rice* Date: 4/24/2020

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

Return this form to:
City Manager's Office
P.O. Box 5021
Great Falls, MT 59403

Fax:
(406) 727-0005

Email:
kartis@greatfallsmt.net



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Library Board		Date of Application: 04/28/2020
Name: Shannon Myrick		
Home Address: 2102 26th St S, # 201 Great Falls MT		Email address: shannonmyrick@outlook.com
Home Phone:	Work Phone: 406 455 5435	Cell Phone: 406 788 3434
Occupation: Medical Secretary		Employer: Benefis Health Systems
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
No. (There could possibly be an occasional time where the patient load dictates my presence, but do not expect that to be an issue.)		
Related experiences or background: Worked 16 years for the City of Walla Walla, WA as a 9-11 Dispatcher, Records Clerk as well as the Public Works Secretary for Streets and Sanitation Divisions. Experience with City budgeting, purchasing, contract management, RFP's, bid proposals and general operations. Other experience outside of city government include, but not limited to: Banking; Hospital Accounts Payable and Receivable, Hospital Purchasing. Served on audit committees for various clubs and organizations.		
Educational Background: I have had some college as well as seminars relating to various positions.		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: Vice President Church Council, Treasurer for 3-4 years for Church, Church Secretary, Church Youth Group Leader for elementary and junior high ages. Sunday School Teacher. Organizational Leader for 4H, 4H Leader for 14 years. TOPS treasurer, TOPS secretary. Audit Committee for various organizations (4). Woman's Club Member, Toastmaster Member, Employee Advisory Board for the City of WW. Great Place To Work Committe Member at Benefish Health Systems.		
Previous and current public experience (elective or appointive): School Board Member		
Membership in other community organizations: TOPS		

Have you ever worked for or are you currently working for the City of Great Falls? Yes No If yes, where and when?

Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes No If yes, who, which department, and relationship?

Have you ever served on a City or County board? Yes No If yes, what board and when did you serve?

Are you currently serving on a Board? Yes No If yes, which board?

Please describe your interest in serving on this board/commission?

I believe in the Library Service to the citizens of Great Falls and want to see this continue. I also believe in giving back to the community and because of my love for books, as well as my extensive experience with City operations and accounting I feel my skills could be of service to not only the library but to the citizens of Great Falls.

Please describe your experience and/or background which you believe qualifies you for service on this board/commission?

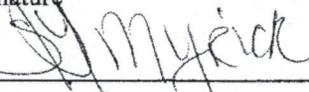
I have extensive experience with City Budgeting and Purchasing as well as an excellent understanding of the day to day operations of a city. My skills also include contract management, RFP's, call to bid procedures. I also have experience in supervising, interviewing and appointment of a public individuals.

Experience also but is not limited to serving on employee boards and committees. I not only have experience with budgets for city but for nonprofits as well. I also worked in hospital setting as an accounts receivable and payable clerk.

Additional comments:

It has been my desire to serve on a board with the City of Great Falls. I have been watching the board openings and my two interests have been with the Library and the Police Department. As mentioned before I feel I can contribute a lot to this board and it has been a goal of mine since I moved here to become involved with the Library. Great Falls provides so much to their citizens and the Library has so much to offer to citizen of all ages, I feel it would be an honor and privilege to serve on the board.

Signature



Date:

4/28/2020

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

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Fax:
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kartis@greatfallsmt.net



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM**
(PLEASE PRINT OR TYPE)

RECEIVED
MAY - 4 2020
CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Library Board		Date of Application: 4-30-2020
Name: Pamela S. Timberlake		
Home Address: 4221 Wilkinson Lane GF MT 59404		Email address: pst1219@gmail.com
Home Phone: _____	Work Phone: _____	Cell Phone: 702-503-3575
Occupation: _____	Employer: _____	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: Also employed AS clerk Library BOARD. Worked nine years in library in Whitehall MT.		
Educational Background: Hig school grad. Some college. Technical school.		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: None		
Previous and current public experience (elective or appointive): None		
Membership in other community organizations: None		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve? WAS EMPLOYED AS A CLERK FOR JEBBERSON COUNTY LIBRARY BOARD.	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? I love the library! I would really like to be part of this community service. I have the time, energy and desire to learn what I need to learn. To do what I need to do.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I have worked in a library, I WAS EMPLOYED BY THE LIBRARY BOARD.	
Additional comments: I am disabled. (WALK WITH CANE). I have lots of time to devote to this position.	
Signature Pamela S. Timberlake	Date: 4-30-20

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

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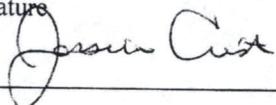
Email:
 kartis@greatfallsmt.net



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: <i>Library Board</i>		Date of Application: <i>4/30/2020</i>
Name: <i>Jessica Crist</i>		
Home Address: <i>401 4th Ave. N., Great Falls, MT 59401</i>		Email address: <i>crist.jessica@gmail.com</i>
Home Phone: <i>406 452-0821</i>	Work Phone:	Cell Phone: <i>406 868-7658</i>
Occupation: <i>Bishop/clergy</i>	Employer: <i>retired</i>	
Would your work schedule conflict with meeting dates? Yes , No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: <i>Bishop/administrator of 125 congregations Service on local and national boards English major at Yale</i>		
Educational Background: <i>Yale - A.B. Harvard M.Div</i>		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: <i>YWCA Board member and president Whittier PTA Board member and president Girl Scout leader Montana Association of churches Board Member and President</i>		
Previous and current public experience (elective or appointive): <i>I have advocated on justice issues - particularly issues of race, gender, poverty and tribal issues - for many years - in a national church, and in state and national government.</i>		
Membership in other community organizations: <i>Bethel Lutheran Church FISH Volunteer various progressive political action groups</i>		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? I have a long family history, both on my husband's side (Greeley) and on mine in supporting libraries. Now that I am retired and no longer travelling, I would like to serve the community by serving on the library board.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I have served on many boards and chaired them. I have a deep respect for libraries as reflective of the soul of the community. I have no agenda, no axe to grind.	
Additional comments: I appreciate that the library is more than books. It is programs and people. My husband and a reading tutor have met twice weekly in the library for over 15 years.	
Signature 	Date: 5/1/2020

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

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Fax:
(406) 727-0005

Email:
kartis@greatfallsmt.net

April 30, 2020

City Manager's Office
PO Box 5021
Great Falls, MT 59403



Attached please find my application to serve as a member of the Library Board. Having recently retired and stopped travelling for work, I would like to re-engage in my community. And I can think of no better place to do it than with the Library.

Libraries are part of my earliest childhood memories in Camp Hill, Pennsylvania. I remember my father helping to start the public library in the American Legion Hall. Later, my sister and I were part of a human book brigade, carrying armloads of books from the old library to the new one. And the summer after my freshman year in college, I volunteered in the library after Hurricane Agnes flooded the basement.

My husband's grandmother, Atta Graybill, was intimately involved with libraries in Montana, both in Great Falls, and on the state level. Libraries have been important both in my family of origin and in my husband's family. We do not take them for granted.

For twelve years I was a Bishop in the Lutheran Church. I was elected Chair of all the Bishops and served in that capacity for 4 years. During my tenure, which took me out of state regularly, I also served on the Board of Directors of Luther Seminary in St. Paul, MN, and Lutheran World Relief, in Baltimore, MD. I was also a part of the national governing body of the Evangelical Lutheran Church in America.

In my work in Montana, I became acquainted with communities across the state--large and small, urban and rural and tribal. I think I bring an understanding of a variety of Montana's people to any board experience. And I think I bring a sense of interconnectedness with the wider world.

I am glad to be back in Great Falls where in earlier days I served the YWCA, the PTA, the Girl Scouts, and Jeannette Rankin BPW. I am glad to be within walking distance of the Library, where I took my children to library for story hours regularly. I am glad to be home, and I am ready to serve.

Sincerely,

Jessica Crist
401 4th Ave. N.
Great Falls, MT 59401
crist.jessica@gmail.com 406- 452- 0821



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

RECEIVED
MAY - 7 2020
CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know Law.

Board/Commission Applying For: <i>Library Board</i>		Date of Application: <i>5/5/2020</i>
Name: <i>Mary J. Lehman</i>		
Home Address: <i>26 Gannon Drive</i>		Email address: <i>mandjinc2@gmail.com</i>
Home Phone: <i>406-453-2384</i>	Work Phone: <i>-</i>	Cell Phone: <i>406-781-0667</i>
Occupation: <i>Retired CPA</i>	Employer: <i>-</i>	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: <i>I would bring my financial background to the Library Board. I worked as CFO for 18 years. I also was in public accounting with 5CCS for 4 years. As CFO I managed up to 25 people at a given time.</i>		
Educational Background: <i>BA degree in History w/minor in English BS degree in Accounting - Certified Public Accountant</i>		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: <i>See attached</i>		
Previous and current public experience (elective or appointive): <i>No elective or appointed public experience.</i>		
Membership in other community organizations: <i>See attached</i>		

Attachment to Boards and Commissions Citizen Interest Form

Previous and current service activities:

YWCA Board of Directors – Treasurer and Board President – 6 years

Habitat for Humanity – Treasurer – 3 years

Great Falls Community Food Bank – Treasurer and Board President - 6 years

Great Falls Symphony Board of Directors – Treasurer – 3 years

Great Falls Public Library Foundation – Treasurer – 6 years

Montana Food Bank Network – Treasurer – Currently Board President – 7 years

Blue Heron Home Owner's Association – Currently Treasurer

Membership in other community organizations:

Great Falls Downtown Optimists – 4 years

Please describe your interest in serving on this board/commission:

It is my belief that the Library provides key services for the people of Great Falls. I personally love to read and would like to help others find access to books and other reading materials. But the Library also provides many other services such as children's programs, music in the park, access to computers, and travel programs, as well as great places to meet. I would also like to ensure that these programs remain healthy and viable for the community.

Please describe your experience and/or background which you believe qualifies you for service on this board/commission:

My experience on the Great Falls Public Library Foundation board gives me valuable experience of the goals and needs of our Library. As a member of the public relations committee, I worked to help promote the Foundation and the Library. As a member of the Finance Committee and Foundation treasurer, I had a very good understanding of the fiscal needs of the Library and its various funding streams. I have learned much from being on different boards over the years and appreciate the dedication and commitment of volunteers and staff in each organization. This experience has taught me the value of team work. My knowledge of accounting and financial principles could assist the Library board in maintaining the financial health of the Library.

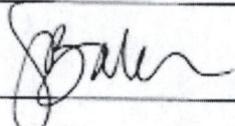


**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM**
(PLEASE PRINT OR TYPE)

RECEIVED
MAY - 4 2020
CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Library		Date of Application: 5/4/2020
Name: Jill Baker		
Home Address: 1100 46th Ave NE 59404		Email address: Jill.BakerMT@gmail.com
Home Phone: _____	Work Phone: _____	Cell Phone: 406-564-3602
Occupation: Stay at Home Mom		Employer: _____
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: I have served on other boards including non-profit, PTA, and professional organizations (public health). In my former job I was a department head and worked closely with the board of directors at that non-profit.		
Educational Background: I graduated high school in Fort Benton, MT, and attended the University of Montana. I graduated with a bachelor's degree in health promotion.		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: see attached resume		
Previous and current public experience (elective or appointive): see attached resume		
Membership in other community organizations: see attached resume		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? I am an avid reader and patron of the Great Falls Public Library. I have additional time available to give back to our community and would love to see our library thrive.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? My experience with boards will be an asset. Additionally, I am experienced in budgeting, strategic planning and public service. I am also passionate about inclusiveness and accessibility.	
Additional comments: I am glad to answer any additional questions. Thank you for your consideration.	
Signature 	Date: 5/4/2020

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

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Email:
kartis@greatfallsmt.net

JILLIAN L BAKER

1100 46th Ave NE, Great Falls, MT 59404 | 406-564-3602 | jill.bakermt@gmail.com

Skills Summary

Over 25 years of public health and nonprofit experience, including 14 years of senior level leadership and management experience. Strong program development, outreach and reproductive health expertise. Dedicated to serving vulnerable populations and improving health equity. Skilled facilitator and excellent communicator.

Education

University of Montana

Graduate Studies in Public Health

Public Health Administration and Management, Fall 2018, Grade: A

B.S. Health & Human Performance, Health Promotion Emphasis, 1997

Minor in Human & Family Development

With Honors, 3.6 GPA

UM Mortar Board Outstanding Senior in Health Promotion, 1998

AAHE Outstanding Health Education of the Year Nominee, 1997

Experience

Planned Parenthood of Montana, 2002-2019

Director of Learning/ Director of Community Affairs/ Education Coordinator/ Outreach Educator

Supervise, plan, implement and evaluate statewide health education, outreach and professional training programs. Responsible for grant writing and reporting, including state and federal grants and cooperative agreements. Acted as department liaison with Board of Directors. Responsible for annual budget of \$500,000. Create and enforce policies and procedures. Supervise, hire and train statewide education and outreach staff. Assist with affiliate fundraising, public relations, advocacy and volunteer management. Work closely with CEO as part of senior management team.

Completed 40 hours certificate in the Management Mastery Series through Planned Parenthood Federation of America, including Mastery of Self, People, Performance and Leadership.

Awards and Acknowledgements

2014 APPLE Orchard Award/ National Association of Planned Parenthood Leaders in Education

Given to an Education Department that has risen to the occasion and served as a model of excellence for other affiliates.

Recognized for culturally competent education programming with Montana's American Indian youth.

2014 Affiliate Excellence Award Community Education / Planned Parenthood Federation of America

Recognized for PPMT's outreach, education and enrollment work for the Affordable Care Act.

2012 Golden APPLE Award/ National Association of Planned Parenthood Leaders in Education

Awarded to the Education Director who best exemplifies the highest standards of leadership. Nominated again in 2020.

2012 Community Advocate Award/ Cascade County Family Violence Council

For outstanding commitment to serving sexual assault or child abuse survivors in our community.

Recognized for coordinating statewide Sexual Assault Nurse Examiner training for over 300 medical professionals between 1998 and 2012.

Leadership Experience:

2009- 2012 Association of Planned Parenthood Leaders in Education
Served as Chair-Elect in 2009, Chair from Jan 2010-Dec 2011, and Immediate Past Chair in 2012.

2008- 2012 National Campaign to Prevent Teen and Unintended Pregnancy
Program Review Panel

2010- 2011 Montana Governor's Community Health Center Advisory Council

2009- 2012 Montana Teen Pregnancy Prevention Coalition

2009- 2013 Cascade County Maternal Child Health Advisory Council

2007- 2009 Montana Governor's Family Health Advisory Council

2007- 2010 Chief Joseph Elementary PTA, Board Member

2003- 2008 Voices of Hope, Board Chair



Item: Appointments to the Police Commission
From: City Manager's Office
Initiated By: City Commission
Presented By: City Commission
Action Requested: Appoint two members to the Police Commission.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission appoint _____ to the Police Commission for a three-year term through June 30, 2023 and appoint _____ to the remainder of a three-year term through June 30, 2021.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Police Commission Recommendation: Police Commission recommended that the City Commission appoint John Hackwith to the Police Commission for a three-year term expiring June 30, 2023 and Morgan Kasuske to the remainder of a three-year term through June 30, 2021.

Background: In February, the Manager's office was notified by Police Commissioner Bob Wigdorski that he recently moved out of city limits. In reviewing Montana Code Annotated Police Commissioners must be residents of the city thus making him ineligible to remain on the Commission. The Manager's office began the recruitment process and received 2 applications. GFPD recommended to keep the advertisement open to allow for more applicants to apply. Kevin Heffernan's term was set to expire on June 30, 2020 and because he served two full terms he would need to be replaced. Due to the delays during the COVID-19 shutdowns, the opening for a second Commissioner position was added to the advertisement and the deadline was extended. The final advertisement closed on May 29, 2020 and seven applications were received.

The Police Commission met on June 2, 2020 and reviewed all seven applications. During this meeting they selected five candidates to move forward and participate in an interview. Those candidates were: Michael Cronin, Larry Gooldy II, John Hackwith, Morgan Kasuske and Michael Shell.

Police Commissioners Tim Shanks and Bob Wigdorski met with five of the final applicants on June 30, 2020. Kevin Heffernan was unable to participate. They recommended that the City Commission appoint

John Hackwith to the Police Commission for a three-year term expiring June 30, 2023 and Morgan Kasmuske to the remainder of a three-year term through June 30, 2021.

Purpose

The Police Commission reviews all Police Department applicants for police officer positions and hears disciplinary appeals for the Police Department. The Commission is composed of three members appointed by the City Commission.

Members of this commission are:

Tim Shanks	7/1/2019 – 6/30/2022
Bob Wigdorski	7/1/2018 – 6/30/2021 (ineligible)
Kevin Heffernan	7/1/2014 – 6/30/2020 (termed)

Citizens interested in serving on the commission:

Ryan Ball
John Hackwith
Morgan Kasmuske
Larry Gooldy II
Michael John Shell
Michael Cronin
Charlie Martin

Alternatives: The Commission could chose to appoint any of the candidates or ask that staff advertise for other citizen interest. All applications are included in the attachments.

Concurrences: The Police Commission reviewed all applications and conducted informal interviews with five of the candidates. The Police Commission recommended appointing John Hackwith and Morgan Kasmuske to the Commission.

Mr. Hackwith is currently an alternate member on the Ethics Committee. If he is appointed to the Police Commission his intent is to resign from the Ethics Committee. Resolution 10235 states that citizens may not serve on two or more boards or commissions simultaneously unless authorized by the Commission.

Attachments/Exhibits:

Applications



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

RECEIVED
FEB 26 2020
CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Police Commission		Date of Application: 2/25/20	
Name: Ryan Ball			
Home Address: 715 2 nd Ave N		Email address: Rball51@gmail.com	
Home Phone: N/A	Work Phone: 761-5243	Cell Phone: (307) 679-2737	
Occupation: Attorney		Employer: Davis, Hatley, Haffeman and Tighe, P.C.	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)			
Related experiences or background: I worked as a prosecutor for Cascade County for 6 ½ years. In that time I became familiar with criminal ordinances and statutes. As a prosecutor I made countless appearances in criminal hearings and trials and became very acquainted with the rules of evidence.			
Educational Background: High School Diploma— Evanston High School, Evanston, WY 2002 Bachelor of Arts in English – Mesa State College, Grand Junction, CO 2008 Juris Doctorate – Southern Methodist University Dedman School of Law, Dallas, TX 2011			
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:			
Previous and current service activities: I've done some work with the Cascade County Free Law Clinic providing attorney services in custody and divorce proceedings pro bono			
Previous and current public experience (elective or appointive): I worked as a Public Defender for the State of Montana for one year. After that, I worked as a Deputy Cascade County Attorney for almost seven years.			

Membership in other community organizations:

Cascade County Bar Association

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, who, which department, and relationship? My wife is on the city-county health board.	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? Since I left public service I am more interested than ever in serving the community and the City of Great Falls. I have years of experience with criminal law, trial courts and the rules of evidence and years working in conjunction with the Great Falls Police Department, detectives and officers. As I no longer work in public service I would like to be involved in community service in a context in which I have knowledge and experience.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? As a former Deputy County Attorney, I worked with officers on a near daily basis and became well acquainted with the Department. Additionally, working as a prosecutor, I have extensive knowledge in criminal procedure, rules of evidence and GFPD policies and procedures.	
Additional comments:	
Signature <i>Ryan C. Ball</i>	Date: 2/26/20

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

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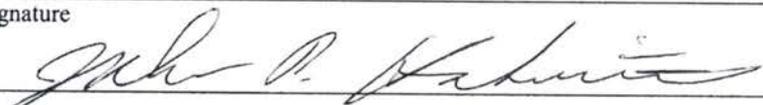
Email:
kartis@greatfallsmt.net



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: GREAT FALLS POLICE COMMISSION		Date of Application: 15 APR. 2019
Name: JOHN HACKWITH		RECEIVED
Home Address: 3025 5TH AVE. S. MT. 59405		Email address: APR 15 2019
Home Phone: (406) 454-3777	Work Phone:	Cell Phone: CITY MANAGER
Occupation: LAW ENFORCEMENT (RET.)	Employer: US GOVT.	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: SEE PAGE 3-4		
Educational Background: SEE PAGE 3-4		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: SEE PAGE 3-4		
Previous and current public experience (elective or appointive): SEE PAGE 3-4		
Membership in other community organizations: SEE PAGE 3-4		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? SEE PAGE 3-4	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? SEE PAGE 3-4	
Additional comments: SEE PAGE 3-4	
Signature 	Date: 15 APR. 2019

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

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City of Great Falls Police Commission Addendum to Application

JOHN HACKWITH

Previous and current service activities:

I am a Navy veteran. Before my Law Enforcement career, I spent 6 years in the U.S. Navy in Special Warfare as a Special Warfare Combat Crewman (SWCC). My Navy Rating designation was that of Intelligence Specialist which included adjudication and maintenance of a level 4, Top Secret, SCI (Sensitive Compartmented Information) security clearance. This involved an extensive background investigation spanning over 9 months, and an 18 month adjudication process.

Previous and current public experience (elective or appointive):

I have worked as a sworn Law Enforcement Officer for just under 16 years, both at the State and Federal levels. I was a Montana State Trooper from 2001 to 2007, and a Federal LEO from 2007 to 2016. A line of duty injury caused me to leave Law Enforcement before I intended to do so.

Membership in other community organizations:

I have maintained a level of service to the Great Falls community from an early age. During my teenage years I spent 5 years as a Civil Air Patrol Cadet. In my twenties, I joined the Elks Lodge. Although not a board member, in recent years, I have lent my efforts and support to the Police Community Foundation in preparation for their annual gala. Most recently, I served as a campaign policy and strategy adviser for Slaughter For Sheriff.

Please describe your interest in serving on this board/commission?

I believe I would be an asset to the Great Falls Police Commission. Having served as a Law Enforcement Officer for just short of 16 years, I have a great deal of experience with the inner workings of many levels of Law Enforcement. I have worked for both State and Federal agencies and, in that time, I have learned that policing is not just about law and policy.

Police Officers are not hired, trained and expected to simply read, interpret and apply law and policy, anyone who can read can do that. Police Officers are empowered and expected to evaluate the facts and circumstances of each individual situation, and then arrive at a lawful and just resolution to that particular situation. They are hired to make good decisions. Every set of facts has its own merits and peculiarities, and must be evaluated accordingly, in order to ensure that the outcome is not only compliant with policy and law, but also just, under the circumstances.

Please describe your experience and/or background which you believe qualifies you for service on this board/ commission?

As a Special Warfare Combat Crewman (SWCC), I had to interpret and follow very specific rules of engagement and observe very strict mission parameters. As a U.S. Navy Intelligence Specialist, I was entrusted with the highest levels of classified and compartmented information.

As a Law Enforcement Officer, I was expected to know, interpret, and apply both policy and the law, and maintain the "higher standard" of conduct expected of those wearing the uniform. I was also charged with maintaining the privacy and dignity of the people, with whom I dealt professionally.

I am also a Law Enforcement Firearms and Use of Force Instructor. In this capacity I was responsible for training and evaluating those in my detachment on the proper application of force in the accomplishment of lawful objectives.

Additional comments:

I would like to add that having been a Law Enforcement Officer for a number of years, I have a deep and abiding love and appreciation for all of our First Responders. Cops in particular have a very tough job. The well-being and safety of those Officers should always be paramount in every decision made and every action taken. I am sure there will be a learning curve, but I will do everything I can to do the best job possible for the GFPD, the community they serve, and the officers and their families.

To whom it may concern,

I'm writing this letter to endorse John Hackwith for the role of Police Commissioner. John is a 15-year law enforcement veteran, whose career was cut short due to a severe traffic accident while on duty.

I met John through a friend during my campaign for Sheriff. John quickly became a key member of my team and helped me on a daily basis. John often had the difficult task of preparing me for debates and campaign strategy.

I learned he was a kind and authentic person who understood service to one's community. John served our county for six years in the US Navy, then in both state and federal law enforcement. John is a straight shooter who has the highest integrity. He truly understands the relationships between law enforcement and the community.

When John makes decisions he will always error on the side of honesty, even if it costs him advancement. He believes in the oath that law enforcement is beholden to and he takes the oath and ethics very seriously. John prides himself on being prepared and he expects others to do the same.

John is a loyal friend who will serve the police department with honor. I cannot say enough about his work ethic and loyalty but, what is not to be over looked is how educated John is. He understands history and civics like no other person I've met.

John is exactly what the police department needs on the Police Commission. I proudly endorse John Hackwith for the job.

Sincerely,

Jesse Slaughter



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

RECEIVED
APR 18 2020
CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For:		Date of Application:	
Police Commission		April 18, 2020	
Name:			
Morgan Kasuske			
Home Address:		Email address:	
1013 Carlos Dr., Great Falls, MT 59404		mtsig_40@yahoo.com	
Home Phone:	Work Phone:	Cell Phone:	
406-799-1623	406-453-7597	406-799-1623	
Occupation:		Employer:	
Deputy US Marshal		US Marshal Service	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)			
Related experiences or background: I am currently a Deputy US Marshal. I have been employed as a Marshal since 2010. Prior to that, I was a police officer for the City of Great Falls for over 10 years.			
Educational Background: I hold a Bachelor's degree in Sociology/Criminal Justice from the University of Providence. I had over 800 hours of law enforcement training while I was a police officer and have hundreds of hours of training with the Marshals Service.			
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:			
Previous and current service activities: I have been a MT Torch Run volunteer since 2000. I am currently the Federal representative on the MT Torch Run Executive Council. I volunteer with the Knights of Columbus, at my church and with youth sports in Great Falls.			
Previous and current public experience (elective or appointive): I sit on the MT Torch Run Executive Council as the Federal representative.			
Membership in other community organizations: -MT Torch Run Executive Council -Knights of Columbus			

<p>Have you ever worked for or are you currently working for the City of Great Falls? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, where and when? Great Falls Police Department- Jan 2000 till June 2010</p>	
<p>Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?</p>	
<p>Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?</p>	
<p>Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?</p>	
<p>Please describe your interest in serving on this board/commission? I have always had an interest in serving on the police commission. I feel by current profession, training and education make me a well-suited candidate for this position.</p>	
<p>Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I am been employed in the law enforcement field for over 20 years. I also hold a Bachelor's degree in Sociology/Criminal Justice.</p>	
<p>Additional comments:</p>	
<p>Signature <i>Morgan Kasuske</i></p>	<p>Date: April 18, 2020</p>

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**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM**
(PLEASE PRINT OR TYPE)

RECEIVED
MAY - 1 2020
CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: <i>Police Advisory Commission</i>		Date of Application: <i>5/1/20</i>
Name: <i>Larry R Gooldy II</i>		
Home Address: <i>2612 1st Ave N Great Falls 59401</i>		Email address: <i>Larry.gooldy@gmail.com</i>
Home Phone: <i>406-403-3430</i>	Work Phone: <i>406-454-3000</i>	Cell Phone: <i>406-403-3430</i>
Occupation: <i>Gen Mgr Wingate Hotel</i>	Employer: <i>Wingate Hotel</i>	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: <i>Board Member of Crime stoppers, Board Member Hotel/Motel Assn</i>		
Educational Background: <i>Working on Degree for Business, Retired Distric mgr & Ground Sec Coor for 27 yrs, Gen mgr of Hotel for 3 years & have served on many Boards over my years.</i>		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: <i>Vol Eaglemount, Crime stoppers Dir, Hotel/motel Director.</i>		
Previous and current public experience (elective or appointive): <i>n/a</i>		
Membership in other community organizations: <i>Chamber, Eaglemount, Crime stoppers</i>		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, where and when? <i>no</i>	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, which board? <i>Hotel Motel Board, Crime Stoppers.</i>	
Please describe your interest in serving on this board/commission? <i>As a general mgr in a high crime area of town. I have an interest to help police & for change in Great Falls. Why I serve on the boards I serve.</i>	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? <i>27 years of Different Board Services, Ground Security Coord. note for Alaska Airlines for 25 years & related security police, procedures & directives both Civil & Federal.</i>	
Additional comments:	
Signature 	Date: <i>5/1/2020</i>

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**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

RECEIVED
MAY 22 2020
CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For:		Date of Application:	
Police Commission		05/22/2020	
Name:			
Michael John Shell			
Home Address:		Email address:	
1012 2nd Avenue North		michael.shell@gfcmsu.edu	
Home Phone:	Work Phone:	Cell Phone:	
	406-771-4390	406-750-7525	
Occupation:		Employer:	
Academic Advisor/ Adjunct Faculty		Great Falls College MSU	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)			
Related experiences or background: Critical Care Paramedic-Great Falls Emergency Services Feb 2006 to August 2015 Volunteer-Great Falls Police Department June 2013 to July 2014 Court Appointed Special Advocate-Guardian Ad Litem August 2001 to August 2003 Intern for Child and Family Services Nov 2002-May 2003 Intern for Great Falls Police Department June 2001-August 2001			
Educational Background: Bachelor of Science-Criminal Justice with concentration in Law Enforcement-University of Great Falls, 2003 M.S. Science Education- Montana State University- Bozeman, 2017			
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:			
Previous and current service activities: Previous work experience as a Critical Care Paramedic with Great Falls Emergency Services and worked closely with City/County Dispatch in 2014-2015 to implement digital communications for emergency dispatch. Previous work with Great Falls Police Department as a volunteer with abandoned vehicle abatement. Internship with Great Falls Police Department and DPHHS Child and Family Services.			
Previous and current public experience (elective or appointive): Neighborhood Council Member-Neighborhood Council 7 2012-2013			
Membership in other community organizations: Previous member CASA Guardians Ad Litem- 2001-2003			

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, what board and when did you serve? Interm Neighborhood Council Member-Neighborhood Council 7 2012-2013	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? I have always had an interest in the Law Enforcement aspect of our community. During my time as an intern, as a volunteer, and working as a Paramedic with the ambulance service I have had an opportunity to interact and understand how the Great Falls Police Department impacts and shapes our community.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I have previous educational experience from my degree in Criminal Justice as well as practical experience from my time as an intern, as a volunteer and my work experience as a paramedic. Working with the City-County Dispatch to update from analog to digital radio services helped to outline many of the complexities of working in law enforcement as well as a great "behind the scene" look at the framework that holds our services together.	
Additional comments:	
Signature <i>Michael Shell</i>	Date: 5/22/2020

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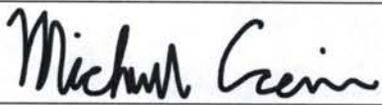


**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**



Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Police Advisory Commission		Date of Application: 5-19-2020	
Name: Michael Cronin			
Home Address: 1707 14th St. S		Email address:	
Home Phone: 4068688989	Work Phone:	Cell Phone: 4068688989	
Occupation: Commercial Broadband Technician		Employer: Charter Communications	
Would your work schedule conflict with meeting dates? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> (If yes, please explain) Meetings are on demand, I work Wednesday through Saturday from 8-7 with some overtir			
Related experiences or background: I have a certificate of completion in Law Enforcement Technology from Rio Salado College. I have also Volunteered with the Great Falls Police Department since Dec 2013 with over			
Educational Background: Certificate of Completion in Law Enforcement Technology			
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:			
Previous and current service activities: Volunteer with the Great Falls Police Department December 2013 to Present.			
Previous and current public experience (elective or appointive): Worked at Parks and Recreation in Payson, AZ through High School.			
Membership in other community organizations: None			

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? I believe in the Police Department and their mission. I also believe in the officers and the difficult job they have. I have a great working relationship with the department. I would love to help them further their mission in this capacity.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? Having studied Law Enforcement Technologies I have a basic understanding of the Criminal Justice System as well as the rules of evidence. I also have had the Opportunity to assist the department in various capacities requiring the utmost confidentiality. I have maintained the confidentiality required when reviewing applications and disciplinary actions.	
Additional comments:	
Signature 	Date: 5-19-2020

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**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

RECEIVED
MAY 26 2020
CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Police Advisory Commission		Date of Application: May 19, 2020
Name: Charlie Martin		
Home Address: 109 37 th Avenue NW Great Falls, MT 59404		Email address: lunarpo18@gmail.com
Home Phone: 406-208-7115	Work Phone: 406-268-3229	Cell Phone: 406-208-7115
Occupation: Probation & Parole Supervisor		Employer: Montana Department of Corrections Adult Probation and Parole
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: 1990 to 1994 I worked as a Reserve Deputy with the White Pine County Sheriffs Department in Ely, Nevada. During that time, I worked part-time for the Shoshone Tribal Police Department. Starting October 30, 2000, to present I have worked for the Montana Department of Corrections, Adult Probation and Parole Division. November 2018, I was promoted to Correctional & Social Service Supervisor.		
Educational Background: Associates Degree from the Billings Commonwealth Community College in Criminal Justice. 1996 to 1998		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: I do not have any.		
Previous and current public experience (elective or appointive): I do not have any.		

Membership in other community organizations: I do not have any.

Form updated November 2015

Page 1

Have you ever worked for or are you currently working for the City of Great Falls? Yes No If yes, where and when?

Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes No If yes, who, which department, and relationship?

Have you ever served on a City or County board? Yes No If yes, what board and when did you serve?

Are you currently serving on a Board? Yes No If yes, which board?

Please describe your interest in serving on this board/commission?

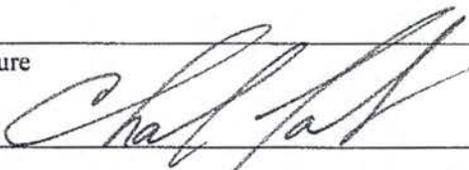
My life has revolved around law enforcement and corrections. I believe in public safety and making our community safe, to accomplish this, our law enforcement needs the right people for the job. I would like to be part of that team that assists in the selection of new officers.

Please describe your experience and/or background which you believe qualifies you for service on this board/commission?

I have over 20 years of experience in corrections and law enforcement. I was assigned to the Big Sky Safe Streets Task Force from 2005 to 2007, I worked with Federal, State and Local law enforcement on multiple drug conspiracy cases. I have been working for the Montana Department of Corrections, Adult Probation and Parole Division for 19 ½ years. I have held many positions within the Department and have been a supervisor for almost two years now. I work well with others; I am fair and consistent in all my duties.

Additional comments:

Signature



Date:

05/26/2020

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JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Tracy Houck, Mary Sheehy Moe, Owen Robinson and Rick Tryon. City staff present were the City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Clerk Lisa Kunz; Finance Director Melissa Kinzler; Planning and Community Development Director Craig Raymond; Public Works Environmental Manager Paul Skubinna; Interim Fire Chief Jeremy Jones; Park and Recreation Director Steve Herrig; City Attorney Sara Sexe; and, Police Chief Dave Bowen.

Due to the COVID-19 health concerns, public participation is welcomed and encouraged as follows:

- Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Commission Chambers according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 5:00 PM on Tuesday, June 2, 2020, to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and will be so noted in the official record of the meeting.
- Call-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. We ask for your patience in the event there are technical difficulties.

AGENDA APPROVAL: City Manager Greg Doyon recommended that Agenda Item 18 remain on the agenda for staff to provide an overview and next steps with the community, and that no action be taken by the Commission this evening. There were no other proposed changes to the agenda by the City Manager or the City Commission. The agenda was approved as presented.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

PROCLAMATIONS: A proclamation for Paris Gibson Month (July, 2020) was not read/presented during the meeting, but rather delivered or picked up by the proclamation requester.

1. **FIREFIGHTER OATHS:** Keenan Watt and Kessler Leonard.

PETITIONS AND COMMUNICATIONS/NEIGHBORHOOD COUNCILS/BOARDS AND COMMISSIONS

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Brett Doney, Great Falls Development Authority (GFDA), 405 3rd Street NW, referred to the Commission's work session discussion regarding the use of TIF funds for the proposed indoor pool/rec center and encouraged the Commission to read Mont. Code Ann. § 7-15-4288 pertaining to costs that may be paid by tax increment financing. The GFDA and Downtown Development Partnership (DDP) want to see more aggressive use of TIF to get more private investment going downtown and to keep the momentum going.

Pastor Marcus Collins, AT Worship Temple Church, thanked civic leaders for joining his forum last Thursday in light of everything that is going on in the world and our country right now regarding race relations. There was great direction as far as how we move forward as a city and continue to grow and develop so that other things that are experienced in other places in the nation are kept from our great city.

Diana Pederson, 1014 7th Avenue North, expressed frustration that her neighbor's camper parked in the street blocks her view and takes up parking in front of her house, and getting two different stories from police officers regarding whether people are allowed to sleep in their campers.

Mayor Kelly responded that City staff would follow up with her to help resolve that problem.

Appearing telephonically was **John Hubbard**, 615 7th Avenue South. Mr. Hubbard commented that he is disgusted the government didn't stop the Coronavirus from making it to this continent, and that he is picketing at the County Courthouse because there is no justice.

Mayor Kelly inquired when Neighborhood Councils would be meeting again.

Deputy City Manager Chuck Anderson responded that three councils met last week, and two councils are meeting this week. Some councils are off for the summer because they use school buildings to meet and are not accessible, but staff is making arrangements for those councils to use rooms in the Civic Center if they choose to meet.

CITY MANAGER

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported on the following:

COVID Update – Staff continues to monitor statewide and local COVID-19 test results. There was a little uptick on June 12th. The Finance Department is awaiting plexi-glass installation and is the only office still closed to the public. Finance staff is reviewing all invoices and categorizing items to request reimbursement from the state by the July 17th deadline. Any reimbursements will go toward reimbursement of fund balance.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Protests - There have been three rallies and/or marches in the wake of the death of George Floyd. The protests have been peaceful, and the Great Falls Police Department (GFPD) has worked hard to insure that attendees were kept safe.

He has fielded some questions from the community and the City Commission about the GFPD's policies, procedures and practices. In anticipation of additional community conversation, he provided the Commission with some baseline information that included GFPD annual reports for the past five years, and a Memorandum that outlined hiring procedures, the role of the Police Commission and the Complaint Review Panel. He has also asked Chief Bowen to review current processes and procedures and recommend potential improvements. He does not recommend defunding the Police Department.

Manager Doyon also reported that he began a dialog with members of the African American community to establish a line of regular communication that has not existed before, to better understand the concerns of African American residents, and to increase access to and confidence in local leadership so when problems surface, they can be addressed in a timely and effective manner.

Pending:

- COVID-19 tracking
- Continuation of the March public safety/violent crime discussion
- FY 21 budget
- He offered the Commission a way to move forward with the proposal from Maclean-Cameron Animal Adoption Center and will schedule that topic for another work session
- DCIP application
- Review of Law Enforcement practices
- Three hires: Public Works Director, City Engineer, and Fire Chief

In addition to opening up a line of communication to the African American community, Mayor Kelly extended an invitation to the American Indian community.

With regard to comments about defunding the police, Mayor Kelly reminded everyone about the community forum held in March. In addition to the law enforcement in attendance, there were 12 – 14 community agencies that the police force and Sheriff's office work with hand in glove to assist with mental health and social service issues, homelessness concerns, and battered women. Much of the cry for defunding the police is to make sure that social services are included in policing. He is proud that Great Falls already utilizes the social service aspect integrated with the police force.

CONSENT AGENDA.

4. Minutes, June 2, 2020, City Commission Meeting.
5. Total Expenditures of \$2,733,384 for the period of May 16, 2020 through June 3, 2020, to include claims over \$5,000, in the amount of \$2,494,829.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

6. Contracts List.
7. Approve the corrected purchase amount of \$197,740 for one new Farber Super Duty model Bookmobile that was originally approved during the June 2, 2020 Commission meeting under agenda item #14.
8. Approve the Professional Services Agreement Amendment No. 2, increasing the agreement amount by \$7,625.00 between the City of Great Falls and Black and Veatch Corporation for engineering services on the Water Treatment Plant Facility Upgrades Project for a total fee not to exceed \$7,044,989.00, and authorize the City Manager to execute the Amendment. **OF 1519**
9. Approve the purchase of 250 tons of Liquid Asphalt CRS-2P from Western States Asphalt, LLC of Butte for a total of \$128,500.
10. Award a contract in the amount of \$2,481,170.00 for the Base Bid and Bid Alternate-1 to United Materials for the Lower Northside Water Main Replacement and Street Reconstruction project and authorize the City Manager to execute the construction contract documents. **OF 1467.0**
11. Reject all bids for the Park District Project for Irrigation Upgrades for Jaycee, Roosevelt, and Valleyview Parks and recommend staff re-advertise this project. **OF 1740.3**
12. Setting a Public Hearing for July 7, 2020 for proposed amendments to the 2019/2020 Annual Action Plan and Citizen Participation Plan.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission approve the Consent Agenda as presented.

Mayor Kelly asked if there were any comments from the public, in person or telephonically. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Mayor Kelly noted that about \$1.5 million dollars of the contract amount in Item 10 will be paid with gas tax/Bridge and Road Safety and Accountability Act (BaRSAA) funds received from the state.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.

PUBLIC HEARINGS

13. **TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) 2019/2020 BUDGET AMENDMENT.**

Great Falls Tourism Executive Director Rebecca Engum reported that the Commission approved the 2019/2020 TBID Budget and Work Plan on July 16, 2019. In the plan Air Service was identified as an opportunity.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

The TBID has placed assessment funds into reserves to be used for strategically aligned specific purposes and declared as obligations available for expenditure according to the reserve purpose in the Fiscal Year needed.

COVID-19 has had impacts on the Convention, Meetings, and Groups strategy. To better position Great Falls for recovery, the TBID Board approved an amendment to transfer funds from Convention, Meetings, and Groups to Leisure Travel strategy.

The TBID Board approved an amendment of \$52,100 to the budget to accommodate reserve spending to invest in Great Falls' Low-Cost Air Initiative and financial investment to support increased direct air service by carriers into the Great Falls International Airport.

Mayor Kelly asked if the Commissioners had any questions. No one responded.

Mayor Kelly declared the public hearing open.

No one spoke in person or telephonically in favor of or in opposition to the TBID 2019/2020 budget amendment.

Shyla Patera, 1013 7th Avenue NW, submitted written communication in support of not only growth in the tourism industry but also community accessibility and affordability options for all.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Robinson moved, seconded by Commissioners Houck and Moe, that the City Commission approve the 2019/2020 Tourism Business Improvement District Budget Amendment in the amount of \$52,100.

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

Commissioner Houck expressed appreciation of the Airport's and Chamber of Commerce's initiative and forethought regarding this item. She noted that Delta announced 11 communities will no longer be receiving service.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.

14. **RESOLUTION 10347, FIXING THE AMBULANCE SERVICES RATES PURSUANT TO TITLE 8, CHAPTER 5, SECTION 250, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF).**

Interim Fire Chief Jeremy Jones reported that Mont. Code Ann. §§ 7-6-4013 and 7-1-4131 and Ordinance 3181 adopted by the City Commission in 2018 requires a public hearing if a vendor submits a proposed fee increase to the EMS System Administrator for consideration and approval by City Commission resolution.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Title 8, Chapter 5 of the Official Code of the City of Great Falls (OCCGF) provides authority for the City Manager to establish the necessary procedures to enact the regulations, policies and procedures of issuing contracts and regulating 911 emergency ambulance services within the City of Great Falls and the establishment of ambulance service rates for the City's contracted ambulance transport service provider as approved by the City Commission.

Pursuant to OCCGF § 8.5.250 the contracted ambulance service shall submit to the EMS administrator a proposed ambulance fee schedule that will be approved by Commission resolution, if said fees are consistent with industry best practices, the market, and applicable federal and state laws.

In 2008 the City Commission approved "An Agreement with Great Falls Emergency Services (GFES) and the City of Great Falls, Montana for Citywide 911 Emergency Ambulance Services." Section 10B of said agreement pertains to rate adjustment requests and sets forth:

Rate Adjustment – Contractor may increase its rates above the annual CPI increase as required to maintain financial stability throughout the contract. Any increases to rates above the annual CPI increase shall be established in accordance with the requirements of the OCCGF 8.5.250.

In April of this year GFES General Manager Justin Grohs, on behalf of the owner of Great Falls and Missoula Emergency Services Dave Kuhn, provided notice to the Great Falls EMS System Administrator that GFES would be requesting a rate increase pursuant to the terms of the performance contract.

Justin Grohs, Great Falls Emergency Services General Manager, 514 9th Avenue South, explained ambulance billing and the financial aspects to assist the Commission in making an informed decision. He noted that GFES ambulance rates are derived from the "cost of readiness," that is the costs to be ready 24/7, 365 days per year to respond with proper equipment, vehicles, personnel, and the 24/7 payroll. The ambulance rates are derived at by dividing the number of transports into that cost. They also have to account for collection rates which tend to be quite low due to fixed rate government payers.

Mr. Grohs continued that GFES responds to several thousand calls per year. About 25% of those calls do not result in a transport. Paramedics treat a patient but do not transport the patient to an emergency room. Those responses are not billed to any payer. Medicare, Medicaid or commercial payers do not reimburse for that type of activity. About half of the remaining 75% of calls get billed to Medicare. Medicare only pays a fixed allowable rate, regardless of the costs. The rest of the bill endures a mandatory write-down. Another 25% gets billed to Medicaid. Medicaid also has fixed allowable rates, and the remainder is written off. Tri-Care is very similar to Medicare. He reported that about 88% of GFES responses are billed to a fixed-rate government allowable, and GFES rates are immaterial. About 5% of the remaining 12% end up being a no-pay and no collection to the ambulance service. The remaining 7% is billed to commercial insurance policies which may approximate a payment at full rate. GFES revenue increase from the proposed rate increase is about \$23 per transport.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Mr. Grohs also compared GFES rates to other similar communities within the state and suggested that GFES' proposed rates are in-line with the others. He noted that some communities are designated "rural" by Medicare. Great Falls is designated as "urban." The Medicare reimbursement for rural is higher than urban.

Mayor Kelly asked if the Commissioners had any questions.

Commissioner Tryon commented that the proposed increase is about 33%. He requested a breakdown of where that money will be going, the number of GFES employees, and a general description of the compensation an EMT makes in Great Falls.

Mr. Grohs responded that an annual increase in implemented based off the Western CPI that tends to be a small increase and is not enough to accommodate for their increase in actual costs. Every few years GFES will need to implement more significant rate increases. He noted again that the increase is only applicable to about 7% of the transports. The annual revenue generated from the rate increase will be allocated towards an additional unit put on duty in GFES response area during peak volume hours that was purchased several months ago. That unit and additional EMTs and paramedics will cost about \$220,000 per year. The rate increase will generate additional annual revenue of about \$136,000 per year.

Mayor Kelly inquired and was informed the last rate increase occurred in 2014.

Mayor Kelly declared the public hearing open.

No one spoke in person or telephonically in favor of or in opposition to Resolution 10347.

City Clerk Lisa Kunz summarized written communication received from **Shyla Patera**, 1013 7th Avenue NW, that she is generally in support, but is hoping that community partnerships can be studied to increase accessibility in healthcare transportation and payment options; and that **Sandra Goff** opposed the proposed fee increase.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Houck moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10347.

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

15. **RESOLUTION 10348, A CONDITIONAL USE PERMIT FOR A "TWO-FAMILY RESIDENCE" LAND USE UPON THE PROPERTY ADDRESSED AS 4921 9TH AVENUE SOUTH.**

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Planning and Community Development Director Craig Raymond reported that the applicant, Alyssa McEwan, has submitted an application to request a Conditional Use Permit (CUP) to allow for the legalization of a “two family residence” land use upon the property addressed as 4921 9th Avenue South and legally described as Lot 9, Block 7, Sunrise Terrace 2nd Addition, Sec. 9, T20N, R4E, PMM, Cascade County, MT. The subject property is zoned R-3 Single-Family High Density, wherein a “two family residence” land use is permitted upon receiving approval of a CUP and fulfillment of any required conditions.

The subject property is identified in the City’s records as containing a single-family residence, with an unrecorded second unit that was recently brought to the attention of the Planning and Community Development Department. Based on research conducted into both City and County records, the second unit has no history of installation or use. The current owner acquired the house with the unit already existing. Through discussion with the owner, it was determined that the second unit was remodeled and has been in use as a second dwelling since before 2005. The applicant wishes to legalize the existing second unit within the residence through a Conditional Use Permit. While the property in question is located within an R-3 Single Family High Density zoning district, there are multi-family and commercial zoning districts and properties that are located in close proximity. More specifically, properties on the south side of 9th Avenue South are zoned both R-5 Multi-Family Medium Density and C-1 Neighborhood Commercial. Because of the mix of density and use found in the area, legalizing the second unit through the requested CUP would create a smooth transition between the intensities of zoning districts.

The basis for decision for a Conditional Use Permit is listed in the Official Code of the City of Great Falls (OCCGF) §17.16.36.040. The Zoning Commission's recommendation and the City Commission's decision to approve, conditionally approve, or deny an application shall be based on whether the application, staff report, public hearing, and additional information demonstrates that the criteria, included as Findings of Fact - Conditional Use, have been met.

Increasing the residential density of the lot from one to two units will not adversely impact the area. Because the two family residence has existed on the property for at least 15 years, the impact of the two dwelling units has long been integrated into the fabric of the area. A more detailed analysis of impact was included in the Basis of Decision.

No improvements are recommended. Although one parking space could be added on the property to strictly comply with the requirement for two family residences (two spaces per dwelling), staff doesn’t recommend that this extra space be installed because the two units have existed for so many years.

The subject property is a corner lot, bounded to the north, east, and west by single-family homes. Across the avenue to the south are multi-family and commercial buildings.

Information about the applicant’s request was provided to Neighborhood Council District #4 and notices were provided to surrounding property owners. Staff has received no objections from the public.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Approval of the CUP will have no adverse financial impact upon the City of Great Falls. Approval would result in the legal use of the second unit on the parcel, which would increase the value of the property.

On May 12, 2020, the Zoning Commission conducted a public hearing and recommended the City Commission approve the requested CUP. Staff recommends approval of the CUP, subject to the Conditions of Approval:

1. Subsequent Modifications and Additions: If, after establishment of the conditional use, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria found in OCCGF 17.16.36.040. If such proposed change would alter a finding, the proposal shall be submitted for review as a new conditional use application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.
2. Expiration: The Conditional Use Permit shall expire one year after the date of issuance, if a Certificate of Occupancy has not been issued. The Administrator may extend the expiration date by up to one year if substantial work is ongoing. The Administrator may issue a Temporary Certificate of Occupancy that is valid for no more than one year if the only condition(s) remaining to be fulfilled involve landscaping that cannot be successfully established until the weather permits.
3. Abandonment: If the permitted conditional use ceases to operate for more than six months, the Conditional Use Permit shall expire.
4. General Code Compliance: The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
5. Acceptance of Conditions: No zoning or building permits shall be issued until the property owner acknowledges in writing that it has received, understands, and agrees to comply with the conditions of approval.

Alyssa McEwan, Applicant and owner of 4921 9th Avenue South, reported that she is looking for the opportunity to create more affordable housing in Great Falls.

Mayor Kelly asked if the Commissioners had any questions.

Commissioner Moe inquired if the Applicant purchased the property believing there was a rental unit.

Applicant McEwan responded that she bought the property from her father-in-law and knew it already had a rental unit in the basement. She learned after the purchase that she would need a CUP to have two separate addresses.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Commissioner Moe asked if the rental unit had been used as a rental unit prior to her purchasing the house.

Applicant McEwan responded in the affirmative.

Mayor Kelly declared the public hearing open.

No one spoke in person or telephonically or submitted any written communication in favor of or in opposition to Resolution 10348.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Houck moved, seconded by Commissioners Moe and Robinson, that the City Commission adopt Resolution 10348 subject to the applicant fulfilling the listed Conditions of Approval.

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

Commissioner Moe commented that she may not have been supportive had this not been purchased with the understanding that it included the rental unit.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

16. DEFENSE CRITICAL INFRASTRUCTURE PROGRAM (DCIP) GRANT APPLICATION.

City Manager Greg Doyon presented this item in detail this evening at the work session. He reported that official action is required for staff to submit the actual application so that the Department of Defense knows that the governing body is supporting the request and that there will be funds designated for the project.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission authorize the City Manager to submit a proposal to the Defense Community Infrastructure Pilot Program (DCIP) for a Community Recreation and Indoor Pool Facility and to apply for assistance in the amount of \$10 million dollars; further, that the City Commission acknowledges that funding for the City's \$10 million required match will be derived from Park Maintenance District #1 funds.

Mayor Kelly asked if there were any comments from the public, in person or telephonically.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners. He noted that the architect and engineering firms presented this item during tonight's work session, and the video of the work session will be posted on the City's website.

Commissioner Moe commented that after the Natatorium closed she was not hopeful that the City would be able to replace it. She commended City staff for the efforts made to seize an opportunity that otherwise she thinks would have made it impossible in this community.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

17. **ORDINANCE 3215, REPEALING TITLE 17, CHAPTER 12, ARTICLE 3, AND ORDINANCE 3216, REPEALING TITLE 15, CHAPTER 1, SECTION 020 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO THE GREAT FALLS DESIGN REVIEW BOARD.**

City Attorney Sara Sexe reported that on November 7, 2018, the City Commission adopted Resolution 10256, temporarily suspending the Great Falls Design Review Board (DRB) meetings and review requirements for a period of one-hundred-eighty (180) days. On June 4, 2019, the Commission adopted Resolution 10297, suspending the DRB an additional one-hundred-eighty (180) days. During the course of that suspension, staff reviewed the DRB process in order to make the DRB review process more efficient for land development applicants.

On December 3, 2019, the Commission adopted Resolution 10321, amending the DRB's review process and placing limitations on what the DRB could substantively review in the development application process.

After further consideration, under Commission Initiatives at the February 4, 2020 Commission Meeting, Commissioners Tryon and Robinson requested that staff draft language for a resolution to dissolve the DRB. There was no objection by other Commission members.

On March 3, 2020, the Commission adopted Resolution 10336 by a three to two vote that dissolved the Great Falls Design Review Board completely. Resolution 10336 also directed City Staff to present appropriate OCCGF amendments that would fulfill the intent of Resolution 10336 to dissolve the DRB. Ordinances 3215 and 3216 under consideration are presented in response to that direction.

At its regularly scheduled meeting on May 12, 2020, the Great Falls Planning Advisory Board voted unanimously recommending that the City Commission adopt Ordinance 3215.

If adopted, the Ordinances will repeal OCCGF provisions pertaining to the DRB.

Commissioner Robinson moved, seconded by Commissioner Tryon, that the City Commission adopt Ordinance 3215 and Ordinance 3216.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Mayor Kelly asked if there were any comments from the public, in person or telephonically.

Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Hearing none, Mayor Kelly called for the vote.

Motion carried 4-1 (Commissioner Moe dissenting).

Commissioner Robinson stepped out of the meeting at 8:18 pm and returned at 8:20 pm.

18. ORDINANCE 3219, AN ORDINANCE AMENDING TITLE 15, CHAPTERS 12 AND 13 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO GEOLOGIC HAZARDS.

Mayor Kelly noted that this item will be presented for informational purposes, and City staff will provide guidance on when the item will be brought back for a public hearing.

Planning and Community Development Director Craig Raymond reported that things have evolved since this topic was presented at a Commission Work Session. There has been general support of the Ordinance, but there are more conversations that need to take place. Staff had a meeting with representatives of the development community and an engineer yesterday. At this time he doesn't have a specific recommendation for a date for the public hearing.

City Manager Greg Doyon added that the existing standards that are in place remain in effect for residential building and construction. Applicants will need to find someone to prepare a geotech report.

Written communication was submitted from **Spencer Woith**, President of Woith Engineering, Inc., 405 3rd Street NW, and **John Harding**, President of S&H Aluminum Products, Inc., 901 6th Street South, requesting that the setting of the public hearing be postponed for 30 days.

19. RESOLUTION 10349, AMENDING RESOLUTION 10299, EXTENDING THE EFFECTIVE PERIOD THEREOF IN WHICH TO COMPLETE THE NUISANCE ABATEMENT OF CERTAIN PROPERTY LOCATED AT 520 8TH AVENUE SOUTH.

Planning and Community Development Director Craig Raymond reported that on January 2, 2019, the City Commission adopted Resolution 10274 declaring the property located at 520 8th Avenue South to be a Nuisance, pursuant to the Official Code of the City of Great Falls (OCCGF) Title 8, Chapter 49, ordered the nuisance to be abated and authorized staff to force abatement if necessary. On July 2, 2019, the City Commission adopted Resolution 10299 extending the effective period for nuisance abatement to July 2, 2020.

Staff is requesting a second extension until July 2, 2021, to complete the ordered abatement on the property due to legal proceedings that were brought forth by the City against the property owner. As a result of these proceedings, more time is needed for the contractor hired by the City to complete the abatement.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Commissioner Tryon moved, seconded by Commissioners Moe and Robinson, that the City Commission adopt Resolution 10349.

Mayor Kelly asked if there were any comments from the public, in person or telephonically.

Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

CITY COMMISSION

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Tryon recognized Katie Hanning from the Home Builders Association in attendance. He encouraged her to attend the public hearing when Item 18 is rescheduled and provide her informed opinion.

Commissioner Tryon also discussed the form emails the City Commission members received demanding to defund the Great Falls Police Department. Most if not all of the emails were from a national organization called Defund 12 and were generated from people not living in this community. He noted that he and a large majority of people in this community support the Great Falls Police Department and what they do every day to protect this community. Defunding is a ludicrous notion and the one size fits all movement is uncalled for.

Commissioner Robinson noted he wasn't in attendance at the last meeting but listened to Chief Bowen's comments about the tragic death of George Floyd. He believed Chief Bowen's comments to be the right mix of admonishment, compassion, and wisdom. He is proud of Chief Bowen personally and he appreciates the professionalism of the peace officers at the Great Falls Police Department.

He also recognized Gallery 16, a downtown business of 50 years, that is now closing due to the impacts of Covid 19. He thanked the all female owned business for providing Great Falls with a place to enjoy and purchase locally created art.

Commissioner Robinson sadly announced that Bob Oakland peacefully passed away at the age of 94. He started City Chevrolet in the early 1950's, that was later known as City Motors. City Motors has demonstrated an unbelievable community spirit with a flare for philanthropy, especially to Special Olympics and the Great Falls Public Schools Foundation. He will be truly missed.

Commissioner Houck commented that people can call the Crises Hotline to access support and services in the community. She is sad to see Gallery 16 close its business. She gave a shout out to all of the businesses in the community that took time during the pandemic to think about their own business models, to do renovations, or take a family vacation. She encouraged support of these businesses that are committed to this community.

JOURNAL OF COMMISSION PROCEEDINGS

June 16, 2020

Commissioner Moe watched the live stream forum regarding racism provided by the AT Worship Temple Church and was impressed by all of the participants. She thinks it is the Commission's job not to be complacent. The police are one factor and perhaps the most visible factor of a problem that our entire society has had for a long time. She hopes the Commission will engage in conversations, ask the questions and build the relationships that will really make a meaningful step forward.

Mayor Kelly expressed condolences to the family of Bob Oakland. He was a great role model.

Mayor Kelly also displayed before and after pictures of the Warden Bridge. He expressed appreciation to Deb Kottel of St. Vincent de Paul, her volunteers and Park and Recreation staff for providing 37 man-hours to clean up and remove over 3,200 pounds of trash under the Warden Bridge.

21. REQUIREMENT FOR PROVIDING ADDRESS DURING PUBLIC COMMENT.

The Commission did not discuss or take action on agenda item 21.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Robinson moved, seconded by Mayor Kelly, to adjourn the regular meeting of June 16, 2020, at 8:39 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: July 7, 2020



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

PRESENTED BY: Finance Director

ACTION REQUESTED: Approval with Consent Agenda

LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT
<http://greatfallsmt.net/finance/checkregister>

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

ACCOUNTS PAYABLE CHECK RUNS FROM JUNE 4, 2020 - JUNE 24, 2020	3,927,708.25
MUNICIPAL COURT ACCOUNT CHECK RUN FOR JUNE 2, 2020 - JUNE 15, 2020	5,899.00
TOTAL: \$	<u>3,933,607.25</u>

SPECIAL REVENUE FUND

SUPPORT & INNOVATION

GREAT FALLS BUSINESS IMPROVEMENT DISTRICT	MAY 2020 BID ASSESSMENT TAX DISTRIBUTION	69,168.28
GREAT FALLS TOURISM BUSSINESS IMPROVEMENT DISTRICT	MAY 2020 TBID ASSESSMENT TAX DISTRIBUTION	143,713.00

POLICE SPECIAL REVENUE

PACIFIC SCIENTIFIC ENERGTIC MATERIALS CO LLC	LAUNCH STICKS	8,985.00
G&G TRANSPORT LLC	VEHICLE TRANSPORT GFPD	10,300.00

STREET DISTRICT

GERANIOS ENTERPRISES INC	OF 1679.9 43RD ST N & 8TH AVE N RECONSTRUCTION	5,511.60
STATE OF MONTANA	OF 1739.1 STUCKY RD IMPROVEMENTS	8,158.80
GREAT FALLS SAND & GRAVEL	HOT MIX TYPE B & C	16,444.12

PARK DISTRICT

UNITED MATERIALS OF GREAT FALLS	OF 1740.2 JAYCEE PARK IMPROVEMENTS	24,854.12
MRTE INC	OF 1737.2 GIBSON PARK & ELKS PARK TRAIL RESTORATION (SPLIT AMONG FUND)	193,183.56

SPECIAL REVENUE FUND (cont.)

FEDERAL BLOCK GRANTS

MRTE INC	OF 1737.2 GIBSON PARK & ELKS PARK TRAIL RESTORATION (SPLIT AMONG FUND)	16,388.06
GREGOIRE CONSTRUCTION	90% GIBSON PARK CONCRETE	38,727.81

PERMITS

TYLER TECHNOLOGIES INC	TRAINER FOR ENERGOV SOFTWARE PROGRAM	56,276.67
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CENTRAL MONTANA AG TECH PARK TID

MRTE, INC	OF 1658.1 CMATP TIF PHASE 3 STORM DRAIN	86,761.12
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EAST INDUSTRIAL AG TECH PARK

GREAT FALLS AGRITECH PARK, LLC	JAN 1 AND JULY 1 TID PAYMENT	162,461.44
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ENTERPRISE FUNDS

WATER

DPC INDUSTRIES INC	CHEMICALS	5,479.20
THATCHER CO OF MONTANA	CHEMICALS	32,763.52
KUSTOM CITY FIBERGLASS INC	FIBERGLASS ALUM TANK	30,982.05
NALCO COMPANY	CHEMICALS	5,599.83
JOHN DEERE AG & TURF CORPORATE	WATERPLANT COMPLEX MOWER	9,450.21
ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES INC	SCADA CONVERSION WONDERWARE TO IGNITION	9,638.68
AE2S CONSTRUCTION LLC	OF 1637.1 WTP FILTRATION IMPROVEMENT	78,801.69
THE HDD COMPANY INC	OF 1494.6 WATER MAIN CROSSING UNDER THE UPPER MISSOURI RIVER	296,372.70
SLETTEN CONSTRUCTION CO	OF 1637.1 WTP FILTRATION IMPROVMENTS	365,908.01
FERGUSON ENTERPRISES	WATER METERS	5,088.86

SEWER

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	256,147.61
VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	12,500.00
M & D CONSTRUCTION INC	OF 1695.9 EMERGENCY SEWER MAIN REPAIR VERDE DR & 18TH AVE S	23,847.19
VEOLIA WATER NORTH AMERICA	NON ROUTINE MAINTENANCE GRIT SCREW	9,352.72

SANITATION

OLYMPIC SALES INC	REFUSE CONTAINERS	25,070.00
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911 DISPATCH CENTER

MICHAEL BAKER INTERNATIONAL INC	PROFESSIONAL SERVICES PREPARING NG9-1-1 GRANT	7,368.75
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PARKING

STANDARD PARKING CORPORATION	CONTRACT SERVICES FOR DOWNTOWN PARKING PROGRAM	30,185.48
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INTERNAL SERVICES FUND

HUMAN RESOURCES

TYLER TECHNOLOGIES INC	MUNIS SOFTWARE IMPLEMENTATION (SPLIT AMONG FUNDS)	8,400.00
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INSURANCE & SAFETY

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	MAY 2020 DEDUCTIBLE RECOVERY BILLING	9,869.53
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FINANCE

DATAPROSE LLC	MAY 2020 POSTAGE AND STATEMENT PRINTING	10,118.62
TYLER TECHNOLOGIES INC	MUNIS SOFTWARE IMPLEMENTATION (SPLIT AMONG FUNDS)	24,350.00

CENTRAL GARAGE

FLAWLESS AUTO BODY, INC MOUNTAIN VIEW CO-OP	REPAIRS TO PD 7 REAR END DAMAGE FUEL	9,219.37 29,701.03
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TRUST AND AGENCY

PAYROLL CLEARING

STATE TREASURER	MONTANA TAXES	93,306.00
ICMA RETIREMENT TRUST	EMPLOYEE CONTRIBUTIONS	20,137.90
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	108,876.65
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	131,277.03
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	239,268.19
POLICE SAVINGS & LOAN	EMPLOYEE CONTRIBUTIONS	14,055.50
US BANK	FEDERAL TAXES, FICA & MEDICARE	398,542.30
AFLAC	EMPLOYEE CONTRIBUTIONS	18,898.65
LABORERS INTERNATIONAL UNION	EMPLOYEE CONTRIBUTIONS	23,202.37
WESTERN CONF OF TEAMSTERS	EMPLOYEE CONTRIBUTIONS	16,242.30
MONTANA OE - CI TRUST FUND	EMPLOYEE CONTRIBUTIONS	24,913.95
NATIONWIDE RETIREMENT SOLUTIONS	EMPLOYEE CONTRIBUTIONS	28,393.00
WSCFF EMPLOYEE BENEFIT TRUST	EMPLOYEE CONTRIBUTIONS	6,300.00

UTILITY BILLS

ENERGY WEST RESOURCES INC	MAY 2020 CHARGES	15,040.18
NORTHWESTERN ENERGY	MAY 2020 SLD CHARGES	72,701.37
ENERGY KEEPERS INC	ENERGY CHARGES FOR MAY 2020	50,778.00
HIGH PLAINS LANDFILL	APRIL 2020 SANITATION CONTRACT	112,935.34

CLAIMS OVER \$5000 TOTAL:\$ 3,512,017.36

CITY OF GREAT FALLS, MONTANA

AGENDA: 9

COMMUNICATION TO THE CITY COMMISSION

DATE: July 7, 2020

ITEM: CONTRACTS LIST
 Itemized listing of administratively approved contracts.
 (Listed contracts are available for inspection in the City Clerk’s Office.)

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR’S SIGNATURE: _____

CONTRACTS LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	AMOUNT	PURPOSE
A	Planning and Community Development	Montana Department of Commerce, Community Development Division	07/07/ 2020 – 03/31/2022	\$15,000 (grant award)	Ratification of Montana Department of Commerce Main Street Program Contract #MT-MMS-20-004 for funding assistance to develop a wayfinding signage plan (CR 120319.10A)
B	Planning and Community Development	Business Improvement District (BID)	07/07/2020 – 03/31/2022	N/A	Ratification of Memorandum of Understanding to allow the BID to administer and comply with the terms of the Montana Department of Commerce Main Street Program Contract #MT-

					MMS-20-004 (CR 070720.XXA, 120319.10A)
C	Administration	Montana Department of Commerce	04/08/2020 – 04/08/2022	\$45,000 (grant award)	Ratification of Montana Department of Commerce Big Sky Economic Development Trust Fund Program Contract #MT-BSTF-1-20-30 to assist Crago, Inc., dba PrintingCenterUSA, expand its business, purchase new equipment and create additional jobs in Great Falls (CR Res. 10337, 030320.16)
D	Planning and Community Development	FASST Extinguishers, Inc.	07/07/2020 – 06/30/2023	\$4 Service \$8 Recharge \$12 Hydro Testing \$27-\$60 for replacement fire extinguishers	Agreement for Fire Extinguisher Service and Maintenance in the Civic Center Building
E	Municipal Court	State of Montana & Iron Mountain Information Management, LLC	06/25/2020 – 04/28/2021	Varying prices per collection container & other services	Ratification of Affiliate/Multi-Location Agreement for shredding services with the terms and conditions as outlined in the existing Agreement between Iron Mountain Information Management, LLC and the Montana Secretary of State's Office (Customer ID RSW68)

F	Public Works – Engineering	KLG Engineering LLC	07/07/2020 – 12/31/2021	\$24,830	Professional Services Agreement to complete civil/structural design for new exterior metal stairs at the Water Treatment Plant, to design and develop construction documents to be utilized for bidding and construction, and to provide bidding assistance and construction administration OF 1760
G	Public Works – Engineering	NCI Engineering Company	07/07/2020 – 12/31/2021	\$24,550	Professional Services Agreement to assist with design, bidding and construction services needed to construct a building pad, pump station, force main, utility stub ups, electrical services and disconnect pump station controls, and demolition of existing restroom for a new ADA Restroom structure to be delivered in September and placed at Oddfellows Park OF 1740.4
H	Park and Recreation	Montana Entertainment & Fireworks, dba Big Sky Fireworks	07/04/2020	\$22,000 (paid for by People’s Park and Recreation Foundation)	Ratification of Contract Agreement for 4 th of July Pyrotechnic Display at two locations: West Bank & Centene Stadium



Item: 2020-2021 School Resource Officer (SRO) Agreement between the City of Great Falls and the Great Falls Public Schools District.

From: Great Falls Police Department

Initiated By: Chief Dave Bowen

Presented By: Chief Dave Bowen

Action Requested: Approve the 2020-2021 School Resource Officer Services Agreement and authorize the City Manager to sign the agreement.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) the 2020-2021 School Resource Officer Agreement between the City of Great Falls and the Great Falls Public Schools District.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends that the City Commission approve the 2020-2021 School Resource Officer Agreement between the City of Great Falls and the Great Falls Public Schools District.

Background: The Great Falls Public School District and the Police Department have had a partnership for over twenty two years where the Police Department has provided the School District police services on a contract basis. This year is a continuation of the ongoing partnership where the Police Department has agreed to provide four confirmed police officers and equipment necessary to provide school resource officer services. The School District has agreed to pay the City quarterly for the cost of these services as detailed in the agreement. SRO’s fulfill an important role at the schools and the current staffing of four officers is required to meet the workload.

Fiscal Impact: The School District will be billed quarterly in the amount of Eighty-Eight Thousand, Three Hundred Sixty-Seven Dollars and Forty-Three Cents (\$88,367.43), for a total amount of Three Hundred Fifty-Three Thousand Four Hundred Sixty Nine Dollars and Seventy-Five Cents (\$353,469.75). Quarterly payments will be due on or before September 30, 2020; December 31st, 2020; March 31, 2021 and June 30, 2021.

Alternatives: Reject – The City Commission could vote to deny the contract, or the Commission could table action on the item to a date certain.

Concurrences: Great Falls Public Schools.

Attachments/Exhibits:

GFPS 2020-2021 SRO Contract

2020-2021
SCHOOL RESOURCE OFFICER
AGREEMENT
Between the City of Great Falls and the Great Falls Public School District

This AGREEMENT is made and entered into by and between the City of Great Falls, a municipal corporation of the State of Montana, 2 Park Drive South, Great Falls, Montana 59401 -- (hereinafter "City") and the Great Falls Public School District Number 1 and A, (hereinafter "District"), 1100 4th Street South, Great Falls, Montana 59405.

SECTION 1. PURPOSE

The AGREEMENT formalizes the relationship between the participating entities in order to foster an efficient and cohesive program that will build positive relationships between law enforcement and the youth in our community, with the goal of reducing crime committed by juveniles and young adults. This AGREEMENT delineates the mission, terms, goals and procedures of the School Resource Officer (hereinafter "SRO") Program as a joint cooperative effort between the District and the City, through the Great Falls Police Department (hereinafter the "Police Department"). The success of this program relies upon the effective communication between all involved parties.

SECTION 2. TERM AMOUNTS and LIABILITIES

The term of this AGREEMENT shall begin August 30, 2020 and end on June 1, 2021. The parties may renew this AGREEMENT only by written agreement or addendum hereto, which must be executed by both parties.

The City does hereby agree to provide the District with four confirmed Police Officers and equipment necessary to provide SRO services. The District shall pay the City quarterly installments of \$88,367.43, for a total amount of \$353,469.75 as follows: Quarterly payments will be due on or before September 30, 2020; December 31st, 2020; March 31, 2021 and June 30, 2021. The aforesaid charges are based on a full one hundred eighty-seven (187) day school session and the same shall be adjusted on a pro rata basis to reflect any additional school days.

In the event that an SRO is absent from work for five consecutive instructional days, then beginning with the sixth consecutive day of absence and continuing through the absence, the Police Department may assign another officer to substitute for the SRO. If a substitute officer is not available to the Great Falls Public School District starting on the sixth consecutive instructional day, the Great Falls Public School District payment will be pro-rated for the period of time that an officer was not available.

The parties agree that their respective employees, students and/or agents are not to be considered employees of the other party for any purpose. The parties agree to comply with all federal, state and local laws, rules and regulations, including safety rules, codes and provisions of the Montana Safety Act in Title 50, Chapter 71, MCA. The parties, as to their own employees, shall comply with the applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA, and shall maintain

workers' compensation coverage for all employees, except for those members who are exempted as independent contractors under the provisions of 39-71-401, MCA.

To the fullest extent permitted by law and subject to the applicable limitations set forth in Mont. Code Ann. §2-9-108, the parties shall mutually indemnify, defend and hold harmless the other against, and from, any and all liability, costs, damages, claims or causes of action which may arise out of that party's officers, employees, agents, and students' performance under this agreement.

SECTION 3. MISSION and GOALS

The mission of the SRO Program is the reduction and prevention of school-related violence and crimes committed by juveniles and young adults and to build relationships between law enforcement and the youth community. The SRO Program aims to create and maintain safe, secure and orderly learning environments for students, teachers and staff. This is accomplished by assigning a Law Enforcement Officer as an SRO, who is employed by the Police Department to the District facilities on a permanent basis.

Goals and objectives are designed to develop and enhance rapport between youth, police officers, school administrators/staff and parents. Goals of the SRO Program include, but are not limited to:

1. Reducing incidents of school violence and crime;
2. Maintaining a safe and secure environment on school grounds;
3. Reducing criminal offenses committed by juveniles and young adults;
4. Establishing a rapport between the SRO and the student population; and
5. Establishing a rapport between the SRO and parents, faculty, staff and administrators.

Moreover, the SRO's will establish a trusting channel of communication with students, parents and school staff. The SRO's will serve as a positive role model to instill in students good moral standards, good judgment and discretion, respect for others, and a sincere concern for the school community. The SRO's will promote citizen awareness of the law to enable students to become better-informed and effective citizens, while empowering students with the knowledge of law enforcement efforts and obligations regarding enforcement, as well as consequences for violations of the law. The SRO's can serve as confidential sources of informal counseling for students and parents concerning problems they face, as well as providing information on community resources available to them.

The SRO Program shall utilize the SRO Triad concept as set forth by NASRO (National Association of School Resource Officers). Under this framework, each SRO is first and foremost a law enforcement officer for the Police Department. Additionally, the SRO's are extensions of the school administration and will be recognized as school officials. The SRO's shall be responsible for carrying out all duties and responsibilities of law enforcement officers and shall remain at all times under the control, through the chain of command, of the Police Department. All acts of commission or omission shall conform to the guidelines of the Police Department directives. Although the SRO's may assist with the enforcement of the District's code of conduct, discipline related to such matters is the responsibility of District teachers and administrators.

Although the SRO's have been placed in a formal educational environment, they are not relieved of the official duties as enforcement officers. The SRO's shall intervene when it is necessary to prevent any criminal act or maintain a safe school environment. Citations shall be issued and arrests made when appropriate and in accordance with Montana state law and department policy.

The SRO's, the Police Department, and/or appropriate prosecuting agencies will have the final decision on whether criminal charges shall be filed. The Police Department reserves the right to temporarily remove the SRO's in the event that it determines, in its sole discretion, that additional officers are needed during a critical incident or natural disaster.

SECTION 4. DUTIES AND RESPONSIBILITIES

- A. The responsibilities of the SRO's include but are not be limited to:
1. Act as employees of the Police Department and be subject to the administration, supervision and control of the Police Department;
 2. Abide with all personnel policies and practices of the Police Department except as such policies or practices may be modified by the terms and conditions of this AGREEMENT;
 3. Enforce criminal law and protect the students, staff, and public at large against criminal activity. School authorities and the parents of any student criminally charged shall be notified as quickly as possible by the SRO's;
 4. Complete reports and investigate crimes and conduct follow-up investigations as assigned by the SRO supervisors;
 5. Abide by all applicable legal requirements concerning interviews or searches should it become necessary to conduct formal law enforcement interviews or searches with students or staff on property or at school functions under the jurisdiction of the District. The SRO's will not be involved in searches conducted by school personnel unless a criminal act is involved or unless school personnel require the assistance of the SRO because of exigent circumstances, such as the need for safety or to prevent flight;
 6. Be highly visible throughout the campus, yet be unpredictable in their movements. For officer safety reasons, the SRO's shall not establish any set routine, which allows predictability in their movements and their locations;
 7. Confer with the school administration to develop plans and strategies to prevent and/or minimize dangerous situations on or near the campus or involving students at school-related activities;
 8. Provide information concerning questions about law enforcement topics to students and staff;

9. Attend law enforcement agency in-service trainings as required. Reasonable attempts will be made to schedule such trainings to minimize SRO absence from school on an instructional day;
10. Attend meetings of parent and faculty groups to improve their understanding of the SRO Program and to promote awareness of law enforcement functions;
11. Be familiar with community agencies offering assistance to youths and their families such as mental health clinics, drug treatment centers, etc., and may make recommendations to the families when appropriate;
12. Act as the designee of the campus administrator in maintaining the physical plant of the assigned campus to provide a safe environment as to law enforcement matters. This includes building(s), grounds, parking lot(s), lockers and other public school property;
13. Be involved in school discipline but only when it pertains to preventing a disruption that would, if ignored, place students, faculty and staff at risk of harm, the SRO's will assist in resolving the problem to preserve the school climate. Regarding school code violations that disrupt the school learning environment, the SRO's will take the student to a school administrator's office for discipline to be meted out by school officials;
14. Share information with the school administrator(s) about persons and conditions that pertain to all District campus safety concerns;
15. Wear business casual attire with appropriate logos and/or badges depending on the time of school year, the type of school activity or program, and the requests of the school and/or police department;
16. Wear Police Department authorized duty weapons in accordance with Police Department policy;
17. Not transport students in Police Department vehicles except when in the SRO's judgment, the students are victims of a crime, under arrest, or some other unique circumstances exist;
18. As soon as reasonably possible, in the event an SRO is absent from work, notify his or her supervisor in the Police Department and the principal of the school(s) to which the SRO is assigned; and
19. At the School Administrator's request, take appropriate law enforcement action against unwanted guests or trespassers who may appear at the school and school related functions, to the extent that the SRO's may do so under the authority of the law.

B. The responsibilities of the Police Department SRO supervisors include but are not limited to:

1. Coordinate work assignments of the SRO's;
2. Ensure SRO's compliance with Police Department directives;
3. Coordinate scheduling and work hours of the SRO's (Vacation requests, sick leave, etc.). It is the intent of the parties that the SRO's duty hours shall conform to the school day;
4. Work with the schools to make any needed adjustments to the SRO program throughout the school year;
5. Complete the SRO's annual performance evaluation. The SRO supervisor will request feedback from the schools designated contact person during the evaluation process;
6. In their sole discretion, as agents of the Police Department, hire, discharge, and discipline SRO's; and
7. Serve as liaisons between the Police Department and District Administrators in order to resolve matters of mutual concern.

c. The responsibilities of the District Administrators and staff include but are not limited to:

1. Provide the SRO's with private, appropriately furnished office space at the assigned primary school that can be secured. This may include but is not limited to desks with drawers, chairs, filing cabinets for files and records which can be properly locked and secured, telephones and computers;
2. Seek input from the SRO's regarding criminal justice problems relating to students and site security issues;
3. Notify the SRO's as soon as reasonably possible when school personnel discover weapons, drugs, alcohol, or other illegal contraband on school property. Even if the possession of the contraband is not prohibited by federal, state or local laws or regulations, if the possession of the contraband is a violation of District policy or the student handbook, the contraband may be confiscated and turned over to the SRO's to be properly secured and/or disposed of;
4. Timely notify the SRO's with the names of specific individuals who are not allowed on school property, and shall notify the SRO's of any anticipated parental problems resulting from disciplinary action taken against a student;

5. Work cooperatively with the Police Department to make any needed adjustments to the SRO Program throughout the year;
6. Allow SRO's to view records maintained by the school (Power School, Mileposts) as deemed necessary in the course of their official duties. The SRO's will maintain the same level of confidentiality with regards to school records as they would with any police records, which is dictated by Police Department policy and applicable law; and
7. Consider as hours worked under this AGREEMENT, time spent by SRO's attending municipal court, juvenile court, and/or criminal cases arising from and/or out of their employment as an SRO.

SECTION 5. NON-DISCRIMINATION

The parties agree that in the performance of this AGREEMENT, they will not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, national origin, or other class protected by state and/or federal law.

SECTION 6. DEFAULT AND TERMINATION

If either party fails to comply with any condition of this AGREEMENT at the time or in the manner provided for, the other party, at its option, may terminate this AGREEMENT and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this AGREEMENT.

SECTION 7. APPLICABILITY

This Agreement and any extensions hereof shall be governed and construed in accordance with the laws of the State of Montana.

SECTION 8. BINDING EFFECT

This AGREEMENT and all of the covenants hereof shall inure to the benefit and be binding upon the City and the District respectively and their successors, assigns and legal representatives. Neither the City nor the District shall have the right to assign or transfer their interest or obligations hereunder without written consent of the other party.

SECTION 9. AMENDMENTS

Any amendment or modification of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of the Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by the persons duly authorized on the _____ day of _____, 2020.

EXECUTED BY:
GREAT FALLS PUBLIC SCHOOLS, District No. 1 and A

By: _____

Print Name: Thomas G. Moore

Print Title: Superintendent

GREAT FALLS PUBLIC SCHOOLS, District No. 1 and A

By: _____

RW HSA

Print Name: Brian Patrick

Print Title: Director of Business Operations

CITY OF GREAT FALLS, MONTANA

Greg Doyon
City Manager
City of Great Falls

ATTEST:

Lisa Kunz, City Clerk (SEAL OF THE CITY)

APPROVED AS TO FORM*:

By: _____
Sara Sexe, City Attorney

* By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.



Item: Change Order No. 1 and Final Payment: 2019 CDBG ADA Handicap Ramps and Sidewalk, OF 1715.4

From: Engineering Division

Initiated By: Public Works Department

Presented By: Paul Skubinna, Environmental Division Supervisor

Action Requested: Approve Change Order No. 1 and Final Payment

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Change Order No. 1 in the amount of \$20,400.00 and (approve/not approve) Final Payment for the 2019 CDBG ADA Handicap Ramps and Sidewalk in the amount of \$5,634.88 to David Kuglin Construction and \$56.92 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation:

Approve Change Order No. 1 and the Final Payment Request

Summary:

This project was initiated to provide Americans with disabilities with an accessible pedestrian route in an area qualified as a low to moderate income neighborhood as defined by the Community Development Block Grant (CDBG) census. The low to moderate income areas are defined using CDBG census information and the need for pedestrian improvements are determined according to the Americans with Disabilities Act (ADA) Public Right of Way Transition Plan along with stakeholder input. This project replaced non-compliant sidewalk, curb, ramps and alley aprons along 13th Street North between 2nd Avenue North and 5th Avenue North. The ADA improvements provide pedestrian connectivity to the C.M. Russell Museum, a city park, and an existing transit bus route.

Background:

Purpose

The primary objective of this project was to enhance access and public right-of-way improvements in a low to moderate income (LMI) neighborhood. Additionally, existing storm drainage inlets and street intersection corners were upgraded.

Project Work Scope

This project replaced 600 lineal feet of integral concrete curb and gutter, and 5,900 square feet of sidewalk and valley gutter, and included drainage and restoration work. The project contract time was 45 calendar days.

Change Order No. 1 involved replacing 170 cubic yards of existing concrete roadway base that was discovered during the course of the project and not included in the original bid scope.

Evaluation and Selection Process

Three (3) bids were received on June 19, 2019 with the bid prices ranging from \$153,190.00 to \$194,775.00. David W. Kuglin Construction submitted the low bid.

Workload Impacts

The City Engineering staff completed CDBG Grant application, project design, project plans and specifications, and provided construction phase engineering and inspection services.

Final Payment

The final project cost is \$159,150.00, which is \$5,960.00 more than the original contract amount. The increase in the contract amount is due to the additional work scope in Change Order No. 1. The full work scope of Change Order No. 1 was completed, while there were under runs in some of the original bid items such as concrete, sod and gravel quantities.

Conclusion

City staff recommends approval of Change Order No.1 in the amount of \$20,400.00 and approval of the Final Payment in the amount of \$5,634.88 to David Kuglin Construction and \$56.92 to the State Miscellaneous Tax Fund.

Alternatives:

The City Commission could vote to accept Final Payment and Change Order No.1, accept Final Payment and deny Change Order No. 1, or deny both.

Concurrences:

City Engineering Staff and the Community Development Block Grant coordinators recommend approval of the Final Payment.

Attachments/Exhibits:

1715.4- Final Pay

1715.4- Change Order No.1

1715.4 -Vicinity Map

APPLICATION FOR PAYMENT NO. 6

To: City of Great Falls (OWNER)
From: David W. Kuglin Construction (CONTRACTOR)
Contract: 2019 CDBG ADA Handicap Ramps and Sidewalk, OF 1715.4
Project: 2019 CDBG ADA Handicap Ramps and Sidewalk
OWNER's Contract No. O.F. 1715.4 ENGINEER's Project No. PW341905
For Work accomplished through the date of: 5/1/20.

1.	Original Contract Price:	\$ <u>153,190.00</u>
2.	Net change by Change Orders and Written Amendments (+ or -):	\$ <u>20,400.00</u>
3.	Current Contract Price (1 plus 2):	\$ <u>173,590.00</u>
4.	Total completed and stored to date:	\$ <u>159,150.00</u>
5.	Retainage (per Agreement):	
	<u>0</u> % of Completed Work: \$ _____	
	____ % of stored material: \$ _____	
	Total Retainage:	\$ <u>0.00</u>
6.	Total completed and stored to date less retainage (4 minus 5):	\$ <u>159,150.00</u>
7.	Less previous Applications for Payments:	\$ <u>153,458.20</u>
8.	Gross Amount Due this application: (6 minus 7):	\$ <u>5,691.80</u>
9.	Less 1% State Gross Receipts Tax:	\$ <u>56.92</u>
10.	DUE THIS APPLICATION (8 MINUS 9):	\$ <u>5,634.88</u>

Accompanying Documentation:

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 5 inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated _____
CONTRACTOR

By: _____

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated _____
ENGINEER

By: _____

EJCDC No. 1910-8-E (1996 Edition)
Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute. **Modified by the City of Great Falls to add items 9 and 10.**

CHANGE ORDER

No. 1

DATE OF ISSUANCE July 23, 2019 EFFECTIVE DATE August 6, 2019

OWNER City of Great Falls

CONTRACTOR David Kuglin Construction, Spectrum – Charter Communications

Contract: 2019 CDBG ADA Handicap Ramps and Sidewalk, O.F. 1715.4

OWNER’S Contract No. O.F. 1715.4 ENGINEER’S Contract No. N/A

You are directed to make the following changes in the Contract Documents.

Description: Costs as shown on the project itemized spreadsheet (attached)

Reason for Change Order: Underestimated construction costs and unforeseen utility conflicts.

Attachments: (Project Itemized Spreadsheet, O.F. 1715.4)

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price \$ <u>153,190.00</u>	Original Contract Times Substantial Completion: <u>35</u> days Ready for final payment: <u>9/2/19</u> days or dates
Net changes from previous Change Orders No. _____ to _____ \$ <u>0</u>	Net change from previous Change Orders No. _____ to No. _____ <u>0</u> days
Contract Price prior to this Change Order \$ <u>153,190.00</u>	Contract Times prior to this Change Order Substantial Completion: <u>35</u> days Ready for final payment: <u>9/2/19</u> days or dates
Net Increase (decrease) of this Change Order \$ <u>20,400.00</u>	Net Increase (decrease) of this Change Order <u>10</u> days
Contract Price with all approved Change Orders \$ <u>173,590.00</u>	Contract Times with all approved Change Orders Substantial Completion: <u>45</u> days Ready for final payment: <u>9/13/19</u> days or dates

RECOMMENDED:

APPROVED:

ACCEPTED:

By: _____
Engineer (Authorized Signature)

By: _____
Owner (Authorized Signature)

By: _____
Contractor (Authorized Signature)

Date: _____

Date: _____

Date: _____

Change Order No. 1 (page 2)
Date: July 23, 2019
Agreement Date: August 6, 2019

Project: 2019 CDBG ADA Handicaps Ramps and Sidewalk, O.F. 1715.4

Approvals Required:

Approved by:

Greg Doyon, City Manager

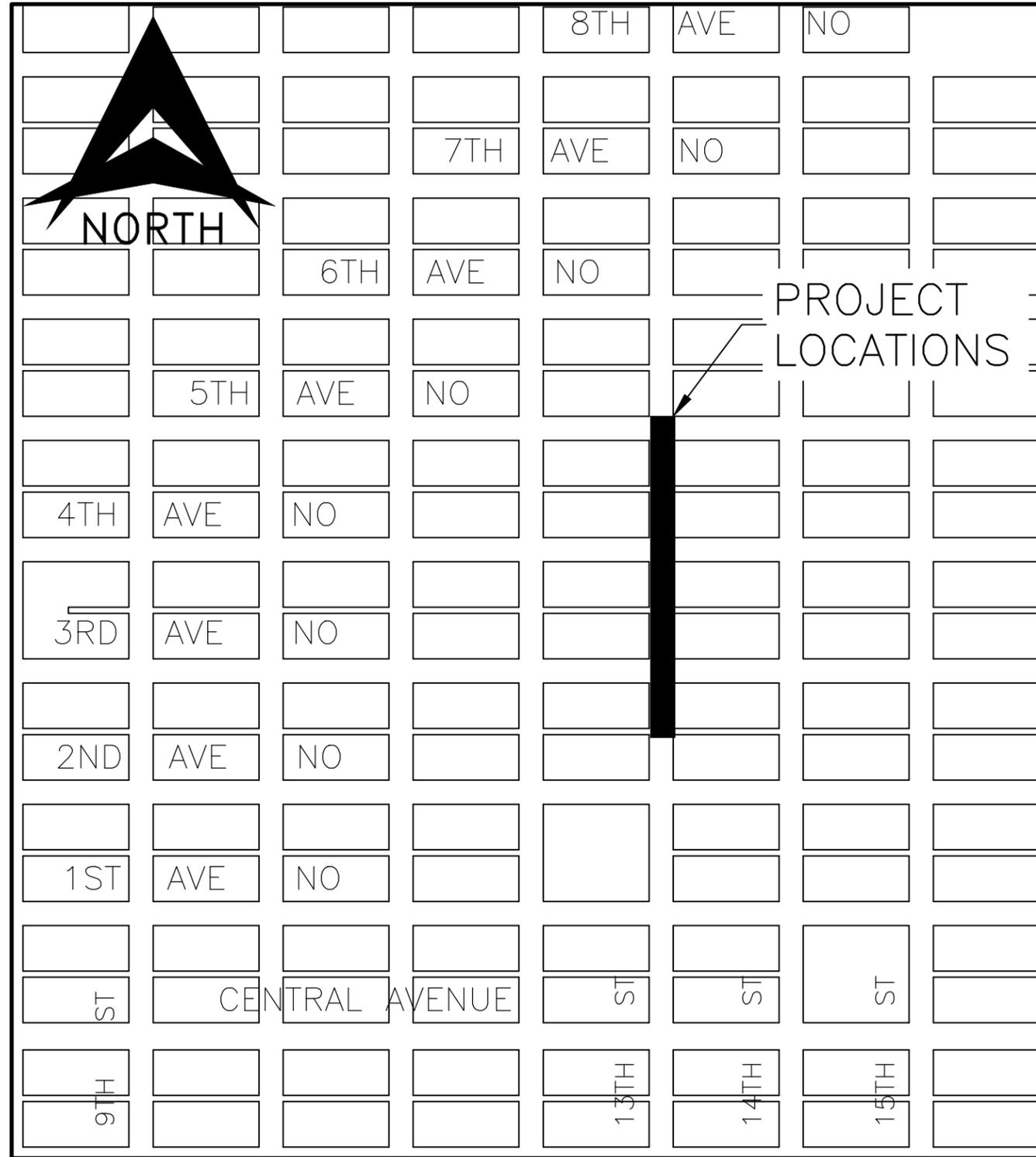
Attest:

Lisa Kunz, City Clerk

(Seal of the City)

Approved as to Form: _____
Sara Sexe, City Attorney

VICINITY MAP





Item: Change Order No. 1: Gibson Park and Elks Park Trail Restoration, OF 1737.2

From: Engineering Division

Initiated By: Public Works Department

Presented By: Paul Skubinna, Public Works Environmental Division Manager

Action Requested: Approve Change Order No. 1 for the Gibson Park and Elks Park Trail Restoration.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Change Order No. 1 in the amount of \$58,605.00 to Missouri River Trucking and Excavation, Inc. (MRTE) for the Gibson Park and Elks Park Trail Restoration project and authorize the City Manager to execute the document.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation:

Approve Change Order No. 1.

Summary:

The 2016 Park and Recreation Master Plan identified \$2.9 million in critical needs, specific to Gibson Park. This project is a part of the second phase of improvements in the Park. Phase one improvements included upgrades to the park restrooms.

Project improvements include the resurfacing of the existing asphalt trail in Gibson and Elks Riverside Parks and the replacement of the surfacing of the existing basketball courts located at the Northeast end of Gibson Park. Other work scope includes Americans with Disabilities Act sidewalk and ramps, drainage, and restoration improvements.

Change Order No. 1 is necessary to address unforeseen saturated and expansive subgrade soils. The changed work scope includes over excavation of the subgrade, additional base course, and a change of the basketball courts surfacing from flexible to rigid pavement. Also, it was decided during the course of the project to add a seal coat to a portion of trail not in the original project scope.

Background:

Evaluation and Selection Process

Public bids were received for the original project on March 6, 2020 with the bids ranging from \$726,890.00 to 478,040.00. MRTE submitted the low bid and was awarded a contract for that amount on March 17, 2020.

Project Work Scope

The original work scope includes removal and replacement of 9,660 lineal feet of pavement and sub base on existing trails in Gibson and Elks Riverside Parks and also two basketball courts in Gibson Park.

Change Order No. 1 work scope includes: 1) removal of an additional 2,300 lineal feet of the trail subgrade and replacement with additional gravel base 2) replacing 5,000 square feet of asphalt cement concrete with Portland cement concrete and 3) adding asphalt seal coat on 3,500 lineal feet of the Gibson Park Trail that was not initially included in the project.

Conclusion

City Staff recommends approving Change Order No. 1 to MRTE, in the amount of \$58,605.00.

Fiscal Impact:

The Change Order will increase the original contract amount by \$58,605.00 to a final contract price of \$536,645.00. The change will be funded by Parks District funding.

Alternatives:

The commission could disapprove Change Order No. 1, which may result in a shortfall in obligated funds prior to completion of the entire original scope of the project.

Concurrences:

The Park and Recreation Department also recommends that the commission approve Change Order No. 1.

Attachments/Exhibits:

1737.2- Change Order No. 1

1737.2 - Vicinity Map

CHANGE ORDER

No. 1

DATE OF ISSUANCE June 24, 2019 EFFECTIVE DATE July 7 ,2020

OWNER City of Great Falls
 CONTRACTOR Missouri River Trucking and Excavation Inc.
 Contract: Gibson Park and Elks Park Trail Restoration, O.F. 1737.2
 OWNER'S Contract No. O.F. 1737.2 ENGINEER'S Contract No. N/A

You are directed to make the following changes in the Contract Documents.

Description: Costs as shown on the project itemized spreadsheet and Work Change Directives No. 1-4. (attached)

Reason for Change Order: Poor soils, adjacent drainage issues and additional trail section resurfacing.

Attachments: (Project Itemized Spreadsheet, O.F. 1737.2)

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price \$ <u>478,040.00</u>	Original Contract Times Substantial Completion: <u>110</u> days Ready for final payment: <u>7/27/20</u> days or dates
Net changes from previous Change Orders No. _____ to _____ \$ <u>0</u>	Net change from previous Change Orders No. _____ to No. _____ <u>0</u> days
Contract Price prior to this Change Order \$ <u>478,040.00</u>	Contract Times prior to this Change Order Substantial Completion: <u>110</u> days Ready for final payment: <u>7/27/20</u> days or dates
Net Increase (decrease) of this Change Order \$ <u>58,605.00</u>	Net Increase (decrease) of this Change Order <u>0</u> days
Contract Price with all approved Change Orders \$ <u>536,645.00</u>	Contract Times with all approved Change Orders Substantial Completion: <u>110</u> days Ready for final payment: <u>7/27/20</u> days or dates

RECOMMENDED:

APPROVED:

ACCEPTED:

By: _____
Engineer (Authorized Signature)

By: _____
Owner (Authorized Signature)

By: _____
Contractor (Authorized Signature)

Date: _____

Date: _____

Date: _____

Change Order No. 1

Date: June 24, 2020

Agreement Date: July 7, 2020

Project: Gibson Park and Elks Park Trail Restoration, O.F. 1737.2

Approvals Required:

Approved by:

Greg Doyon, City Manager

Attest:

Lisa Kunz, City Clerk

(Seal of the City)

Approved as to Form: _____
Sara Sexe, City Attorney

**OF 1737.2- Gibson Park and Elks Park Trail Restoration
Change Order No. 1 - Summary**

WCD #	amount	additive total	30k less (D)
1	\$5,037.00	\$5,037.00	\$24,963.00
2	\$4,425.00	\$9,462.00	\$20,538.00
3	\$3,368.00	\$12,830.00	\$17,170.00
4	\$75,775.00	\$88,605.00	-\$58,605.00
Total Change Order amount			-\$58,605.00

O.F. 1737.2 VICINITY MAP

Change Order No. 1
areas in red.



PROJECT LOCATION





Item: OpWorks Reporting Software
From: Water Treatment Plant
Initiated By: Public Works Department
Presented By: Paul Skubinna, Environmental Division Supervisor
Action Requested: Approval of Proposal/Agreement

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) the agreement with OpWorks for reporting software to enhance the recent Ignition upgrade of the Water Plant’s Supervisory Control and Data Acquisition (SCADA) program.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends that the City Commission approve the service agreement with annual maintenance and support fees of \$1,500, to begin one year after agreement approval.

Summary: At the March 17, 2020 City Commission meeting, the Commission approved an agreement with Advanced Engineering and Environmental Services (AE2S) for the Water Plant’s Supervisory Control and Data Acquisition (SCADA) Upgrades, which included a conversion to an Ignition SCADA platform\software to support recent capital improvements and overall plant operation. The Ignition software, and SCADA platforms in general, are software systems that can contain multiple modules that perform different tasks to support overall operational control. One of these modules, OpWorks is a module compatible with the Ignition software platform that better meets the City’s needs for regulatory reporting and other functions. Research revealed that OpWorks software creates reports required by the State Department of Environmental Quality (DEQ), is better tailored for public works facilities and their regulatory reporting requirements, and is easily integrated into the Ignition program. The OpWorks replaces one of the modules included in the Ignition software package, but does not entirely replace the Ignition SCADA software package\platform the City purchased.

Fiscal Impact: Funds from the Water Plant’s Other Repair and Maintenance Services budget would cover the annual support fee. The initial \$3,000 for software purchase and first year support is included in the approved contract with AE2S for Ignition / SCADA improvements. Utilizing OpWorks software

resulted in savings of approximately \$6,000 in startup cost and \$1,200 in annual maintenance and support fees.

Alternatives: The Commission could choose to not approve the proposal/agreement. If not approved, the original Ignition software will need to be utilized.

Attachments/Exhibits: OpWorks proposal

A large, stylized orange gear graphic is positioned in the top-left corner of the page, partially overlapping the date.

April 28, 2020

Wayne Lovelis
Water Treatment Plant Manager
1301 Lower River Rd
PO Box 5021
Great Falls, MT 59403

OpWorks™ Proposal for Great Falls, MT

Dear Wayne:

We are pleased to present this proposal to provide a solution for reporting for the Great Falls Water Treatment Plan through OpWorks™, a product offered by an entity related to AE2S.

We believe that OpWorks™ will provide a complete solution for your current and future data management needs. The web-based flexible framework of the application can easily grow with your facility operations.

PRODUCT AND SERVICE PRICING

Your Reporting OpWorks™ system will include the following features:

- **Individualized OpWorks™ website (GreatFalls.OpWorks.us)**
 - 2 Utilities (treatment and collection/distribution)
 - Unlimited user logins
 - Unlimited customizable reports

- **Data Entry and Automated Reporting System**
 - Customizable data entry sheets and reports can be created to replicate your existing data forms, or start new
 - Customizable reports can be autogenerated, emailed and/or stored on the website for on demand viewing--Examples include:
 - Daily and monthly flow totals
 - Daily and monthly motor runtimes
 - Daily and monthly minimum/maximum/average values for each process value
 - Charts can be created from manually entered data or historical SCADA system data

- **SCADA Integration**
 - OpWorks will configure your SCADA Historian to replicate data needed for reports and work order triggers

- **Mobile Functionality**

- The responsive layout of OpWorks automatically enables functionality on any mobile device
- No additional modules or apps are required for mobile access

BASE SOFTWARE PACKAGE	PRICE	COMPONENT DETAIL
GreatFalls.OpWorks.us site creation	\$1,500	Reporting OpWorks features
Total Software Cost	\$1,500	One-time Software Package Fee

SETUP, CUSTOMIZATION, AND TRAINING

The following system setup and customization tasks will be provided:

- Provide on-line training for the creation of Reports
- OpWorks staff will create up to ten Reports

Note: Compliance Reports may only be created by OpWorks staff due to their complexity

SETUP, CUSTOMIZATION, AND TRAINING	PRICE	COMPONENT DETAIL
Tasks listed in description	FREE	OpWorks Implementation Services

ANNUAL HOSTING AND SUPPORT

Annual Hosting Fees

- Annual costs begin one year after activation of service. The annual hosting fee includes functionality improvements, new feature releases, and application upgrades

ANNUAL MAINTENANCE AND SUPPORT	PRICE	COMPONENT DETAIL
Annual hosting fee - Reporting OpWorks features	\$1,500	Includes cloud-based storage space, technical and security updates, and functionality updates.
TOTAL ANNUAL COST (Annual costs begin one year after start of service)	<i>\$1,500/Yr Beginning One Year After Start of Service</i>	

Technical Support

Basic support is intended to provide guidance and support for the use of the OpWorks features. Services beyond basic support requests can be performed on an hourly basis.

Support	Services
BASIC SUPPORT	Included with annual hosting, basic support includes assistance with general how-to questions and general troubleshooting.
HOURLY SUPPORT	Hourly support begins one year after system startup, after which support requests beyond basic support that require OpWorks staff to create/modify content within OpWorks or troubleshoot issues external to OpWorks, is available at an hourly rate (\$60/hr, 2020 rate).
CUSTOM DEVELOPMENT	We encourage feature enhancement requests which are frequently added to benefit the entire OpWorks userbase. However, when unique custom functionality is requested that requires software development, OpWorks will provide a scope, fee, and timeline for services rendered.

Sales Tax

Sales tax is not included in this proposal. If sales tax is applicable to these services, it will be added to the invoice. Please let us know if your organization is sales tax exempt and if so provide the tax exempt certificate for our records.

ACCEPTANCE OF PROPOSAL

All services and use of OpWorks are subject to the OpWorks Standard Terms and Conditions and attached for review.

Pricing summary:

- **\$1,500 implementation and first year of annual support fee is covered by the existing WTP SCADA Upgrades contract with AE2S,**
- **\$1,500 annual maintenance and support starts at the end of year one and is paid annually thereafter.**

If this proposal meets your approval, please sign this original and email or mail a copy of the signed document to OpWorks™. Signing this proposal also indicates your acceptance of the terms and conditions.

Thank you for the opportunity to provide the Great Falls, MT with data management solutions through OpWorks™. If you have any questions in the meantime, please don't hesitate to contact me at 612-597-1728 or Colt@OpWorks.us.

Sincerely,

By: 

OpWorks™

Colton Janes, Client Program Leader

Accepted this _____ day of

_____, 2020

By: _____

OpWorks Standard Terms and Conditions of License and Service

BY ITS EXECUTION OF AN OPWORKS QUOTATION (“QUOTATION”) AND, IF APPLICABLE, AN OPWORKS STATEMENT OF WORK (“SOW”), OR UPON ITS SUBMISSION OF A PURCHASE ORDER TO OPERATIONS, THE CUSTOMER IDENTIFIED IN THE QUOTATION AGREES TO THE FOLLOWING TERMS AND CONDITIONS GOVERNING ITS USE OF OPWORKS AND OPERATIONS’S PROVISION OF SERVICES (TOGETHER WITH THE QUOTATION AND ANY SOW, THE “AGREEMENT”).

1) License Grant, Services and Restrictions.

- a) Grant. AE2S Operations, LLC (hereinafter “Operations”) hereby grants the Great Falls, MT (hereinafter “Customer”) non-exclusive, non-transferable right to use Operations’ proprietary, web-based software for managing utilities and related systems (hereinafter “OpWorks”) during the term of this Agreement, solely for Customer’s own internal business purposes, subject to the terms and conditions of this Agreement. All rights not expressly granted to Customer are reserved by Operations and its licensors.
- b) Services. Subject to the terms and conditions of this Agreement, Operations will provide Customer with the services described in the Quotation and SOW, referred to under this Agreement as the “Services.” If specified in the Quotation, Operations shall provide basic implementation services and reasonable training to Customer and its employees to assist them in understanding the use of OpWorks. Any customizations requested by Customer shall be billable at the then-current hourly rate of Operations unless otherwise specified in the Quotation.
- c) Restrictions. Customer shall not (i) license, sublicense, sell, resell, transfer, assign, distribute or otherwise commercially exploit or make available to any third party OpWorks in any way; (ii) modify or make derivative works based upon OpWorks or its content; (iii) use OpWorks to send or store material containing software viruses, worms, Trojan horses or other harmful computer code, files, scripts, agents or programs; (iv) interfere with or disrupt the integrity or performance of OpWorks or the data contained therein; (v) attempt to gain unauthorized access to OpWorks or related systems or networks; (vi) import or export OpWorks in violation of United States or other applicable import or export law; or (vii) reverse engineer or access OpWorks in order to (1) build a competitive product or service, (2) build a product using similar ideas, features, functions or graphics, or (3) copy any ideas, features, functions or graphics of OpWorks. Further, Customer agrees to comply with Operations’ reasonable policies concerning acceptable use of OpWorks and the Services, including but not limited to the Acceptable Use Policy of Operations’ hosting vendor, currently posted at <http://www.windowsazure.com/en-us/support/legal/services-terms/>, as that policy may be replaced or amended from time to time.
- d) Proprietary rights. OpWorks, and any customizations thereto, is and shall remain the exclusive property of Operations, and the processes and techniques used in OpWorks constitute Operations’ proprietary trade secret information. Operations alone (and its licensors, where applicable) shall own all right, title and interest, including all related intellectual property rights, in and to OpWorks, and the related Services and any suggestions, ideas, enhancement or customization requests, feedback, recommendations or other information provided by Customer or any other party relating to OpWorks. This Agreement is not a sale and does not convey to Customer any rights of ownership in or related to OpWorks or the intellectual property rights owned by Operations. Notwithstanding, at the termination of this agreement, for any reason, the Customer retains or will have access to all of its Customer data.
- e) Authorized Users. Operations shall provide Customer with the number of user accounts purchased under the Quotation for employees or other authorized representatives to whom Customer elects to grant access to OpWorks (the “Authorized Users”). Customer shall be responsible for paying the fees for each Authorized User. Customer agrees that each Authorized User shall be bound by this Agreement. Customer is responsible for protecting Authorized User passwords, and for any damage caused by unauthorized access to OpWorks or to the Customer Data (defined below) through any of the

Authorized User accounts. Customer shall be authorized to access and use OpWorks via compatible web browsers operating on compatible computer systems residing at Customer's locations, accessed through Customer's own Internet Service Provider, all in an appropriate, careful and proper manner and in compliance with all user manuals, laws and regulations. These computer systems shall be selected, maintained, and controlled solely by Customer.

2) **Customer Responsibilities.**

- a) Resources/Cooperation. Customer will provide Operations reasonable access to appropriate business and technical contacts, background information and data sources as necessary or useful for Operations to provide the Services. Operations' performance is dependent on Customer's timely and complete cooperation, decisions and approvals, and the timely and complete cooperation of Customer's vendors whose systems will interact with the Services or OpWorks. Delays by Customer or its vendors may impact the ability to achieve the delivery timeframes set forth in the applicable Quotation or SOW. Operations is entitled to rely on all decisions and approvals Customer provides in connection with the Services. Customer will appoint a lead contact who will be responsible as the main interface between Customer and Operations.
- b) Third Party Items and Fees. Customer understands and agrees that Customer's use of any and all third party hardware, software, services, telecommunication services (including Internet connectivity), or other items used by Customer in conjunction with Customer's use of OpWorks, is the sole and exclusive responsibility of Customer, and that Operations has no responsibility for such third party items, services, or Customer's relationships with such third parties. If the parties desire Operations obtain any third party item on behalf of Customer, such third party item and all related fees and charges shall be set forth in the Quotation, and all fees will be passed through to Customer. For any third party proprietary items included in OpWorks, such third party items may be governed by additional license terms from the applicable third party including but not limited to the terms of any end user license agreement accompanying such third party software. Customer agrees that it shall at all times comply with the lawful terms and conditions of its agreements with such third parties.
- c) Customer's Facilities. Customer agrees to maintain Customer's computers, and to ensure the presence and continued operation of the web browsers, network infrastructure and internet service necessary to access OpWorks. Customer also agrees to comply with any requirements regarding installation, use and maintenance of OpWorks, including hardware, connectivity, and remote access requirements, set forth in Operations' standard policies and any documentation accompanying OpWorks.
- d) Customer's Operations. Customer understands and agrees that although Operations may advise Customer on certain matters, Customer at all times remains responsible for Customer's own operations and the consequences thereof. Operations is not responsible for Customer's erroneous entries into OpWorks or Customer's interpretation of data displayed by OpWorks. Further, Customer shall remain responsible for the review and accuracy of any and all submissions of forms, claims, or other information to any third party including any government office or agency.

3) **Operations Responsibilities.**

- a) Availability of OpWorks. Operations shall take reasonable measures to ensure that OpWorks is available to Customers 99.9% of the time. For purposes of this Agreement, "availability" exists unless OpWorks is not accessible to Customer (i) due to factors outside of Operations' reasonable control (for example, a network or device failure external to Operations or its hosting vendor's data center); (ii) resulting from Customer's use of hardware, software or services not provided by Operations; (iii) due to Customer's use of OpWorks in a manner inconsistent with Operations' documentation or guidance; (iv) if Customer used OpWorks after Operations advised Customer to modify its use and Customer did not modify its use as advised; or (v) due to acts by persons gaining unauthorized access to OpWorks by means of Customer's passwords or otherwise resulting from Customer's failure to follow appropriate security practices. Scheduled downtime for standard maintenance shall not count against the uptime goal. Notifications of downtime for standard maintenance shall be delivered to Customer's primary

contact by email. Notwithstanding the foregoing, Customer acknowledges and agrees that there may be instances where Operations needs to interrupt access to OpWorks without notice in order to protect the integrity of OpWorks due to security issues, virus attacks, spam issues or other unforeseen circumstances. Operations will monitor performance indicators on the systems and network infrastructure (both its own and those of third party suppliers) in order to gauge the overall performance of its hosting services, and will take reasonable measures to address systems and network infrastructure as required to maintain availability and performance.

- b) Support Services. Up to the number of hours per month set forth on the Quotation, Operations will provide Customer with telephone and email technical support services at substantially all times during Operations' normal weekday business hours, 8:00 AM to 5:00 PM Central Time, excluding Operations' holidays ("Support"). Operations will not provide Support to Customer if Customer's Support fees are not current. Operations may remotely access the Customer's systems to perform Support services. Customer shall provide Operations with remote access to its system. Customer's failure to provide such remote access at a mutually agreed upon time will constitute Customer's waiver of the support or warranty coverage of OpWorks and Services malfunctions until such time as remote access is provided. Operations shall not be responsible for any harm to Customer's system that may be caused by Operations' remote access to such systems.
- c) Updates. As long as Customer has paid the applicable Support fees, Operations will provide Customer, at no additional charge, with any update that Operations makes generally available.
- d) Security. Through its hosting vendor, Operations will implement industry standard safeguards, procedures and systems to protect the privacy and security of Customer Data it receives, accesses, uses, creates, or discloses in the course of providing OpWorks and the Services, including but not limited to appropriate technical and organizational measures, internal controls and data security routines intended to protect Customer Data against accidental loss or change, unauthorized disclosure or access, or unlawful destruction; provided, however, Operations cannot warrant that OpWorks or Customer Data will be completely secure from interference or disruption by factors outside Operations' explicit control.
- e) Backups. Operations (or its third-party hosting vendor) will perform incremental system backups and full backups from time to time at Operations' discretion. Operations will maintain in a safe and secure location, a copy of at least one full backup until after the next full backup is performed. Backups will be maintained on a rolling basis, and Operations will not be responsible for archiving more than the most recent backup. Operations will use reasonable efforts to maintain data integrity in any backup, but Operations is not responsible for loss of data or data integrity so long as Operations has used such efforts.
- f) Suspension. Operations may suspend Customer's access to OpWorks if (i) reasonably needed to prevent unauthorized access to Customer Data; (2) Customer does not pay amounts due under this Agreement, as set forth in Section 4.d. below; or (3) Customer does not abide by Operations or its vendors' policies, including its hosting vendor's Acceptable Use Policy.

4) **Payment Terms.**

- a) Fees. Customer will pay Operations for the license and use of OpWorks and other Services as specified in the Quotation. Unless otherwise specified on the Quotation, License, Services and Support fees shall be due on the Effective Date and, thereafter, Operations shall invoice Customer annually in advance for Support fees, with each invoice being due and payable upon receipt. All payments are non-refundable. Unless otherwise specified on the Quotation, all fees and expenses shall be stated in and paid in U.S. Dollars. Interest at the rate of 1.5 % per month or the highest rate permitted by applicable law, whichever is less, shall accrue on any unpaid balance beginning on the thirty-first (31st) day after the invoice date. In the event of collection enforcement, Customer will be liable for any costs associated with such collection, including, without limitation, reasonable attorney fees, court costs and collection agency fees. Additional professional services may be available from time to time at Operations' standard rates. Operations claims that its pricing terms are confidential. Operations recognizes that this

Agreement involves interaction with a public entity. Any oral or written information provided to the Customer or its employees by Operations may be subject to public inspection under Montana or other applicable law and may be subject to records retention laws. If a request for OpWorks' information is made, Customer will notify Operations of such request. If Operations intends to claim that any such requested documentation is "Confidential Information" or confidential, proprietary, or trade secret information as identified in Mont. Code Ann. §30-14-402, or otherwise under applicable law, it will be required to take any and all steps necessary, including court action, to establish that the information is not subject to public disclosure.

- b) Expenses. In addition to the fees payable as set forth on the Quotation, Customer shall reimburse Operations for all reasonable, approved, and appropriately documented travel and related out of pocket expenses incurred by Operations in performing Support or other Services.
- c) Fee Increases. Operations may increase the Support fees for any Renewal Term of this Agreement by giving Customer notice of the change in Support fees at least sixty (60) days prior to the Renewal Term.
- d) Suspension of Account. Customer's access to OpWorks may be suspended if Customer's account remains unpaid forty-five (45) days after the invoice date. Operations reserves the right to impose a fee for restoration of any suspended accounts.
- e) Taxes. Customer is solely responsible for the payment of any sales taxes, fees, tariffs or other such levies resulting from access to or use of OpWorks, and the fees set forth on the Quotation are exclusive of such taxes.
- f) Disputes. If Customer believes Customer's bill is incorrect, Customer must contact Operations in writing within 30 days of the invoice date to be eligible to receive an adjustment or credit.

5) **Term and Termination.**

- a) Initial and Renewal Term. The effective date of the Agreement shall be the first day on which Operations activates Customer's account ("Effective Date"). This Agreement shall continue for an initial term ("Initial Term") of twelve (12) months and shall automatically renew for successive terms of twelve (12) months ("Renewal Term"). Either party may terminate this Agreement by giving written notice to the other party no later than sixty (60) days prior to the expiration of the then current Term.
- b) Termination by Operations. Operations shall have the right to terminate the Agreement upon written notice if Customer's account remains unpaid forty-five (45) days after the invoice date, or if Customer or an Authorized User is otherwise in material breach of the Agreement. Operations shall notify Customer of the breach and provide Customer with thirty (30) days following such notice to cure the breach. If the breach is not fixed during this 30-day cure period, the Agreement shall automatically terminate.
- c) By Customer. If Operations is in material breach of the Agreement, Customer shall provide written notice to Operations of the breach and provide Operations with thirty (30) days following such notice to cure the breach. If the breach is not fixed during this 30-day cure period, Customer may terminate the Agreement by written notice to Operations.
- d) Effect of Termination. The expiration or termination of this Agreement, for any reason, shall not release either party from liability to the other, including any payment obligation that has already accrued hereunder. Upon termination or expiration of this Agreement, for any reason, Customer shall immediately discontinue use of OpWorks, and each party shall return or destroy all materials containing the other's Confidential Information. If expressly requested by Customer within five business days of the termination of this Agreement, Operations shall, at no charge, provide a copy of the Customer Data files and records in Operations' standard format.
- e) Survival. The following provisions shall survive termination of this Agreement: Sections 1(d), 4, 5, 6, 7(d), 7(e), 8, 9, and 10.

6) **Customer Data; Confidentiality.**

- a) Customer Data. Nothing in this Agreement transfers any ownership interest in or to any data entered into or accessed by OpWorks (“Customer Data”), including any intellectual property rights therein, all of which remain the property of Customer. Customer hereby grants Operations (and its subcontractors and hosting vendors) a limited license to the Customer Data for the sole purpose of providing OpWorks and the Services. Customer represents and warrants that it has adequate rights in the Customer Data to grant such a license to Operations and its subcontractors. Further, Operations may anonymize and aggregate Customer Data (e.g., remove individually identifying information) and Operations may use such anonymized information for any purpose. The parties agree that the aggregate and anonymized information is no longer deemed Customer Data or Confidential Information.
- b) Confidential Information. In the course of performing under this Agreement, each party may receive, be exposed to or acquire confidential and/or proprietary data, information, or technology of the other party, including the Customer Data and the OpWorks software (“Confidential Information”). The terms of this Agreement will be considered Confidential Information. Neither party will use the other party’s Confidential Information except for the purposes of this Agreement or disclose such Confidential Information to any third party except to employees or contractors as is reasonably required in connection with the exercise of its rights and obligations under this Agreement (and only subject to disclosure restrictions at least as protective as those set forth herein). However, the receiving party may disclose the other party’s Confidential Information: (i) pursuant to the order or requirements of a court, administrative agency or other governmental body, or as may be required by any law or regulation, provided that the receiving party gives reasonable notice to allow the disclosing party to contest such order or requirement (unless such notice is prohibited by law); and (ii) on a confidential basis to legal and financial advisors. Neither party will be obligated to keep confidential any information of the other party that is or becomes publicly available without breach of this Agreement, is already known or is independently developed by the receiving party outside the scope of this Agreement or is rightfully obtained by the receiving party from a third party.

For any data, information, or technology that Operations claims is confidential, Operations recognizes that this Agreement involves interaction with a public entity. Any oral or written information provided to the Customer or its employees by Operations may be subject to public inspection under Montana or other applicable law and may be subject to records retention laws. If a request for OpWorks’ information is made, Customer will notify Operations of such request. If Operations intends to claim that any such requested documentation is “Confidential Information” or confidential, proprietary, or trade secret information as identified in Mont. Code Ann. §30-14-402, or otherwise under applicable law, it will be required to take any and all steps necessary, including court action, to establish that the information is not subject to public disclosure.

7) **Limited Warranty/Exclusions.**

- a) Limited Warranties. Operations warrants that it will use commercially reasonable efforts to provide Customer with access to OpWorks substantially as described in its then current documentation. If access to OpWorks fails to so perform, Customer will promptly notify Operations of, and adequately describe, any such failure. Operations will use commercially reasonable efforts to correct the identified defect. Operations does not warrant that access to or the performance of OpWorks will be error-free, or that its use will be uninterrupted. Operations is not obligated to remedy any defect that cannot be adequately repeated. If Operations is unable, after reasonable effort, to provide access to OpWorks substantially in accordance with its then current documentation, Customer may terminate this Agreement without further obligation. Termination of the Agreement and recovery of direct damages not to exceed the license fees paid to Operations for use of OpWorks during the twelve (12) month period preceding the event shall be Customer’s exclusive remedy, and shall be Operations’ sole liability in connection with any breach of this warranty or any failure of OpWorks to perform in accordance with its documentation.

- b) General Services Warranty. Operations warrants that the Services provided to Customer will be performed in a competent, workman-like and professional manner, which meets or exceeds industry standards. In the event Operations is notified of a breach of this warranty, Operations shall re-perform the nonconforming Services. Operations' obligation to re-perform the Services shall be Customer's sole remedy and Operations' entire liability for any breach of this warranty.
- c) Non-Infringement. Operations warrants that OpWorks and Customer's permitted use of OpWorks do not, to the knowledge of Operations, infringe upon the copyright, patent or other proprietary rights of any third party. If OpWorks becomes, or in Operations' opinion is likely to become, subject to an infringement claim, Operations may, at its sole option and expense, take any of the following steps: (i) obtain the right for Customer to continue to use OpWorks; (ii) modify or replace OpWorks with functionally equivalent software or products that Operations believes to be non-infringing; or, (iii) if neither (i) or (ii) is possible, immediately terminate this Agreement on written notice to Customer and promptly provide to Customer a pro-rata refund of the fees paid by Customer for the portion of OpWorks that is deemed to be infringing. This Section sets forth Operations' sole liability and entire obligation and Customer's exclusive remedy for any infringement action related to this Agreement.
- d) LIMITATIONS. THE FOREGOING WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF MERCHANTABILITY, NONINFRINGEMENT, AND FITNESS FOR A PARTICULAR PURPOSE. IN NO CASE SHALL OPERATIONS BE LIABLE TO CUSTOMER OR ANY EMPLOYEE, CONTRACTOR OR AGENT FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES OR LOSS, INCLUDING LOST PROFITS, LOST DATA, LOST ACCESS TO DATA, LOST GOODWILL OR THE INABILITY TO USE OPWORKS, WHETHER SUCH DAMAGES ARE BASED UPON A BREACH OF EXPRESS OR IMPLIED WARRANTIES, BREACH OF CONTRACT, NEGLIGENCE, TORT, OR ANY OTHER LEGAL THEORY. THIS IS TRUE EVEN IF OPERATIONS IS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, AND INCLUDES LOSSES RESULTING FROM LOSS, MISAPPROPRIATION OR UNAUTHORIZED ACCESS TO OR MODIFICATION OF CUSTOMER DATA, OR FROM MISTAKES, OMISSIONS, OR DELAYS IN TRANSMISSION OF INFORMATION, OR FROM INTERRUPTIONS IN TELECOMMUNICATIONS CONNECTIONS TO OPWORKS, VIRUSES OR FAILURES OF PERFORMANCE, OR FROM THE IMPACT OF OPWORKS ON ANY CUSTOMER SYSTEM. IN NO CASE WILL OPERATIONS' LIABILITY EXCEED THE AMOUNT OF \$25,000.
- e) Statute of Limitations. No action arising out of the performance or failure to perform under the Agreement may be brought more than one (1) year after such action has accrued, or after Customer becomes aware of the bases for such action.
- 8) **Indemnity**. Subject to the limitations set forth in Mont. Code Ann. §2-9-108, Customer agree to indemnify and hold Operations, its licensors, subsidiaries, affiliates, officers, directors, employees, and agents harmless from and against any and all claims, costs, damages, losses, liabilities and expenses (including attorneys' fees and costs) arising out of or in connection with Customer's use of OpWorks or the related Services.
- 9) **No-Solicitation/No-Hire**. During the term of this Agreement and for a period of one (1) year after any termination or expiration of this Agreement, Customer shall not directly or indirectly solicit for employment, employ or retain as an independent contractor any Operations personnel who participated in providing any Services to Customer under this Agreement or who contributed to the development of OpWorks.
- 10) **General**.
- a) Assignment. Customer may not assign this Agreement in whole or in part without the prior written consent of Operations, except that Customer may assign this Agreement without such consent upon written notice to Operations in connection with a merger, acquisition, corporate reorganization or sale of all or substantially all of its assets, unless such transaction would result in an assignment to an entity reasonably deemed to be a direct competitor of Operations. Operations may assign this Agreement in

whole or in part. This Agreement will inure to the benefit of, and will be binding upon, the parties and their successors and permitted assigns.

- b) Use of Name. Operations may, in its sole discretion, use Customer's name in Operations' promotional materials, unless Customer provides Operations written objection of such use.
- c) Notice. Unless otherwise provided herein, notices given by Operations to Customer will be delivered by e-mail or by conventional mail. Notices will be sent to the e-mail address or mailing address Customer provides to Operations as listed on the Quotation. Notices given by Customer to Operations must be given by e-mail to info@opworks.us or such updated address as Operations may provide.
- d) Governing Law/Venue. The Agreement shall be governed by and interpreted under the laws of the State of Montana without reference to conflicts of laws principles, and excluding the UN Convention on Contracts for the International Sale of Goods. Federal and state courts located in Great Falls, Montana shall have jurisdiction and venue to redress any dispute or claim. The parties stipulate that the state and federal courts located in Great Falls, Montana shall have personal jurisdiction and venue over each of them for the purpose of litigating any such dispute or claim. The parties agree that the United Nations Convention on Contracts for the International Sale of Goods shall not apply to the Agreement.
- e) Compliance with Laws. Each party shall at all times comply with all applicable U.S. federal, state and local laws, ordinances, regulations, rules, orders and requirements relating to this Agreement, OpWorks and the Services. However, Operations makes no representation that it will comply with international laws, ordinances, regulations, rules, orders or requirements relating to this Agreement, OpWorks or the Services.
- f) Force Majeure. Neither party will be liable for failure to perform its obligations hereunder (other than payment obligations) if such performance is prevented, hindered or delayed by reason of any cause or causes beyond its reasonable control, including without limitation any act of God, war or other violence, civil disturbance, strike, work stoppage or other labor difficulties, transportation contingency, accident, failure of its suppliers to perform their contractual obligations, power or telecommunications failure, law, regulation or ordinance, or act or order of any governmental agency or authority.
- g) Audit Rights. Operations or its agent may examine Customer's systems, desktop computers, laptops, servers, books and records for the purposes of verifying Customer's compliance with the terms of this Agreement, upon reasonable notice and during normal business hours at Customer's offices. Customer shall have the right to request that the agent acting on behalf of Operations sign an appropriate non-disclosure agreement.
- h) Severability. If any provision of this Agreement is held to be unenforceable for any reason, it will be modified rather than voided, if possible, in order to achieve the intent of the parties to the extent possible. Any provision held overbroad as written will be deemed amended to narrow its application to the extent necessary to make the provision enforceable under applicable law, and enforced as amended. All other provisions of this Agreement will be deemed valid and enforceable to the full extent.
- i) Independent Contractors; Subcontracting. Customer and Operations are independent contractors to each other. Operations may use third parties under contract with Operations to assist Operations in the performance of its obligations under this Agreement, provided that Operations will remain responsible for all its obligations under this Agreement.
- j) Entire Agreement; Modification and Waiver. This Agreement, together with any signed Quotations, signed SOWs and any additional terms presented to Customer with the OpWorks software (including but not limited to the OpWorks end user license agreement) represents the only agreement among the parties concerning the subject matter hereof and supersedes all prior agreements and communications, whether written or oral, relating thereto. The terms and conditions of this Agreement will control any conflicting course of dealing or performance or any conflicting or additional terms set forth in any Customer purchase order or other ordering document (other than Quotations accepted by Operations). Operations may modify this Agreement at any time by providing notice to Customer by email and

posting a revised version of this Agreement on its website. Modified terms that relate to changes or additions to OpWorks or the Services or that are required by law will be effective immediately, and by continuing to use OpWorks or the Services, Customer agrees to be bound by the modified terms. All other modified terms will be effective upon renewal (including automatic renewal) of this Agreement or a Quotation. No failure by either party to take any action or assert any right hereunder will be deemed to be a waiver of such right.

11/2014



Item: Professional Services Agreement: America’s Water Infrastructure Act Risk and Resilience Assessment and Emergency Response Plan, OF 1759.0

From: Engineering Division

Initiated By: Public Works Department

Presented By: Paul Skubinna, Public Works Environmental Division Supervisor

Action Requested: Consider and Approve Professional Services Agreement

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) a Professional Services Agreement in the amount of \$125,326.00 to Morrison-Maierle, Inc. for the America’s Water Infrastructure Act Risk and Resilience Assessment and Emergency Response Plan, and authorize the City Manager to execute the agreement.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation:

Approve Professional Services Agreement award.

Summary:

America’s Water Infrastructure Act of 2018 (AWIA) requires community water systems that serve more than 3,300 people to complete a Risk and Resilience Assessment by December 31, 2020 and develop an Emergency Response Plan by June 30, 2021 for their water utility. These plans must be certified by the community water system and reported to U.S. EPA to comply with the law. (See AWIA Section 2013 FAQ’s attached).

The City of Great Falls water system provides water service to 22,150 customers and is required to comply with AWIA. To assist the City with the AWIA assessment and plan, Morrison-Maierle, Inc. has been selected in accordance with the City’s Architect, Engineer and Surveyor Selection Policy to provide professional services to assess the City’s water system for risk and resilience, and prepare and certify an emergency response plan. More information about the certification process is attached (See AWIA Section 2013 RA and ERP Fact Sheet).

Background:

Significant Impacts

The City needs to complete the Risk and Resilience Assessment to complete a self-evaluation of information regarding water utility and emergency response processes in place to date. Any gaps or deficiencies in preparedness and security discovered as result of this certified assessment will be addressed in the Emergency Response Plan. The Emergency Response Plan will establish the processes and standards to improve the resilience of the water system and protect the water utility from malevolent acts and natural hazards. It will also strengthen cyber, distribution and financial security, and protect and identify source water options.

Workload Impacts

Public Works Administration, Engineering, and Water Utility Staff reviewed the Professional Service Agreement and scope of services with the consultant and will perform contract administration duties throughout the project.

Purpose

The City is proposing to define the risk present in the current water utility system and mitigate the defined risk through a localized emergency response plan. The plan will help the Great Falls community comply with the national resilience standards established for water utilities under Americas Water Infrastructure Act.

Project Work Scope

The Consultants professional service agreement will provide the following services:

1. Risk and Resilience Assessment (RRA)
 - a. Project initiation and project management
 - b. Risk and resilience kickoff meeting
 - c. Asset and threat characterization
 - d. Consequence and vulnerability analysis
 - e. Treat likelihood analysis
 - f. Risk and resilience analysis
 - g. Cyber/business continuity risk and resilience assessment
 - h. Risk and resilience management
 - i. Risk assessment and recommendations report
2. Emergency Response Plan (ERP)
 - a. Project initiation and project management
 - b. Emergency response plan kickoff meeting
 - c. Response planning
 - d. Identify and integrate local plans
 - e. Update an existing ERP

Conclusion

Morrison-Maierle, Inc. provided the scope and fee proposals attached to complete the (AWIA) Risk and Resilience Assessment and Emergency Response Plan and the City Staff recommends awarding an agreement to Morrison-Maierle, Inc. in the amount of \$125,326.00.

Fiscal Impact:

Funding is available from the City’s Water Fund.

Alternatives:

The City Commission could vote to reject this agreement and request a new proposal.

Attachments/Exhibits:

Professional Services Agreement

AWIA Section 2013 RA and ERP Fact Sheet

AWIA Section 2013 FAQs

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into by and between the **CITY OF GREAT FALLS, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 5021, Great Falls, Montana 59403-5021, hereinafter referred to as “City,” and Morrison and Maierle , 1321 8th Ave North Suite 104, Great Falls, MT 59401 , hereinafter referred to as “Consultant.”

In consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency whereof being hereby acknowledged, the parties hereto agree as follows:

1. Purpose: City agrees to hire Consultant as an independent contractor to perform for City services described in the Scope of Services attached hereto as Exhibit “A” and by this reference made a part hereof.

2. Term of Agreement: This Agreement is effective upon the date of its execution through October 30, 2021. Both parties reserve the right to cancel this Agreement by providing a written thirty (30) day notice to the other party. The parties may extend this agreement in writing prior to its termination.

3. Scope of Work: Consultant will perform the work and provide the services in accordance with the requirements of the Scope of Services.

4. Payment: City agrees to pay Consultant once a month on an hourly rate basis not to exceed one hundred and twenty five thousand three hundred and twenty six dollars (\$125,326.00) for services performed pursuant to the Scope of Services. Any alteration or deviation from the described work that involves extra costs will be performed by Consultant after written request by the City, and will become an extra charge over and above the contract amount. The parties must agree upon any extra charges in writing.

5. Independent Contractor Status: The parties agree that Consultant is an independent contractor for purposes of this Agreement and is not to be considered an employee of the City for any purpose. Consultant is not subject to the terms and provisions of the City’s personnel policies handbook and may not be considered a City employee for workers’ compensation or any other purpose. Consultant is not authorized to represent the City or otherwise bind the City in any dealings between Consultant and any third parties.

Consultant shall comply with the applicable requirements of the Workers’ Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA. Consultant shall maintain workers’ compensation coverage for all members and employees of Consultant’s business, except for those members who are exempted by law.

Consultant shall furnish the City with copies showing one of the following: **(1)** a binder for workers’ compensation coverage by an insurer licensed and authorized to provide workers’

compensation insurance in the State of Montana; or (2) proof of exemption from workers' compensation granted by law for independent contractors.

6. Indemnification: To the fullest extent permitted by law, Consultant shall fully indemnify, defend, and save City, its agents, representatives, employees, and officers harmless from and against any and all claims, actions, costs, fees, losses, liabilities or damages of whatever kind or nature arising from or related to Consultant's performance of this Agreement and Consultant's work on the Project or work of any subcontractor or supplier to Consultant to the extent of Consultant's negligence.

7. Insurance: Consultant shall purchase and maintain insurance coverage as set forth below. The insurance policies (excluding Worker's Compensation and Professional Liability) must name the City, (including its elected or appointed officers, officials, employees, or volunteers), as an additional insured and be written on a "primary—noncontributory basis." Consultant will provide the City with applicable additional insured endorsement documentation. Each coverage shall be obtained from an insurance company that is duly licensed and authorized to transact insurance business and write insurance within the state of Montana, with a minimum of "A.M. Best Rating" of A-, VI, as will protect the Consultant, the various acts of subcontractors, the City and its officers, employees, agents, and representatives from claims for bodily injury and/or property damage which may arise from operations and completed operations under this Agreement. All insurance coverage shall remain in effect throughout the life of this Agreement and for a minimum of one (1) year following the date of expiration of Consultant's warranties. All insurance policies must contain a provision or endorsement that the coverage afforded will not be canceled, materially changed, or renewal refused until at least thirty (30) days prior written notice has been given to Consultant, City, and all other additional insureds to whom a certificate of insurance has been issued. All insurance documentation shall be in a form acceptable to the City.

Insurance Coverage at least in the following amounts is required:

1.	Commercial General Liability (bodily injury and property damage)	\$1,000,000 per occurrence \$2,000,000 aggregate
2.	Products and Completed Operations	\$2,000,000
3.	Automobile Liability	\$1,500,000 combined single limit
4.	Workers' Compensation	Not less than statutory limits
5.	Employers' Liability	\$1,000,000
6.	Professional Liability (E&O) (only if applicable)	\$1,000,000 per occurrence \$2,000,000 aggregate

Consultant may provide applicable excess or umbrella coverage to supplement Consultant's existing insurance coverage, if Consultant's existing policy limits do not satisfy the coverage requirements as set forth above.

8. **Professional Service:** Consultant agrees that all services and work performed hereunder will be accomplished in a professional manner in accordance with the professional standard of care.

9. **Compliance with Laws:** Consultant agrees to comply with all federal, state and local laws, ordinances, rules and regulations, including the safety rules, codes, and provisions of the Montana Safety Act in Title 50, Chapter 71, MCA. As applicable, Consultant agrees to purchase a City safety inspection certificate or special business license.

10. **Nondiscrimination:** Consultant agrees that all hiring by Consultant of persons performing this Agreement will be on the basis of merit and qualification and will not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, national origin, or other class protected by state and/or federal law.

11. **Default and Termination:** If either party fails to comply with any condition of this Agreement at the time or in the manner provided for, the other party, at its option, may terminate this Agreement and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Agreement.

12. **Modification and Assignability:** This document contains the entire agreement between the parties and no statements, promises or inducements made by either party or agents of either party, which are not contained in this written Agreement, may be considered valid or binding. This Agreement may not be enlarged, modified or altered except by written agreement signed by both parties hereto. The Consultant may not subcontract or assign Consultant's rights, including the right to compensation or duties arising hereunder, without the prior written consent of City. Any subcontractor or assignee will be bound by all of the terms and conditions of this Agreement.

13. **Ownership and Publication of Materials:** All reports, information, data, and other materials prepared by the Consultant pursuant to this Agreement are the property of the City. The City has the exclusive and unrestricted authority to release, publish or otherwise use, in whole or part, information relating thereto. Any re-use without written verification or adaptation by the Consultant for the specific purpose intended will be at the City's sole risk and without liability or legal exposure to the Consultant. No material produced in whole or in part under this Agreement may be copyrighted or patented in the United States or in any other country without the prior written approval of the City. Intellectual property belonging to the Consultant prior to this Contract will remain the property of the Consultant.

14. **Liaison:** City's designated liaison with Consultant is Mikaela Schultz and Consultant's designated liaison with City is Craig Nowak.

15. **Applicability:** This Agreement and any extensions hereof shall be governed and construed in accordance with the laws of the State of Montana.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CITY OF GREAT FALLS, MONTANA

CONSULTANT

By _____
Gregory T. Doyon, City Manager

By _____

Date _____

Print Name _____

Title _____

Date _____

ATTEST:

(Seal of the City)

Lisa Kunz, City Clerk

APPROVED AS TO FORM:

By _____
Sara R. Sexe, City Attorney

**CITY OF GREAT FALLS
AWIA – RISK AND RESILIENCE ASSESSMENT
PN 0973.023**

May 8, 2020

SCOPE OF SERVICES

Background. The City of Great Falls water system provides water service to approximately 22,150 customers with notable major users being Malmstrom Air Force Base, Black Eagle, and the Calumet oil refinery. The service population exceeds 60,000. The America’s Water Infrastructure Act of 2018 (AWIA 2018) requires a risk and resilience assessment be completed on systems that provide water service to a population over 50,000 but less than 100,000 to complete this assessment by December 31, 2020 and incorporate these findings into a revised Emergency Response Plan by June 30, 2021.

The risk and resilience assessment evaluates the vulnerabilities, threats and consequences from potential hazards and will consider the following:

- Risks to the water system from malevolent acts and natural hazards,
- Resilience of water infrastructure components to these risks,
- System monitoring practices,
- Financial systems of the utility,
- Use, storage, and handling of various chemicals,
- Operation and maintenance practices, and
- Evaluation of capital and operational needs for risk and resilience.

The system components to be considered will be:

- Pipes and constructed conveyances,
- Physical barriers,
- Source water,
- Raw water collection and intake,
- Pretreatment,
- Treatment,
- Storage and distribution facilities, and
- Electronic, computer and other automated systems (including SCADA, billing systems and HR systems).

The following scope of service and associated fee estimate includes the tasks necessary to complete a risk and resilience assessment and provides recommendations for the City of Great Falls to include in its updated Emergency Response Plan. The analysis completed in this scope of work shall be in accordance with AWWA J100 Risk Assessment, AWWA G430 Security, AWWA G440 Emergency Preparedness and AWWA G300 Source Water Protection and other references included by these documents.

The updating of the City’s Emergency Response Plan is not included in this scope of work and will be contracted at a later date.

Scope. The scope of work is described in detail below and specifically includes the following:

- Task 000 – Project Initiation and Project Management
- Task 100 – Risk and Resilience Kickoff Meeting
- Task 200 – Asset and Threat Characterization
- Task 300 – Consequence and Vulnerability Analysis
- Task 400 – Threat Likelihood Analysis
- Task 500 – Risk and Resilience Analysis
- Task 600 – Cyber/Business Continuity Risk and Resilience Assessment
- Task 700 – Risk and Resilience Management
- Task 800 – Risk Assessment and Recommendations Report

The details of the project scope are broken down in the following detailed Tasks.

TASK 000 – PROJECT INITIATION AND PROJECT MANAGEMENT

Project Setup and Management. This task includes the work related to overall project setup as well as execution of any contract amendments or scope changes that may arise throughout the course of the project. This task also includes project management, such as coordinating with the City on critical issues, managing activities within task budgets and monitoring project progress. All work activities and project deliverables will be reviewed for conformance with quality control requirements and project standards. Project activities will be monitored for potential changes, with an emphasis on anticipating changes whenever possible, and, with the City's approval, project tasks and approach will be modified to keep the overall project within budget and on schedule.

Invoicing. This task includes preparation of monthly invoices associated with the work and submission to the City in a clear and concise format that illustrates the progress to date and budget status to date.

TASK 100 – RISK AND RESILIENCE KICK-OFF MEETING

Morrison-Maierle (consultant) with the assistance of the City of Great Falls (City) will facilitate a kick-off meeting to establish project goals, roles, responsibilities, schedule and to review all phases, tasks, assumptions and deliverables. During Task 100, the City and Consultant will review project information security and communication protocols. Discussion on Consultant's overall role in the project, which will include input on the approach of internal workshops, including identification of attendees, and the preparation of risk assessment documentation. This will be an in-person meeting (or virtual video call) held at the City's conference room.

The Consultant will request the following data/documents be provided by the City prior to the kick-off meeting:

- Results from existing vulnerability assessments, existing ERPs, security policies, and procedures for the water utility related to responses for malevolent acts or natural hazards,
- Previous training and exercises completed by the water utility,
- Previous emergency incident responses/activations, and
- Current emergency response structure.

Deliverables. Data request, agenda, and kickoff meeting summary.

Note: Should the data and documents provided by the City require additional data and/or information to be gathered, it will be expected that the fee will be adjusted.

TASK 200 – ASSET AND THREAT CHARACTERIZATION

The Consultant will complete a review of the results of previous vulnerability assessments and existing ERPs to develop an initial critical facilities list. After developing the initial critical facilities list, the Consultant will complete on-site visits of those assets in the initial characterization and confirm the initial risk profile. Site visits will be conducted by at least two representatives of the Consultant.

Following the site visits, the City and Consultant team will hold an Asset and Threat Characterization Workshop with internal stakeholders, local stakeholders and a representative from the Local Emergency Planning Committee (LEPC) to confirm the Utility's mission and to identify critical facilities, assets and threats. The purpose of this workshop will be to confirm the critical asset list that identifies assets and facilities to be assessed.

The threat list will identify the malevolent, natural, proximity and dependency threats to be considered for the assessment. All-hazards will be considered and the J100 Reference Threats from AWWA will be reviewed and considered for the development of the threat list under this task.

Deliverables. Asset and Threat Characterization Workshop materials and facilitation, Critical assets and facilities list, Threat Characterization table.

TASK 300 – CONSEQUENCE AND VULNERABILITY ANALYSIS

The Consultant will assist the City to hold a workshop with staff to formalize threat-asset pairs of concern and to address the corresponding consequences and vulnerabilities. The Consequences and Vulnerability Workshop will explore the worst reasonable consequences that can be caused by the selected threats and hazards on the selected assets. The vulnerability analysis determines the ability of each critical asset and its protective systems to withstand each specified threat.

Deliverables. Consequence and Vulnerability Workshop materials and facilitation, Threat-Asset pairs of concern, Table documenting consequences, assumptions and quantitative estimates.

TASK 400 – THREAT LIKELIHOOD ANALYSIS

Consultant will assist the City to determine the likelihood (also known as probability or frequency) that a specific threat may occur. Standard information on frequency and severity of natural hazards from sources such as NOAA and FEMA and local hazard mitigation plans will be used, as well as input on malicious adversaries from local law enforcement. The LEPC and local law enforcement will be used as resources to review the determined likelihoods and confirm the final likelihood to be used in the analysis.

The Consultant will also use the recently released EPA guidance document “Baseline Information on Malevolent Acts for Community Water Systems – November 2019 as a resource in preparing the threat analysis.

The City and Consultant will then quantify those threats and hazards most likely to impact the critical assets to incorporate into the risk analysis.

Deliverables. Threat analysis results table.

TASK 500 – RISK AND RESILIENCE ANALYSIS

Once the consequences, vulnerabilities and threat likelihoods have been determined, the Consultant will calculate the overall estimated risk and resilience profile (financial and operational) using the VSAT model from AWWA. This is a free software available from AWWA that is designed to assist owner/operator assessment teams in conducting a probability-based risk and resilience assessment of their critical assets. Use of this software to assess security risks at the water utility complies with ANSI/AWWA J-100 standard for risk and resilience assessment.

The Consultant will perform the analysis and turn over the created database to the City. The model output will fulfill the AWIA requirement for a Risk and Resilience Assessment.

The quantification of the initial risk analysis will be used to determine the water system’s resiliency.

Deliverables. Risk and resilience estimates for each threat-asset pair.

TASK 600 – CYBER/BUSINESS CONTINUITY RISK AND RESILIENCE ASSESSMENT

The AWIA specifically requires water systems to assess their business continuity and financial resilience. This task will focus on assessing SCADA, critical communications, essential business systems and financial resilience together as a standalone workstream from the overall risk and resilience assessment. Consultant will conduct three (3) meetings with City leadership and staff responsible for SCADA, IT, communications and finance. Assume all meetings will be held at the City’s conference room and will be in person meetings.

The Consultant will use the information gained from these meetings as input into the AWWA Water Sector Cybersecurity Guidance and Assessment Tool. This tool aligns with the cybersecurity framework of NIST (National Institute of Standards and Technology) and AWIA 2018 requirements. The tool also incorporates AWWA G430 Security Practices for Operation and Management and J100 Standards.

Results from the Cybersecurity Guidance and Assessment Tool will be used to develop a Cybersecurity Improvement Plan. The Consultant will provide the Cybersecurity Improvement Plan for incorporation of the results into the overall Risk Assessment and Recommendations Report described in Task 800 below. This will document the consequences, vulnerability, threat likelihood and associated risk profile for cyber-malicious adversary threat-asset pairs as well as other natural and dependency threats to the assets that are critical for business continuity.

The results from the assessment will also be documented so that the City can incorporate them into its Emergency Response Plan (ERP).

Deliverables. Cyber/Business Continuity RRA documentation and Cybersecurity Improvement Plan to be incorporated by the Consultant into the Task 800 report. Meeting materials and facilitation.

TASK 700 – RISK AND RESILIENCE MANAGEMENT

The risk and resilience management task will include identifying which risks warrant mitigation and collaborating with the City to develop risk reduction ideas and preliminary costs and benefits. The Consultant will assist the City to hold an internal workshop to review and formalize the mitigation ideas. Each idea will be documented on a business case template and costs associated with mitigation ideas will be prepared using recent bid tabulations and unit prices by the Consultant. Cost estimates will be completed at a planning level with a 20% contingency associated with the planning level estimates that are being prepared at this stage.

Deliverables. Templates providing risk and resilience management options, Risk and Resilience Management Workshop materials and facilitation.

TASK 800 – RISK ASSESSMENT AND RECOMMENDATIONS REPORT

The Consultant will prepare a draft and final Risk Assessment and Recommendations Report that will be reviewed and approved by the City. Following approval of the final RRA report, the Consultant will draft the Certification Letter for the City to submit to U.S. EPA no later than December 31, 2020.

Deliverables. Draft and Final Risk Assessment and Recommendations Report, Draft Certification Letter to U.S. EPA.

TASK 900 – MISCELLANEOUS TASKS

Various miscellaneous tasks and efforts are anticipated throughout development of the Risk and Resilience Assessment, necessary and/or assigned tasks and efforts beyond those included in this Scope of Services. The Consultant will perform such tasks on an as-needed/assigned basis.

Deliverables. As assigned and applicable.

Estimated Budget. \$66,136 (base fee) + \$11,560 (miscellaneous tasks) = \$77,696.

See Attachment A – Estimated Fee

Schedule. The evaluation will be completed no later than 16 weeks following receipt of requested data/documents and completion of the Kick-off Meeting.

ATTACHMENT A - ESTIMATED FEE

TASK/TASK DESCRIPTION	ESTIMATED LEVEL OF EFFORT - STAFF HOURS								TOTAL COST
	SUPERVISING ENGINEER II	SUPERVISING ENGINEER III	SENIOR ENGINEER I	DESIGN ENGINEER I	CYBER SECURITY TECH	CADD TECH II	PROJECT COORD. II	TOTAL HOURS	
Task 000 Project Initiation and Project Management									
Project Initiation	2							2	
Project Management	4							4	
Progress Meetings	4							4	
QA/QC	16							16	
Monthly Invoices	4							4	
Subtotal	30	0	0	0	0	0	0	30	\$5,910.00
Task 100 Risk and Resilience Kickoff Meeting									
Kickoff Meeting	4	4						8	
Data Request and Review		12						12	
Subtotal	4	16	0	0	0	0	0	20	\$4,100.00
Task 200 Asset and Threat Characterization									
Critical Asset and Facilities List	4	4						8	
On-site Visits and Evaluations	16	4		16				36	
Threat Characterization		4						4	
Asset and Threat Workshop	8	8						16	
Subtotal	28	20	0	16	0	0	0	64	\$11,896.00
Task 300 Consequence and Vulnerability Analysis									
Consequence Analysis		8						8	
Vulnerability Analysis		8						8	
Consequence and Vulnerability Workshop	8	8						16	
Subtotal	8	24	0	0	0	0	0	32	\$6,544.00
Task 400 Threat Likelihood Analysis									
Threat Likelihood Analysis	2	8						10	
Subtotal	2	8	0	0	0	0	0	10	\$2,050.00
Task 500 Risk and Resilience Analysis									
VSAT Model Setup		4						4	
Complete Risk Analysis	8	24						32	
Complete Resilience Analysis	2	8						10	
Subtotal	10	36	0	0	0	0	0	46	\$9,422.00
Task 600 Cyber/Business Continuity Risk and Resilience Assessment									
Data gathering and Meetings	2				16			18	
Complete Cybersecurity Guidance and Assessment Tool	2				4			6	
Cybersecurity Improvement Plan	4				8			12	
Subtotal	8	0	0	0	28	0	0	36	\$5,776.00
Task 700 Risk and Resilience Management									
Identify Risks Requiring Mitigation		4						4	
Conduct Workshop	8	8						16	
Prepare Business Case Template and Cost Estimates	12	2		36				50	
Subtotal	20	14	0	36	0	0	0	54	\$11,878.00
Task 800 Risk Assessment and Recommendations Report									
Draft Report	4	16						20	
Final Report		16						16	
Draft U.S. EPA Certification Letter	2							2	
Subtotal	6	32	0	0	0	0	0	38	\$7,806.00
Task 900 Miscellaneous Tasks									
Miscellaneous Tasks as Required or Assigned	20	20		12	12			64	
Subtotal	20	20	0	12	12	0	0	64	\$11,560.00
TOTAL HOURS REQUIRED	136	170	0	64	40	0	0	330	
HOURLY LABOR RATE	197.00	207.00	160.00	140.00	150.00	97.00	89.00		
TOTAL COST OF LABOR	\$26,792	\$35,190	\$0	\$8,960	\$6,000	\$0	\$0	\$76,942	\$76,942

MMI DIRECT EXPENSE DESCRIPTION	UNITS	NUMBER UNITS	UNIT COST (\$)	TOTAL COST (\$)	ASSUMPTIONS
Subsidence Per Diem	days	0	25.00	0	
Automobile Travel	miles	900	0.56	504	5 trips
Printing	sheets	0	0.15	0	
Meeting Materials	lump sum	5	50.00	250	5 meetings
Postage/FedEx charges	lump sum	0	50.00	0	
TOTAL DIRECT EXPENSES				\$754	

PHASE FEE SUMMARY	
TOTAL MMI LABOR	\$76,942
TOTAL MMI DIRECT EXPENSES	\$754
ESTIMATED TOTAL ENGINEERING FEE FOR TASK ORDER	\$77,696

**CITY OF GREAT FALLS
EMERGENCY RESPONSE PLAN UPDATE
PN 0973.023**

May 8, 2020

SCOPE OF SERVICES

Background. The City of Great Falls water system provides water service to approximately 22,150 customers with notable major users being Malmstrom Air Force Base, Black Eagle, and the Calumet oil refinery. The service population exceeds 60,000. The America's Water Infrastructure Act of 2018 (AWIA 2018) requires an emergency response plan be completed on systems that provide water service to a population over 50,000 but less than 100,000 to complete this assessment by June 30, 2021.

The emergency response plan incorporates the vulnerabilities, threats and consequences from potential hazards developed through the risk and resilience assessment which must consider:

- Risks to the water system from malevolent acts and natural hazards,
- Resilience of water infrastructure components to these risks,
- System monitoring practices,
- Financial systems of the utility,
- Use, storage, and handling of various chemicals,
- Operation and maintenance practices, and
- Evaluation of capital and operational needs for risk and resilience.

The following scope of service and associated fee estimate includes the tasks necessary to complete an update to the current City water system Emergency Response Plan (ERP) to make it compliant with AWIA 2018. The risk and resilience assessment provides recommendations for the City of Great Falls to include in its updated ERP. The work completed in this scope of work shall be in accordance with AWWA J100 Risk Assessment, AWWA G430 Security, AWWA G440 Emergency Preparedness and AWWA G300 Source Water Protection and other references included by these documents.

The ERP must incorporate the following requirements of Section 2013 of the AWIA, and any other subsequent updated requirements that the EPA provides for conducting emergency response planning.

1. Strategies and resources to improve the resilience of the water system, including the physical security and cybersecurity of the system;
2. Plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;
3. Actions, procedures and equipment which can obviate or significantly lessen the impact of malevolent act or natural hazard on the public health and safety and supply of drinking water provided to communities and individuals, including the

development of alternative source water options, relocation of water intakes, and construction of flood protection barriers; and

4. Strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

It is the intent of this scope of work to develop an ERP that utilizes the template for “Community Water System Emergency Response Plan” by US EPA. The City’s current ERP will be converted into this format to verify that the ERP update is compliant with AWIA 2018.

Scope. The scope of work is described in detail below and specifically includes the following:

- Task 000 – Project Initiation and Project Management
- Task 100 – Emergency Response Plan Kickoff Meeting
- Task 200 – Response Planning
- Task 300 – Identify and Integrate Local Plans
- Task 400 – Prepare ERP Update

The details of the project scope are broken down in the following detailed Tasks.

TASK 000 – PROJECT INITIATION AND PROJECT MANAGEMENT

Project Setup and Management. This task includes the work related to overall project setup as well as execution of any contract amendments or scope changes that may arise throughout the course of the project. This task also includes project management, such as coordinating with the City on critical issues, managing activities within task budgets and monitoring project progress. All work activities and project deliverables will be reviewed for conformance with quality control requirements and project standards. Project activities will be monitored for potential changes, with an emphasis on anticipating changes whenever possible, and, with the City’s approval, project tasks and approach will be modified to keep the overall project within budget and on schedule.

Invoicing. This task includes preparation of monthly invoices associated with the work and submission to the City in a clear and concise format that illustrates the progress to date and budget status to date.

TASK 100 – EMERGENCY RESPONSE PLAN KICK-OFF MEETING

Morrison-Maierle (consultant) with the assistance of the City of Great Falls (City) will facilitate a kick-off meeting to establish project goals, roles, responsibilities, schedule and to review all phases, tasks, assumptions and deliverables. This will be an in-person meeting (or virtual video call) held at the City’s conference room.

The meeting will review and identify:

- Emergency response elements required by National Incident Management System (NIMS), Incident Command Systems (ICS)/Emergency Operations Center (EOC),
- Crisis communication protocols,
- Emergency procurement procedures,
- Utilities emergency resources,
- Mutual aid agreements

Deliverables. agenda, and kickoff meeting summary.

Note: Should the data and documents provided by the City require additional data and/or information to be gathered, it will be expected that the fee will be adjusted.

TASK 200 – RESPONSE PLANNING

The Consultant will complete a review of the results of the Risk and Resilience Assessment (RRA) and current water system ERPs to identify preparedness and response measures to be taken for identified threats/hazards from the RRA.

A workshop will be held to review the threats/hazards and confirm the preparedness and response measures necessary to be taken by the water system.

The resources (i.e. personnel, equipment, supplies and facilities) the water system owns or has access to influence the response planning presented in the ERP. In the workshop we will identify resource gaps that may hinder the water system in responding to the identified threats/hazards.

Deliverables. Workshop agenda, materials, facilitation, and meeting minutes.

TASK 300 – IDENTIFY AND INTEGRATE LOCAL PLANS

The water system's ERP should integrate with other City emergency plans as well as other emergency plans in Great Falls as much as possible. The City and Consultant will reach out and coordinate with the Local Emergency Planning Committee (LEPC) to discuss the revisions planned for the water system's ERP. Input from the LEPC will be solicited and incorporated into the ERP as it pertains to the water system.

Deliverables. Coordination with LEPC including documented agendas and meeting notes/summary.

TASK 400 – PREPARE ERP DOCUMENT

The Consultant will prepare a draft and final Emergency Response Plan that will be reviewed and approved by the City. Following approval of the final ERP, the Consultant will draft the Certification Letter for the City to submit to U.S. EPA no later than June 30, 2021.

The ERP will follow the outline provided for emergency response planning by the US EPA and will have the following major categories:

- Utility Information
- Resilience Strategies
- Emergency Plans and Procedures
- Mitigation Actions
- Detection Strategies

Deliverables. Draft and Final Emergency Response Plan, Draft Certification Letter to U.S. EPA.

TASK 500 – MISCELLANEOUS TASKS

Various miscellaneous tasks and efforts are anticipated throughout development of the Emergency Response Plan, necessary and/or assigned tasks and efforts beyond those included in this Scope of Services. The Consultant will perform such tasks on an as-needed/assigned basis.

Deliverables. As assigned and applicable.

Estimated Budget. \$39,270 (base fee) + \$8,360 (miscellaneous tasks) = \$47,630

See Attachment B – Estimated Fee

Schedule. The emergency response plan will be completed no later than 12 weeks following completion of the RRA, receipt of requested data/documents, and completion of the Kick-off Meeting.

ATTACHMENT B - ESTIMATED FEE

TASK/TASK DESCRIPTION	ESTIMATED LEVEL OF EFFORT - STAFF HOURS								TOTAL COST
	SUPERVISING ENGINEER II	SUPERVISING ENGINEER III	SENIOR ENGINEER I	DESIGN ENGINEER I	CYBER SECURITY TECH	CADD TECH II	PROJECT COORD. II	TOTAL HOURS	
Task 000 Project Initiation and Project Management									
Project Initiation	2							2	
Project Management	4							4	
Progress Meetings	4							4	
QA/QC	8							8	
Monthly Invoices	6							6	
Subtotal	24	0	0	0	0	0	0	24	\$4,824.00
Task 100 Emergency Response Plan Kickoff Meeting									
Kickoff Meeting	8	8					2	18	
Data Request and Review		8						8	
Subtotal	8	16	0	0	0	0	2	26	\$5,168.00
Task 200 Response Planning									
Review of RRA and Existing ERPs	2	4		4				10	
Identify Preparedness and Response Measures		8		2				10	
Response Planning Workshop	8	8					2	18	
Subtotal	10	20	0	6	0	0	2	38	\$7,278.00
Task 300 Identify and Integrate Local Plans									
Coordination with LEPC and Documentation	8	2					2	12	
Review Data Provided by LEPC	6	6		0				12	
Subtotal	14	8	0	0	0	0	2	24	\$4,686.00
Task 400 Prepare ERP Documents									
Draft ERP	12	36		4	8	4		64	
Final ERP	8	4		2	8	4			
Draft U.S. EPA Certification Letter	2								
Subtotal	22	40	0	6	16	8	0	64	\$16,990.00
Task 900 Miscellaneous Tasks									
Miscellaneous Tasks as Required or Assigned	16	16		8	4			44	
Subtotal	16	16	0	8	4	0	0	44	\$8,360.00
TOTAL HOURS REQUIRED	94	100	0	20	20	8	6	220	
HOURLY LABOR RATE	201.00	211.00	164.00	144.00	154.00	100.00	92.00		
TOTAL COST OF LABOR	\$18,894	\$21,100	\$0	\$2,880	\$3,080	\$800	\$552	\$47,306	\$47,306

MMI DIRECT EXPENSE DESCRIPTION	UNITS	NUMBER UNITS	UNIT COST (\$)	TOTAL COST (\$)	ASSUMPTIONS
Subsidence Per Diem	days	0	25.00	0	
Automobile Travel	miles	400	0.56	224	2 trips
Printing	sheets	500	0.10	50	
Meeting Materials	lump sum	1	50.00	50	2 meetings
Postage/FedEx charges	lump sum	0	50.00	0	
TOTAL DIRECT EXPENSES				\$324	

PHASE FEE SUMMARY	
TOTAL MMI LABOR	\$47,306
TOTAL MMI DIRECT EXPENSES	\$324
ESTIMATED TOTAL ENGINEERING FEE FOR TASK ORDER	\$47,630

RISK AND RESILIENCE ASSESSMENTS AND EMERGENCY RESPONSE PLANS:



NEW REQUIREMENTS FOR DRINKING WATER UTILITIES

Section 2013 of America's Water Infrastructure Act of 2018 (AWIA) requires community water systems¹ that serve more than 3,300 people to complete a risk and resilience assessment and develop an emergency response plan.

RISK AND RESILIENCE ASSESSMENT

Your utility must conduct a risk and resilience assessment and submit certification of its completion to the U.S. EPA by the following dates:

EMERGENCY RESPONSE PLAN

Your utility must develop or update an emergency response plan and certify completion to the U.S. EPA **no later than six months** after risk and resilience assessment certification. Each utility deadline is unique; however, the dates below are the due dates for utilities who submit a risk and resilience assessment certification by the final due date according to the population served.

Important Dates

- March 31, 2020 if serving $\geq 100,000$ people.
- December 31, 2020 if serving 50,000 to 99,999 people.
- June 30, 2021 if serving 3,301 to 49,999 people.

- September 30, 2020 if serving $\geq 100,000$ people.
- June 30, 2021 if serving 50,000 to 99,999 people.
- December 30, 2021 if serving 3,301 to 49,999 people.

Recertification

Every five years, your utility must review the risk and resilience assessment and submit a recertification to the U.S. EPA that the assessment has been reviewed and, if necessary, revised.

Within six months of submitting the recertification for the risk and resilience assessment, your utility must certify it has reviewed and, if necessary, revised, its emergency response plan.

Visit the U.S. EPA website to find more information on guidance for developing a risk and resilience assessment at <https://www.epa.gov/waterriskassessment/conduct-drinking-water-or-wastewater-utility-risk-assessment>.

Visit the U.S. EPA website for guidance on developing an Emergency Response Plan at <https://www.epa.gov/waterutilityresponse/develop-or-update-drinking-water-or-wastewater-utility-emergency-response-plan>.

TOOLS OR METHODS

AWIA does not require the use of any standards, methods or tools for the risk and resilience assessment or emergency response plan. Your utility is responsible for ensuring that the risk and resilience assessment and emergency response plan address all the criteria in AWIA Section 2013(a) and (b), respectively. The U.S. EPA recommends the use of standards, including AWWA J100-10 Risk and Resilience Management of Water and Wastewater Systems, along with tools from the U.S. EPA and other organizations, to facilitate sound risk and resilience assessments and emergency response plans.

¹ Section 2013 of AWIA applies to community water systems. Community water systems are drinking water utilities that consistently serve at least 25 people or 15 service connections year-round.

Still have questions about the new AWIA requirements?
Contact the U.S. Environmental Protection Agency (U.S. EPA) at dwresilience@epa.gov.

FREQUENTLY ASKED QUESTIONS

I need more information about risk and resilience assessments and emergency response plans:

Risk and resilience assessments evaluate the vulnerabilities, threats and consequences from potential hazards.

What does a risk and resilience assessment include?

- Natural hazards and malevolent acts (i.e., all hazards).
- Resilience of water facility infrastructure (including pipes, physical barriers, water sources and collection, treatment, storage and distribution, and electronic, computer and other automated systems).
- Monitoring practices.
- Financial systems (e.g., billing systems).
- Chemical storage and handling.
- Operation and maintenance.

Who should I work with when creating my emergency response plan?

- Utilities must coordinate the risk and resilience assessments, as well as the emergency response plans with local emergency planning committees.

For more information, see www.congress.gov/bill/115th-congress/senate-bill.

I need more information on the certification process:

What do I need to submit to the U.S. EPA?

- Each utility must submit a certification of your risk and resilience assessment and emergency response plan. Each submission must include: utility name, date and a statement that the utility has completed, reviewed or revised the assessment. The U.S. EPA has developed an optional certification template that can be used for email or mail certification. The optional certification form will be available in August 2019.

Who can certify my risk and resilience assessment and emergency response plan?

- Risk and resilience assessments and emergency response plans can be self-certified by the utility.

How do I submit my certification?

- Three options will be provided for submittal: regular mail, email and a user-friendly secure online portal. The online submission portal will provide drinking water systems with a receipt of submittal. The U.S. EPA recommends using this method. The certification system will be available in August 2019.

What does an emergency response plan include?

- Strategies and resources to improve resilience, including physical security and cybersecurity.
- Plans and procedures for responding to a natural hazard or malevolent act that threatens safe drinking water.
- Actions and equipment to lessen the impact of a malevolent act or natural hazard, including alternative water sources, relocating intakes and flood protection barriers.
- Strategies to detect malevolent acts or natural hazards that threaten the system.

When can I submit the initial certification?

- Utilities should wait to submit the initial certification to the U.S. EPA until the U.S. EPA publishes *Baseline Information on Malevolent Acts Relevant to Community Water Systems*, which is required under AWIA by August 2019.

Do I need to submit my certification to my state or local government?

- No. Section 2013 of AWIA does not require utilities to submit the certification to state or local governments.

How long do I need to keep a copy of my risk and resilience assessment and emergency response plan?

- Utilities need to keep a copy of both documents for five years after certification.

What if I do not have a copy of my most recent risk and resilience assessment?

- The U.S. EPA intends to destroy vulnerability assessments (VAs) submitted in response to the Bioterrorism Act of 2002, but if utilities would like to have their VA and certification documents mailed to them, contact WSD-Outreach@epa.gov, and on utility letterhead, include the utility name, PWSID, address and point of contact as an attachment to the email.

RESOURCES & TOOLS

Conducting a Risk and Resilience Assessment

- The U.S. EPA's Risk and Resilience Baseline Threat Document (available August 2019).
- The U.S. EPA's [Vulnerability Self-Assessment](#).

The U.S. EPA Website

- <https://www.epa.gov/waterresilience/americas-water-infrastructure-act-2018-risk-assessments-and-emergency-response-plans>.

Developing an Emergency Response Plan

- [Emergency Response Plan Guidance](#).
- The U.S. EPA's [Emergency Response Webpage](#).
- [Local Emergency Planning Committees](#).

Still have questions about the new AWIA requirements?
Contact the U.S. Environmental Protection Agency (U.S. EPA) at dwresilience@epa.gov.

Section 2013 of America’s Water Infrastructure Act

Frequently Asked Questions

This document compiles frequently asked questions (FAQs) about the requirements of America’s Water Infrastructure Act (AWIA) Section 2013 and is intended to complement the existing information on [the EPA’s AWIA Section 2013 webpage](#).

On October 23, 2018, [America’s Water Infrastructure Act](#) was signed into law. This law requires community water systems (CWS) serving more than 3,300 people to conduct risk and resilience assessments, prepare or revise emergency response plans (ERPs), and certify to the Environmental Protection Agency (EPA or Agency) that this work has been completed. A CWSs’ risk and resilience assessment (R&RA) certification statement is due to the EPA on specified dates based on population served, see the graphic below, and the ERP certification statement is due to the EPA not later than six months thereafter. Also, CWSs shall review their R&RAs and ERPs at least once every five years after the applicable certification submission deadlines.

More information on these AWIA requirements, as well as information on compliance tools and resources are available on [the EPA’s website](#). If you have any questions related to Section 2013 of AWIA, please email the EPA at dwresilience@epa.gov. The document is divided into six main sections: (1) Community Water Systems Required to Comply Under Section 2013 of AWIA; (2) Community Water System Requirements (3) Community Water System Compliance; (4) Tools and Resources; (5) Funding; and (6) Contacts and Outreach.



Emergency Response Plan (ERP)

Certify your ERP no later than six months after certification of the risk assessment

Community Water Systems Required to Comply Under Section 2013 of AWIA

1. Community water systems (CWS) serving a population of 3,301 or greater are required to certify a risk and resilience assessment. How is the EPA determining a CWS's population served?

The EPA is using the population served number that each CWS reported to its respective state for the Safe Drinking Water Information System (SDWIS) database as of the date of AWIA's enactment on October 23, 2018.

2. How does AWIA Section 2013 address small systems that service less than 3,301 people?

Part (e) of AWIA Section 2013 states, "the Administrator [of the EPA] shall provide guidance and technical assistance to community water systems serving a population of less than 3,300 persons on how to conduct resilience assessments, prepare emergency response plans, and address threats from malevolent acts and natural hazards that threaten to disrupt the provision of safe drinking water or significantly affect the public health or significantly affect the safety or supply of drinking water provided to communities and individuals."

EPA intends to develop guidance for CWSs that serve populations of less than 3,301 people that will be available in late 2020 on the [EPA's AWIA website](#).

3. How does a CWS that sells water calculate its population served in relationship to the AWIA Section 2013 risk and resilience assessment (R&RA) and emergency response plan (ERP) requirements?

When determining population served, CWS wholesalers should account for the community or communities to which they sell or provide water. AWIA Section 2013 requirements also apply to those community water systems with consecutive connections that individually serve less than 3,301 people, but their aggregate population served is greater than 3,300 people.

4. What are the CWS initial R&RA and ERP certification submittal deadlines for a new facility that comes online after a compliance deadline has passed?

Each CWS will follow the R&RA and ERP certification submittal deadlines based on the population served in the next five-year reporting cycle. For example, a CWS that comes online after the March 31, 2020 deadline and serves 100,000 people or more, is required to certify the completion of its R&RA no later than March 31, 2025.

Five Year Recertification Deadlines

Population Served	Risk and Resilience Assessment	Next 5-Year Cycle Submission Date
≥100,000	March 31, 2020	March 31, 2025
50,000-99,999	December 31, 2020	December 31, 2025
3,301-49,999	June 30, 2021	June 30, 2026

Population Served	Emergency Response Plan*	Next 5-Year Cycle Submission Date*
≥100,000	September 30, 2020	September 30, 2025
50,000-99,999	June 30, 2021	June 30, 2026
3,301-49,999	December 31, 2021	December 31, 2026

*ERP certifications are due six months from the date of the R&RA certification. The dates shown above are certification dates based on a utility submitting a R&RA on the final due date.

- Are [transient non-community water systems or non-transient non-community water systems](#) impacted by Section 2013 of AWIA?

No, Section 2013 of AWIA only applies to [community water systems](#) which are defined as public water systems that supply water to the same population year-round.

Transient non-community water systems are public water systems that provide water in a place such as a gas station or campground where people do not remain for long periods of time. A non-transient non-community water system is a public water system that regularly supplies water to at least 25 of the same people for at least six months per year. Some examples are schools, factories, office buildings, and hospitals which have their own water systems. For more information about CWSs please visit this site:

<https://www.epa.gov/dwreginfo/information-about-public-water-systems>

6. Should populations served by a CWS's emergency connections be considered when calculating its AWIA compliance service size?

No. Emergency connections are defined as a source that is neither part of a public water system's routine or regular operation nor expected to be used on a seasonal or interim basis. An emergency source is available if an unanticipated event or emergency should arise (e.g., maintaining pressure until a water main is repaired or replaced). Both year-round and seasonal systems may have emergency sources. An emergency source is one that would be used for a limited period of time (e.g., maintaining water pressure). Therefore, [emergency connections](#) should not be considered when calculating a CWS's population served.

Community Water System Requirements

1. How do I and how soon can I submit a community water system (CWS) risk and resilience assessment (R&RA) or emergency response plan (ERP) certification?

The EPA strongly recommends that you electronically submit your CWS R&RA and ERP certifications. For information on how to certify, go [here](#). You can also view a video tutorial on how to electronically certify [here](#). You can submit your certification as soon as possible, but no later than the certification deadlines set in Section 2013 of AWIA; see the table above for R&RA and ERP certification submission deadlines. Please note that once a CWS certifies the completion of its R&RA or ERP, they will be unable to electronically recertify for the next five-year R&RA or ERP certification cycle until one year prior to the associated certification deadline date(s).

2. Who is qualified to certify a risk and resilience assessment or emergency response plan on behalf of the CWS?

Each CWS determines who the certifying official will be for the risk and resilience assessment and emergency response plan. There are no specific requirements for the utility certifying official, however, the official must be a utility employee.

3. When certifying completion of a R&RA or ERP using the EPA's electronic certification system, can one User ID be used to certify for more than one CWS, as identified by a Public Water System Identification (PWSID) number?

For those that own or manage more than one community water system; users of the EPA's electronic certification system can register for, create, and use one User ID and password to certify R&RAs and ERPs for multiple PWSID numbers.

4. What are the mandatory components related to cybersecurity in the ERP?

AWIA Section 2013(b) states that ERPs "...shall include strategies and resources to improve the resilience of the system, including...cybersecurity." Thus, while there are no specific cybersecurity requirements outlined in AWIA, CWSs are required to consider cybersecurity

resiliency when developing or updating their ERPs. Please access the following EPA cybersecurity resources for more information:

[Cybersecurity Incident Action Checklist](#) to help water utilities prepare for and respond to cyber incidents.

[Cybersecurity Guide for States](#) to help state primacy agencies start a conversation with water systems about cybersecurity threats.

[ERP Template and Instructions](#) to develop an ERP in accordance with AWIA Section 2013(b) requirements, including cybersecurity.

5. What specifically is meant by “**financial infrastructure**” in the risk and resilience assessment in Section 2013 of AWIA?

Financial infrastructure of a CWS means utility billing, payment, and financial account management systems, including those operated by a third party on behalf of a utility. It does not include measures of financial stability, such as bond rating or asset and debt ratios.

6. Is the “**construction of flood protection barriers**” required within the ERP referring to temporary or permanent construction?

Flood protection barriers can be either temporary or permanent, depending on the findings and countermeasures identified in the utility’s risk and resilience assessment. CWSs whose risk profile, as determined in their risk and resilience assessment, includes flooding should indicate in their ERP that they considered the following specific flood mitigation actions: 1) the development of alternative source water options; 2) the relocation of water intakes; and 3) the construction of flood protection barriers.

Community Water System Compliance

1. What is the penalty for a community water system (CWS) that does not comply with the risk and resilience assessment (R&RA) and emergency response plan (ERP) certification deadline defined in the law?

If a community water system fails to conduct a R&RA, develop an ERP, and certify those results to the Agency before the statutory deadlines, then the EPA may exercise its enforcement discretion to bring an action to require compliance and may also seek a civil penalty. Note that the EPA exercises its enforcement discretion on a case-by-case basis. Please see Section E, Public water systems regulated under the Safe Drinking Water Act, of [EPA’s COVID-19 enforcement discretion memorandum](#) for further information.

Generally, pursuant to Section 1414 of the Safe Drinking Water Act (SDWA), if the EPA finds that a public water system does not comply with any “applicable requirement,” the Agency may issue an order under subsection (g) or commence a civil action under subsection

(b) to require the system to comply. Under SDWA Section 1414, the EPA also has the authority to seek a civil penalty not to exceed \$57,317 (adjusted annually for inflation) for each day in which such violation occurs. “Applicable requirement” is defined in SDWA Section 1414(i) and includes any requirement of SDWA Section 1433.

2. What is the process for requesting an extension of the compliance deadlines in Section 2013 of AWIA?

Please see Section E, Public water systems regulated under the Safe Drinking Water Act, of [EPA’s COVID-19 enforcement discretion memorandum](#) for further information. In general, under SDWA Section 1414, whenever the Administrator of the EPA finds that any public water system does not comply with any applicable requirement, including the schedule for certification of assessments required by Section 1433, the Administrator may commence an enforcement action. For violations of an applicable requirement, the Agency may take enforcement to require the system to return to compliance. The EPA may also seek penalties for such violations under SDWA. In short, the EPA cannot change the statutory deadlines in Section 1433. If a CWS fails to certify it has conducted the required assessment or plan preparation or revisions by the applicable deadline, then it is in noncompliance. The EPA has enforcement discretion in terms of how it responds to such noncompliance.

Please see [this page for a list of resources and tools](#) that can assist CWSs in complying with AWIA.

3. What is the relationship between AWIA Section 2018 (e.g., chemical storage, release, and notification) and the R&RA and emergency response plan (ERP) requirements under AWIA Section 2013?

AWIA Section 2018 amends the Emergency Planning and Community Right to Know Act (EPCRA), specifically Sections 304, Emergency Release Notification, and 312, Hazardous Chemical Reporting. Currently, facilities that handle or store an extremely hazardous substance (EHS) under EPCRA or hazardous substance (HS) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) at specified threshold planning quantities (listed in regulation) are regulated by EPCRA. Under Section 304, if a facility spills an EHS at or above the reportable quantity (listed in regulation), the owner/operator must notify the State Emergency Response Commission (SERC) and Local Emergency Planning Committee (LEPC) immediately. If a facility spills a CERCLA HS, the owner/operator must also immediately notify the National Response Center in addition to notifying the SERC and LEPC. Under the new EPCRA Section 304 amendments in AWIA, a SERC that is notified must forward the initial notification and subsequent follow-up notification to the state drinking water primacy agency and the primacy agency must forward the notifications to any community water system whose source could be affected by the release.

In addition, AWIA Section 2018 amends EPCRA Section 312 to give community water systems the right to hazardous chemical inventory data (referred to a tier II inventory) for any facility subject to annual EPCRA reporting requirements that falls within that community water system's source water protection area. The community water system must make the request to the SERC or LEPC.

AWIA Section 2013 also requires water systems to coordinate with their LEPCs to the extent possible when preparing or revising their risk assessment and emergency response plan. This coordination ensures the community ERP includes any chemicals used by the water system and that the water system has access to Tier 2 hazardous chemical inventory data and obtains release notifications required under EPCRA Section 304. Community water systems can use the Tier II chemical inventory information to update their risk assessment. They can also use the notification procedures and results of any potential chemical spill risk to update their ERP.

Tools and Resources

1. How do I certify my Section 2013 AWIA-compliant risk and resilience assessment (R&RA) or emergency response plan (ERP)?

Please visit [the EPA's website](#) for more information on how to certify a CWS R&RA and ERP, also please see a [PDF document tutorial](#) explanation or a [video tutorial](#).

2. What training or resources does the EPA have available to assist CWSs with meeting the requirements under Section 2013 of AWIA?

The EPA has developed several tools and resources to aid in complying with AWIA Section 2013 requirements. For the risk and resilience assessment, the EPA has created the [VSAT Web 2.0 Tool](#) and the [Baseline Information on Malevolent Acts for CWSs](#). The EPA has also developed Guidance for Small Community Water Systems on Risk and Resilience Assessments under America's Water Infrastructure Act, which will be available in June 2020. The EPA created the [Emergency Response Template and Guidance](#) to support compliance with the Emergency Response Plan requirements.

3. Which standards can a CWS use to comply with the R&RA and/or ERP requirements?

Section 2013 of AWIA does not require the use of any standards, methods or tools for the R&RA or ERP. Your utility is responsible for ensuring that the risk and resilience assessment and emergency response plan address all the criteria in AWIA Section 2013(a) and (b), respectively. The EPA recommends the use of standards, including American Water Works Associations' [J100-10 Risk and Resilience Management of Water and Wastewater Systems](#), the EPA's [ERP guide and template](#), along with the EPA's [Vulnerability Self-Assessment Tool Web 2.0](#) or Guidance for Small Community Water Systems on Risk and Resilience Assessments under America's Water Infrastructure Act, to facilitate sound risk and resilience assessments and emergency response plans.

4. Can the current version (Web 2.0) of the EPA's [Vulnerability Self-Assessment Tool \(VSAT\)](#) be used to conduct a compliant risk and resilience assessment?

Yes. VSAT Web 2.0 has been updated to meet the requirements of Section 2013 of AWIA. The EPA recommends using VSAT Web 2.0 as a resource to complete an AWIA-compliant risk and resilience assessment.

5. Can I familiarize myself with [VSAT Web 2.0](#) without being tied to a specific utility, such as remaining anonymous, prior to using the tool for the CWS's risk and resilience assessment?

Yes. Any individual can use VSAT Web 2.0 to develop a test utility and familiarize themselves with the tool.

6. Who can I contact for additional questions regarding VSAT Web 2.0 or the Emergency Response Plan Guidance and template?

Please email the EPA at dwresilience@epa.gov.

7. What tools are available for CWSs to meet the cybersecurity assessment component of the risk and resilience assessment and emergency response plan, as required for AWIA Section 2013?

Cybersecurity is one of the concerns addressed within the [VSAT Web 2.0 tool](#) and [emergency response plan guide and template](#). In addition, you can use the [EPA's cybersecurity incident action checklist for water utilities](#), and the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency offers a wealth of [guidance on cybersecurity](#).

8. What tools are available to assist in conducting a financial infrastructure assessment, as required by AWIA?

The main, high-risk threat on financial infrastructure is "Cyber Attack Business Enterprise Systems," as identified in the EPA's [Baseline Information on Malevolent Acts](#) document. This document provides information on estimating the threat likelihood, along with references to additional resources to reduce risk. For additional information, the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency offers more [guidance on cybersecurity](#).

Funding Assistance

1. Is there funding available for conducting the risk and resilience assessment (R&RA) to meet the AWIA Section 2013 requirements?

Currently, there is not one stream of funding that is designated specifically to address the new risk assessment requirement. However, conducting a risk assessment is considered an eligible project under the EPA's [Drinking Water State Revolving Fund \(DWSRF\)](#). The risk assessment may yield a project that the utility may want to invest in to improve the overall system resilience. Each state develops a list of priority projects for funding under the DWSRF, so please [check with your state](#) to see if they have set aside funds for this function specifically.

2. Are there grants or funding specifically available to small CWSs in order to meet the requirements under Section 2013 of AWIA?

Currently, no funding has been appropriated by Congress.

Contacts and Outreach

1. Who can I contact from the EPA for more information?

For AWIA Section 2013 or 2018 questions, please email the EPA at dwresilience@epa.gov. For specific questions related to Emergency Planning and Community Right-to-Know Act (EPCRA), reach out to the EPA's Regional EPCRA contacts at: <https://www.epa.gov/epcra/epcra-regional-contacts>



Item: Construction Final Pay: Gore Hill Water Tower Replacement, OF 1625.2
From: Engineering Division
Initiated By: Public Works Department
Presented By: Paul Skubinna, Environmental Division Manager
Action Requested: Approve Final Pay Request

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Final Payment for the Gore Hill Water Tower Replacement, to Landmark Structures I, L.P. in the amount of \$50,559.32 and \$510.70 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Approve Final Payment request.

Summary:

This project installed a new 500,000 gallon water tower on Gore Hill (2901 38th Avenue Southwest) and demolished the existing 500,000 gallon water tower located near the airport. The new composite elevated water storage tank consists of a concrete pedestal, approximately 30 feet in diameter, topped with a welded steel bowl, approximately 60 feet in diameter. The new tower is located north of the Flying J property on land that was purchased by the City.

Background:

In 2013, Advanced Engineering and Environmental Services (AE2S) inspected and assessed the condition of the old Gore Hill Water Tower and found excessive corrosion and pitting to the point that proper reconditioning would likely not be feasible. The 2006 Water Master Plan prepared by Thomas, Dean, and Hoskins (TD&H) and Black & Veatch Corporation recommended relocating the Gore Hill Water Tower further away from the Airport and constructing a taller water tower to improve the normal operating water pressure in the Gore Hill Zone of the water distribution system. Based on these findings and recommendations, City Staff, in conjunction with AE2S, completed a design and oversaw construction of the new Gore Hill Water Tower. The new water tower was built to the maximum height allowed by the Federal Aviation Administration (FAA). The height of the overflow pipe on the new water tower is approximately 27 feet higher than the elevation of the overflow pipe in the existing tower that was

demolished. The new tower and upgrades to the Gore Hill water pumping station have increased static water pressure in the Gore Hill Pressure Zone by approximately 10 pounds per square inch.

The City has a Professional Services Agreement with AE2S that included designing the project, preparing the construction documents, and performing the construction inspection for this project. City Staff helped manage contract administration duties for this project. Public Works Staff is responsible for maintaining the improvements now that construction is complete.

The final project cost is \$76,858.99 less than the awarded contract amount. The contractor incurred \$20,460.00 of weekend and overtime inspections which was withheld from the final contract amount.

Landmark Structures I, L.P. has completed all work and items on the punch list. The City can accept the project and execute Final Payment. The two year warranty period started at the time of partial substantial completion when the water tower was put into service on January 2, 2019.

Fiscal Impact:

This project is funded through the Water Capital Improvements fund.

Alternatives:

The City Commission could vote to deny Final Pay.

Concurrences:

AE2S and the Water Plant recommend approval of the final payment.

Attachments/Exhibits:

Final Payment Documents

Vicinity Map

PROJECT FUNDING/EXPENDITURE SUMMARY
Gore Hill Tank Replacement, O.F. 1625.2

PREPARED BY THE CITY ENGINEERS OFFICE: JEP

DATE: 06/05/2020

FINAL PAY

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE										CONTRACT AMOUNT	EXPENDITURES TO DATE	BALANCE					
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10								
Consultant:	Water Plant																		
	5210.31.555.43590	\$1,860.00	\$4,600.00														\$18,000.00	\$6,460.00	\$11,540.00
	DATE	06/29/16	04/19/17																
Macek Companies, Inc	Water Plant																		
	5210.31.555.43590																		
	DATE																		

First American Title Company	Water Plant																		
	5210.31.555.49110	\$31,934.00																	
	DATE	04/13/17																	

Miscellaneous Land Purchase	Water Plant	5210.31.555.49110	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	\$30,366.00	\$5,021.12	\$25,344.88
			\$500.00	\$500.00	\$3,500.00	\$125.00	\$173.62			
			Vendor	Macek Comp	CoGF	DEQ	Tribune			
			DATE	10/18/16	12/02/16	12/06/16	01/24/17			
			NO. 6	NO. 7	NO. 8	NO. 9	NO. 10			
			\$188.07	\$63.00	(\$546.07)	\$517.50	\$0.00			
			Tribune	Easements	Credit	Storm Drain				
			DATE	03/23/17	04/14/17	04/20/17	10/24/17			

Contractor: Ed Boland Construction, Inc	Water Plant	5210.31.555.49310	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	\$275,181.39	FINAL	\$240,287.85	\$34,893.54
			\$228,273.46	\$12,014.39							
			DATE	09/07/17	11/15/17						
			NO. 1	NO. 2	NO. 3	NO. 4	NO. 5				
			\$2,305.79	\$121.36							
MT. DEPT. OF REV. 1%	Water Plant	5210.31.555.49310	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	\$277,961.00	FINAL	\$242,715.00	\$35,246.00
			\$228,273.46	\$12,014.39							
			DATE	09/07/17	11/15/17						
			NO. 1	NO. 2	NO. 3	NO. 4	NO. 5				
			\$2,305.79	\$121.36							

Contractor: Landmark Structures I, LP	Water Plant	5210.31.555.49310	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	\$2,422,629.00	FINAL	\$2,295,979.28	\$126,649.72	
			\$68,567.15	\$55,959.75	\$155,704.48	\$127,236.48	\$682,547.18					
			DATE	03/02/18	03/26/18	05/08/18	06/08/18					07/03/18
			NO. 1	NO. 2	NO. 3	NO. 4	NO. 5					
			\$692.60	\$665.25	\$1,572.77	\$1,285.22	\$6,894.42					
MT. DEPT. OF REV. 1%	Water Plant	5210.31.555.49310	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	\$2,447,100.00	FINAL	\$2,319,170.99	\$127,929.01	
			\$68,567.15	\$55,959.75	\$155,704.48	\$127,236.48	\$682,547.18					
			DATE	03/02/18	03/26/18	05/08/18	06/08/18					07/03/18
			NO. 1	NO. 2	NO. 3	NO. 4	NO. 5					
			\$692.60	\$665.25	\$1,572.77	\$1,285.22	\$6,894.42					



Contractors Gross Receipts Gross Receipts Withholding Return

1. Contract Awarded by: Agency Prime Contractor

Federal Identification Number (FEIN): 81-6001269		
Name: City of Great Falls		
Address: PO Box 5021		
City: Great Falls	State: MT	Zip Code: 59403

2. Contract Awarded to: Prime Contractor Sub Contractor

Federal Identification Number (FEIN): 98-0226458		
Name: Landmark Structures I, LP		
Address: 1665 Harmon Rd		
City: Fort Worth	State: TX	Zip Co 76177

3. Government Issued Contract Number	3.	OF 1625.2
4. Contract Award Date	4.	7-Nov-17
5. Month and year increment payment earned	5.	May-20
6. Gross amount due prime contractor or sub-contractor at the time of this report	6.	\$51,070.02
7. Amount Withheld (1% of line 6) (If payment made to prime contractor from awarding agency, remittance must accompany this report)	7.	\$510.70
8. Net amount paid prime contractor or sub-contractor at the time of this report	8.	\$50,559.32
9. Check proper box for type of return being filed:		
<input checked="" type="checkbox"/> Remittance attached for credit to prime contractor's account (amount paid)	9a.	\$510.70
<input type="checkbox"/> Sub-Contractor allocation. Authorization to transfer credit to sub-contractor Failure of prime contractor to file a distribution report within thirty (30) days of payment will result in a 10% penalty. Date payment made to sub-contractor	9b.	10-Jun-20

10. Description of work to be performed: Gore Hill Tank Replacement

11. Location of work to be performed (be specific): Gore Hill, Great Falls MT

The agency or contractor must, in accordance with Section 15-5-206, Montana Code Annotated, withhold one percent (1%) of incremental payments due the contractor or sub-contractor. Amounts withheld from a prime contractor must be forwarded with this report to the Department of Revenue. Amounts withheld from sub-contractors must be reported on this form so that proper allocation of credit can be made from prime contractor's account to the sub-contractor.

Return Submitted by: Agency Prime Contractor Sub-Contractor

Award Authorization
Preparer's Signature: _____
Preparer's Title: Engineering Admin Secretary Date: _____
Phone: 406.771.1258 Fax: 406.771.0700

PROJECT FUNDING/EXPENDITURE SUMMARY
Gore Hill Tank Replacement, O.F. 1625.2

PREPARED BY THE CITY ENGINEERS OFFICE: JEP

DATE: 06/05/2020

FINAL PAY

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE					CONTRACT AMOUNT	EXPENDITURES TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5			
Consultant:	Water Plant	\$1,860.00	\$4,600.00				\$18,000.00	\$6,460.00	\$11,540.00
	5210.31.555.43590								
	DATE	06/29/16	04/19/17						
Macek Companies, Inc	Water Plant								
	5210.31.555.43590								
	DATE								

First American Title Company	Water Plant						\$31,934.00	\$31,934.00	\$0.00
	5210.31.555.49110								
	DATE	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5			
		\$31,934.00							
		04/13/17							

Miscellaneous Land Purchase	Water Plant	5210.31.555.49110	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	\$30,366.00	\$5,021.12	\$25,344.88
			\$500.00	\$500.00	\$3,500.00	\$125.00	\$173.62			
			Macek Comp	CoGF	CoGF	DEQ	Tribune			
			10/18/16	12/02/16	12/06/16	12/12/16	01/24/17			
			NO. 6	NO. 7	NO. 8	NO. 9	NO. 10			
			\$188.07	\$63.00	(\$546.07)	\$517.50	\$0.00			
			Tribune	Easements	Credit	Storm Drain				
			03/23/17	04/14/17	04/20/17	10/24/17				

Contractor: Ed Boland Construction, Inc	Water Plant	5210.31.555.49310	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	\$275,181.39	FINAL \$240,287.85	\$34,893.54
			\$228,273.46	\$12,014.39						
			09/07/17	11/15/17						
			DATE		NO. 3	NO. 4	NO. 5			
MT. DEPT. OF REV. 1%	Water Plant	5210.31.555.49310	NO. 1	NO. 2				\$2,779.61	FINAL \$2,427.15	\$352.46
			\$2,305.79	\$121.36						
			09/07/17	11/15/17						
			DATE							

Contractor: Landmark Structures I, LP	Water Plant	5210.31.555.49310	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	\$2,422,629.00	\$2,295,979.28	\$126,649.72
			\$68,567.15	\$55,959.75	\$155,704.48	\$127,236.48	\$682,547.18			
			03/02/18	03/26/18	05/08/18	06/08/18	07/03/18			
			DATE							
MT. DEPT. OF REV. 1%	Water Plant	5210.31.555.49310	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	\$24,471.00	\$23,191.71	\$1,279.29
			\$692.60	\$565.25	\$1,572.77	\$1,285.22	\$6,894.42			
			03/02/18	03/26/18	05/08/18	06/08/18	07/03/18			
			DATE							

Contractor's Application for Payment No. 16-#

16-#

To (Owner):	City of Great Falls	Application From:	11/26/19	Application Date:	05/25/20
Project/Contract:	Gore Hill Water Tower Replacement - O.F. 1625.2	Period:	To 05/25/20		
Owner's Contract No.:		From (Contractor):	Landmark Structures I, L.P.	Via (Engineer):	AE2S, Inc.
		Contractor's Project No.:	1589	Engineer's Project No.:	P05231-2010-003

APPLICATION FOR PAYMENT

Change Order Summary		
Approved Change Orders	Additions	Deductions
Number		
CO1		56,399.00
CO2		20,460.00
TOTALS		\$76,859.00
NET CHANGE BY CHANGE ORDERS		-\$76,859.00

CONTRACTOR'S CERTIFICATION

The Undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: [Signature] Date: 05/25/20

Project Manager [Signature] 05/25/20

- ORIGINAL CONTRACT PRICE \$ 2,447,100.00
- Net change by Change Orders \$ -76,859.00
- CURRENT CONTRACT PRICE (Line 1 +/- 2) \$ 2,370,241.00
- TOTAL COMPLETED AND STORED:
 - a. Total Completed and Stored To Date \$ 2,370,241.00
 - b. Amount Reduction for Weekend/OT Inspection (CO2) \$ 0.00
 - c. Total Completed Subtotal (4a-4b) \$ 2,370,241.00
- RETAINAGE:
 - a. 0% x 0.00 Work Completed \$ 0.00
 - b. 0% x 0.00 Stored Material \$ 0.00
 - c. Total Retainage (Line 5a + Line 5b) \$ 0.00
- AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) \$ 2,370,241.00
- PREVIOUS PAYMENTS:
 - a. Less Previous Payments to Contractor \$ 2,295,979.27
 - b. Less Previous Payments to MT Dept Of Revenue \$ 23,191.71
- AMOUNT DUE THIS APPLICATION (Line 6 - Line 7a and 7b) \$ 51,070.02
- AMOUNT DUE TO MT DEPT OF REVENUE GROSS TAX (1% of Line 6) \$ 510.70
- AMOUNT DUE TO CONTRACTOR (Line 8 - Line 9 - Line 10) \$ **50,559.32**
- BALANCE TO FINISH, PLUS RETAINAGE (Line 3 - Line 6) \$ 0.00

Payment of: \$ 51,070.02 (Line 8 or other - attach explanation of other amount)

is recommended by: [Signature] (Engineer) 05-25-2020 (Date)

Payment of: \$ 51,070.02 (Line 8 or other - attach explanation of other amount)

is approved by: [Signature] (Owner) 6-5-2020 (Date)

Approved by: [Signature] (Owner) 6-5-2020 (Date)

16 PROGRESS BILLING
 Owner: City of Great Falls
 Engineer: AES2, Inc.
 Project: Gore Hill Water Tower Replacement - O.F. 1625.2

Period From: 11/26/19
 Period To: 05/25/20
 Landmark #: 1589

Item	Qty	UM	Unit Price	Total	Complete To Date		Stored Materials	Complete Previous	Complete This Period
					Percent	Amount			
101 General Conditions	1	LS	50,000.00	50,000.00	100%	50,000.00		50,000.00	
102.A Engineering & Design	1	LS	71,500.00	2,047,100.00	100%	71,500.00		71,500.00	
102.B Pre-Construction Site Development	1	LS	23,800.00	23,800.00	100%	23,800.00		23,800.00	
102.C.1 Concrete Support Structure	1	LS	35,700.00	35,700.00	100%	35,700.00		35,700.00	
102.C.2 Foundation Excavation	1	LS	84,100.00	84,100.00	100%	84,100.00		84,100.00	
102.C.3 Starter Wall Installation	1	LS	57,400.00	57,400.00	100%	57,400.00		57,400.00	
102.C.4 Foundation/Starter Wall Backfill	1	LS	23,500.00	23,500.00	100%	23,500.00		23,500.00	
102.C.5 Pedestal Lifts 1 & 2 and Tower/Scaffold	1	LS	139,700.00	139,700.00	100%	139,700.00		139,700.00	
102.C.6 Remaining Pedestal Lifts	1	LS	449,900.00	449,900.00	100%	449,900.00		449,900.00	
102.C.7 Dome Floor	1	LS	71,400.00	71,400.00	100%	71,400.00		71,400.00	
102.C.8 Ladders and Landings	1	LS	52,100.00	52,100.00	100%	52,100.00		52,100.00	
102.C.9 Steel Beam	1	LS	61,800.00	61,800.00	100%	61,800.00		61,800.00	
102.C.10 Lower Cone	1	LS	162,300.00	162,300.00	100%	162,300.00		162,300.00	
102.C.11 Vertical Wall	1	LS	142,600.00	142,600.00	100%	142,600.00		142,600.00	
102.C.12 Access Tube & Platform	1	LS	64,200.00	64,200.00	100%	64,200.00		64,200.00	
102.C.13 Floor Plate	1	LS	49,800.00	49,800.00	100%	49,800.00		49,800.00	
102.C.14 Roof Plate	1	LS	56,800.00	56,800.00	100%	56,800.00		56,800.00	
102.C.15 Steel Tank Hoist	1	LS	42,700.00	42,700.00	100%	42,700.00		42,700.00	
102.C.16 Tank Coating	1	LS	104,700.00	104,700.00	100%	104,700.00		104,700.00	
102.C.17 Pre Hoist Paint	1	LS	89,100.00	89,100.00	100%	89,100.00		89,100.00	
102.C.18 Mechanical	1	LS	8,300.00	8,300.00	100%	8,300.00		8,300.00	
102.C.19 Base Piping	1	LS	15,600.00	15,600.00	100%	15,600.00		15,600.00	
102.C.20 Riser Piping	1	LS	73,400.00	73,400.00	100%	73,400.00		73,400.00	
102.C.21 Chamber Mechanical	1	LS	11,700.00	11,700.00	100%	11,700.00		11,700.00	
102.C.22 Electrical and Controls	1	LS	84,200.00	84,200.00	100%	84,200.00		84,200.00	
102.C.23 Finish Out	1	LS	9,200.00	9,200.00	100%	9,200.00		9,200.00	
102.C.24 Slab on Grade	1	LS	12,400.00	12,400.00	100%	12,400.00		12,400.00	
102.C.25 Doors	1	LS	19,800.00	19,800.00	100%	19,800.00		19,800.00	
102.C.26 Control Room	1	LS	29,400.00	29,400.00	100%	29,400.00		29,400.00	
103 Intermediate Floor	1	LS	180,000.00	180,000.00	100%	180,000.00		180,000.00	
104 Detention Pond & Site Work	1	LS	70,000.00	70,000.00	100%	70,000.00		70,000.00	
105 Demolition of Existing 0.5 MG Water Tower	1	LS	100,000.00	100,000.00	100%	100,000.00		39,861.00	60,139.00
Current Contract Amount				\$2,447,100.00		\$2,447,100.00		\$2,386,961.00	\$60,139.00

16 **PROGRESS BILLING**
 Owner: City of Great Falls
 Engineer: AE2S, Inc.
 Project: Gore Hill Water Tower Replacement - O.F. 1625.2

Period From: 11/26/19
 Period To: 05/25/20
 Landmark #: 1589

Item	Qty	UM	Unit Price	Total	Complete To Date		Stored Materials	Complete Previous	Complete This Period
					Percent	Amount			
Change Orders									
C01	1	LS	(56,399.00)	(56,399.00)	100%	(56,399.00)			(56,399.00)
C02	1	LS	(20,460.00)	(20,460.00)	100%	(20,460.00)			(20,460.00)
C03	0	LS	0.00						
C04	0	LS	0.00						
C05	0	LS	0.00						
C06	0	LS	0.00						
C07	0	LS	0.00						
C08	0	LS	0.00						
C09	0	LS	0.00						
C10	0	LS	0.00						
Total Change Orders				(\$76,859.00)		(\$76,859.00)			(\$76,859.00)
Revised Contract Amount				\$2,370,241.00		\$2,370,241.00		\$2,386,961.00	(\$16,720.00)

Gross Amount Due 2,370,241.00 (16,720.00)
 Less Reduction for Weekend/OT Inspection Previously Withheld (20,460.00)
 Less Retainage (47,669.31)
 Amount Due Before Tax 23,702.41 51,070.02
 Less MT DEPT OF REVENUE GROSS TAX (1%) 23,392.92
 Net Amount 2,346,538.59 **\$50,559.32**
 Less Previous Unpaid Billings 0.01
 Less Previous Paid Billings 2,295,979.26
\$50,559.32

Weather Days Requested This Period 176.4 Current Billing **\$50,559.32**

CONSENT OF SURETY TO FINAL PAYMENT

OWNER	<input type="checkbox"/>
ARCHITECT	<input type="checkbox"/>
CONTRACTOR	<input type="checkbox"/>
SURETY	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

TO OWNER:

City of Great Falls
#2 Park Dr. S.
Great Falls, MT 59403

CONTRACT FOR:

Gore Hill Water Tower Replacement
City of Great Falls

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the

Fidelity and Deposit Company of Maryland
3910 Keswick Road
Baltimore, MD 21211

, SURETY,

on bond of

Landmark Structures I, L.P.
1665 Harmon Road
Fort Worth, TX 76177

, CONTRACTOR,

hereby approves the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to

City of Great Falls
#2 Park Dr. S.
Great Falls, MT 59403

OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date 25 day of May, 2020

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Surety

Karla Luongo

Attest

Robyn Rost

Signature of authorized representative

(Seal)

Robyn Rost, Attorney-In-Fact

Printed name and title

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by Robert D. Murray, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint, Rohyn ROST and Raymond GIL, both of Matawan, New Jersey, EACH, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 26th day of September, A.D. 2019.



By: Robert D. Murray
Vice President

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: Dawn E. Brown
Secretary

State of Maryland
County of Baltimore

On this 26th day of September, 2019, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, Robert D. Murray, Vice President and Dawn E. Brown, Secretary of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn

Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 25 day of May, 2024



Brian M. Hodges

Brian M. Hodges, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way Schaumburg, IL
60196-1056
www.reportsclaims@zurichna.com
800-626-4577

THE FIDELITY AND DEPOSIT COMPANY

OF MARYLAND
1299 Zurich Way Schaumburg, IL 60196

Statement of Financial Condition As Of December 31, 2018

ASSETS

Bonds	\$ 245,255,635
Stocks	22,855,569
Cash and Short Term Investments	3,092,872
Reinsurance Recoverable	73,242,781
Federal Income Tax Recoverable	42,258
Other Accounts Receivable	4,801,363
TOTAL ADMITTED ASSETS	\$ <u>349,290,278</u>

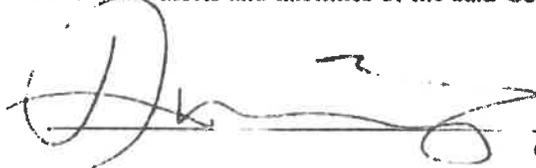
LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Taxes and Expenses	\$ 106,785
Ceded Reinsurance Premiums Payable	46,727,605
Remittances and Items Unallocated	125,000
Payable to parents, subs and affiliates	28,621,373
Securities Lending Collateral Liability	0
TOTAL LIABILITIES	\$ 75,580,762
Capital Stock, Paid Up	\$ 5,000,000
Surplus	<u>268,709,716</u>
Surplus as regards Policyholders	273,709,716
TOTAL	\$ <u>349,290,478</u>

Securities carried at \$162,739,508 in the above statement are deposited with various states as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of market quotations for all bonds and stocks owned, the Company's total admitted assets at December 31, 2018 would be \$349,736,423 and surplus as regards policyholders \$274,155,661.

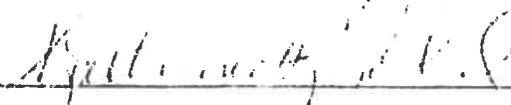
I, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2018.



 Corporate Secretary

State of Illinois
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 20th day of March, 2019.



 Notary Public



Release of Liens

FROM: Contractor's Name Landmark Structures I, L.P.

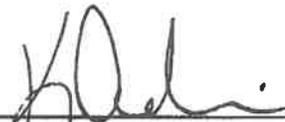
Address 1665 Harmon Road, Fort Worth Texas 76177

TO: Owner's Name City of Great Falls

Address #2 Park Drive S., Great Falls, MT 59403

DATE OF CONTRACT: 9/22/17

Upon receipt of final payment and in consideration of that amount, the undersigned does hereby release the Owner and its agents from any and all claims arising under or by virtue of this this Contract or modification thereof occurring from the undersigned's performance in connection with the Gore Hill Water Tower Replacement City of Great Falls, MT project.

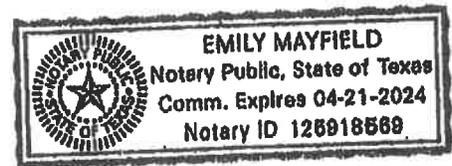

Contractor's Signature

Keri Adrian-Williams, Controller
Printed Name & Title

Subscribed and sworn to before me this 25th day of May, 2020.


Notary Public

My Commission Expires:
4/21/24



CONTRACTOR'S AFFIDAVIT OF BILLS PAID

STATE OF Texas

COUNTY OF Tarrant

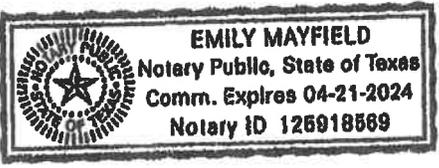
Personally, before me the undersigned authority, on this day appeared Keri Adrian-Williams
Corporate Controller, who being duly sworn, on oath, says that he is a legal representative
of Landmark Structures I, LP of Tarrant County, TX, that the work
for the design and construction of the project designated as Gore Hill Water Tower Replacement City of Great Falls, MT
Construction has been satisfactorily completed; and that all bills for materials, supplies, apparatus, fixtures, machinery,
and labor used in connection with the construction of this project have been fully paid.

This affidavit is made for the purpose of obtaining payment from City of Great Falls
#2 Park Drive S. Great Falls, MT 59403 on above construction work.

Keri Adrian-Williams
(Signed)

This instrument was acknowledged before me on May 25th, 2020
by Keri Adrian-Williams.

Emily Mayfield
Notary Public in and for the State of Texas



CONTRACTOR'S AFFIDAVIT

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief that the work for the design and construction of the project designated as Gore Hill Water Tower Replacement - O.P. 1625.2, Great Falls, Montana by this Progress Payment has been completed in accordance with the Contract documents, that all amounts have been paid by the Contractor for Work for which previous Progress Payments were issued and payments received from the Owner, and that current payment shown herein is now due:



Kyle Coldeway, Project Manager

May 25, 2020

Date

Subscribed and sworn before me this 25th day of May, 2020.

The above person appeared before me, the undersigned notary public and provided satisfactory evidence of identification to be the person signed this document in my presence and swore or affirmed to me that the contents of this document are truthful and accurate to the best of his/her knowledge and belief.

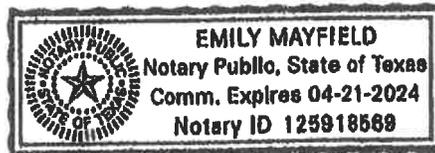


Notary Public

4/21/24

My Commission Expires

STATE OF Texas
COUNTY OF Tarrant

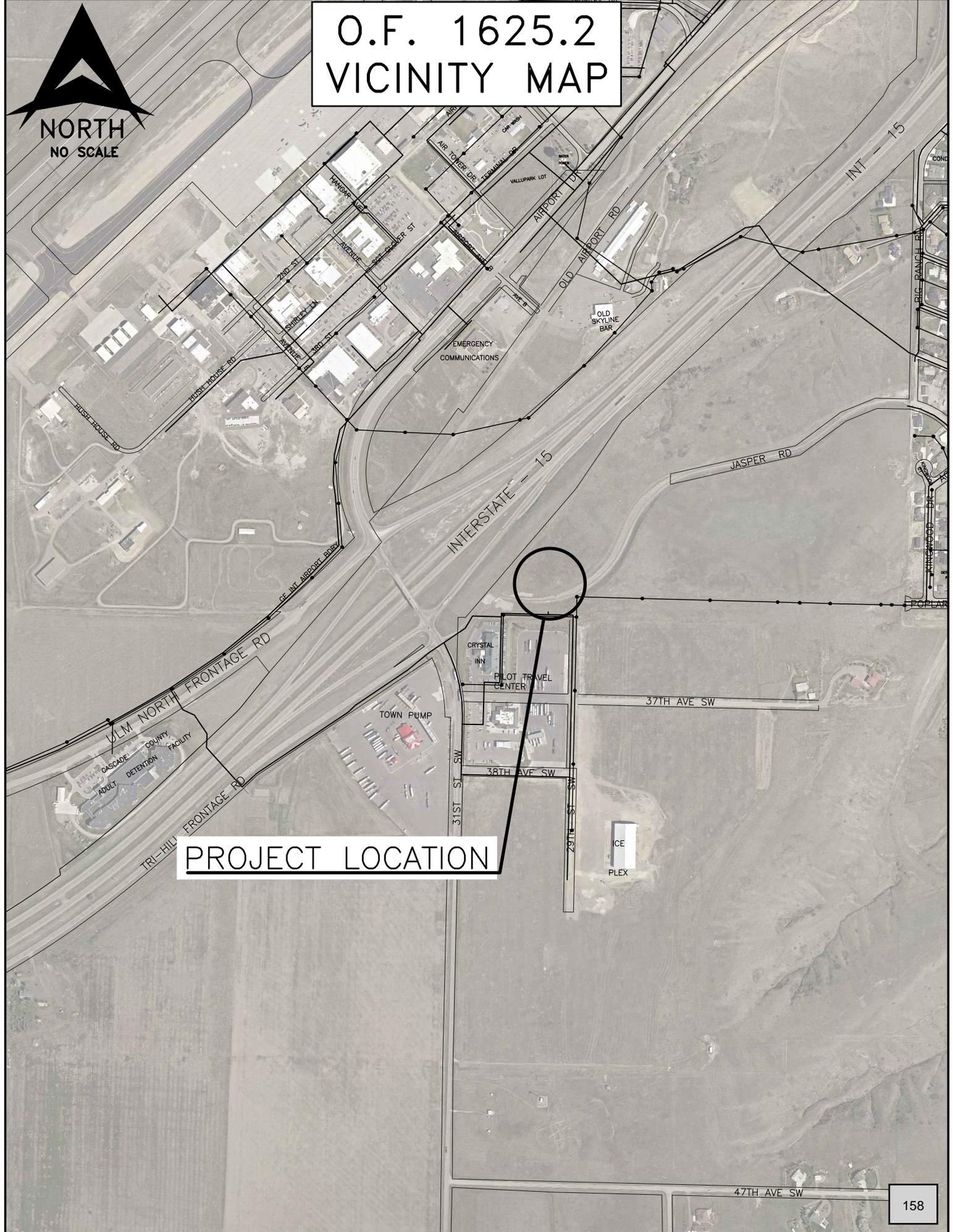
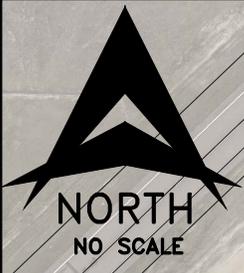


Electronic Funds Transfer Information

Bank Account Name	Landmark Structures I, L.P.
Address	1665 Harmon Road Fort Worth, Texas 76177
Bank Name	Branch Banking and Trust Company, now Truist
Bank Address	1201 Church Street Colleyville, Texas 76034
Account Type	Checking
Routing Number	111017694
Account Number	1440000699245

Please forward remittance information to accounting.usowner@teamlandmark.com or mail to the address above.

O.F. 1625.2 VICINITY MAP



PROJECT LOCATION



Item: Set Annual Budget Hearing on Resolution 10350 – Annual Budget Resolution – for July 21, 2020.

From: Gregory T. Doyon, City Manager

Initiated By: Statutory Budget Requirements

Presented By: Melissa Kinzler, Finance Director

Action Requested: Set the Annual Budget Hearing

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) a public budget hearing on Resolution 10350 – Annual Budget Resolution for July 21, 2020.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission set the public budget hearing on Resolution 10350 for July 21, 2020, and provide notice for the public hearing on the preliminary budget.

Background: Prior to the adoption of the City’s annual budget, the City is required to hold public hearings on the proposed annual budget.

Prior to the budget process beginning, the City Commission had a retreat on January 27, 2020 to discuss future priorities.

The City started the Fiscal Year 2021 budget process in April with internal discussions about how the process would look different than prior years because of COVID-19. After discussing with staff, the City Manager determined the development of department requested budgets would be done primarily within the Finance office, and then each department would be asked to review their prepared budget.

The budget strategy for this year was one of economic recovery from COVID-19. Therefore, the budget was developed without utilizing any increases to property taxes, property assessments, or utility rates. Also, departments were asked to only request additional budget for items critically essential to their operations.

The department requested budgets were completed around the middle of May, and the City Manager sent a Budget Primer to the City Commission on May 26, 2020. This report included information about

General Fund projections for FY 2020, effects of not utilizing the inflationary factor or increases for the permissive medical levy in FY 2021, and effects on fund balance of the outstanding Calumet protest.

The budget primer was further discussed at a City Commission Work Session on June 16, 2020. At this work session, the Commission gave the City Manager the directive to continue developing the budget without any tax, assessment, or utility increases.

The final proposed budget was presented to the City Commission in its entirety at a regular Work Session on July 7, 2020. This agenda item is to schedule the annual public hearing on the budget for July 21, 2020.

Section 7-6-4024, MCA, requires that a hearing be held on the preliminary budget prior to its adoption. The budget must be approved and adopted by resolution by the later of the first Thursday after the first Tuesday in September or within 30 calendar days of receiving certified taxable values from the Montana Department of Revenue. The budget is not considered finalized until the setting of tax levies. The setting of the tax levies will be scheduled when the Montana Department of Revenue has certified taxable values for the City of Great Falls, usually in August.

Fiscal Impact: There is no fiscal impact for property owners with this budget because the inflationary factor and increases for the permissive medical levy were not utilized. The City anticipates \$425,000 from newly taxable property, which will be known for certain after receipt of Certified Taxable Values from the DOR. The General Fund budget is presented using \$872,105 of fund balance. However, after receipt of the outstanding Calumet protest in early June, the City will be able to maintain the recommended fund balance. The recommended minimum policy of the City is 22%.

Alternatives: If the hearing on the budget is not held, the City would not be able to adopt the Annual Budget Resolution required by state statute. The City could choose to utilize the inflationary factor and increase for the permissive medical levy to offset the use of fund balance in the budget. Likewise, the City could reduce General Fund expenditures by \$872,105.

Concurrences: The proposed Fiscal Year 2021 Budget was presented by the City Manager on July 7, 2020 at the City Commission Work Session.

Attachments/Exhibits:

Resolution 10350
Appendix A
Notice of Budget Hearing

RESOLUTION NO. 10350
ANNUAL BUDGET RESOLUTION
A RESOLUTION RELATING TO FINAL BUDGETS AND ANNUAL
APPROPRIATIONS FOR THE FISCAL YEAR
BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021

WHEREAS, Mont. Code Ann. § 7-6-4024 requires that the budget be approved and adopted by resolution by the later of the first Thursday after the first Tuesday in September or within 30 calendar days of receiving certified taxable values from the Department of Revenue; and

WHEREAS, the notice of hearing on preliminary budget was published in accordance with Mont. Code Ann. § 7-1-4127, as required by Mont. Code Ann. § 7-6-4021; and

WHEREAS, the hearing on preliminary budget was held in accordance with Mont. Code Ann. §§ 7-1-4131 and 7-6-4024; and

WHEREAS, Section 2.3.040 of the Official Code of the City of Great Falls states that the salary of the Municipal Court Clerk shall be set by Commission resolution; and

WHEREAS, the Government Finance Officers Association recommends an unreserved fund balance in the General Fund of “no less than two months of regular general operating revenues or regular general fund operating expenditures.”

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

Section 1. - Legal Spending Limits

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

Section 2. - Implementation Authority

- 2.1 The City Manager is hereby delegated appropriation authority for the expenditure of funds from any or all of the following:
- a. debt service funds for obligations related to debt approved by the governing body;
 - b. trust funds for obligations authorized by trust covenants;
 - c. any fund for federal, state, local or private grants and shared revenue accepted and approved by the governing body;
 - d. any fund for special assessments approved by the governing body;
 - e. the proceeds from the sale of land;
 - f. any fund for gifts or donations; and,
 - g. money borrowed during the fiscal year. (7-6-4006, MCA)

- 2.2 The City Manager is hereby delegated authority to adjust appropriations funded by fees throughout the fiscal year in any or all of the following:
 - a. proprietary fund appropriations (enterprise and internal service funds);
 - b. general fund for fee supported services;
 - c. information technology fund for fee supported mapping services;
 - d. natural resources fund for fee supported forestry services; and,
 - e. permits fund. (7-6-4012, MCA)
- 2.3 The authority to make transfers of appropriations between funds is retained by the City Commission.
- 2.4 The City Manager is hereby delegated the authority to make transfers or revisions within appropriations of any fund.
- 2.5 The City Manager may delegate to his department directors the authority to make transfers or revisions within or among appropriations of specific operations within a fund, limited to the division level of accountability.
- 2.6 Joint operating agreements approved by the governing body; insurance recoveries or dividends; hazardous material recoveries, and refunds or reimbursements of expenditures shall automatically amend the annual appropriations or reduce recorded expenditures whichever is correct in accordance with Generally Accepted Accounting Principles (GAAP).

Section 3. - Appropriation Carryovers

Generally Accepted Accounting Principles (GAAP) require expenditures to be recognized in the fiscal year in which the goods or services are received.

- 3.1 Previous fiscal year appropriations for incomplete improvements in progress of construction, or segments thereof, are hereby declared authorized appropriations in addition to the appropriations set out in Appendix A., provided they meet the following criteria:
 - a. related financing was provided in the prior fiscal year;
 - b. the appropriations were not obligated by year end;
 - c. the purpose was not included, or rejected, in current budget financing or appropriations; and,
 - d. the City Manager determines the appropriation is still needed.
- 3.2 Outstanding purchase orders and other obligations, representing a City obligation to pay the claim after receipt of the goods or services, are recognized as "claims incurred". They are hereby declared authorized "carryover" appropriations in addition to the appropriations set out in Appendix A., provided they meet the following criteria:

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

Section 4. - Appropriated Reserves

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

Section 5. Contingency Account

- 5.1 Contingency account appropriations are provided by the City Commission as flexible appropriations. They are intended to provide the City Manager with an effective management tool for adjusting to changing circumstances throughout the budgetary year.
- 5.2 The City Manager is delegated the authority to transfer part or all of any contingency appropriation and related financing. Use of contingency appropriations is restricted to transfers of that appropriation authority to specific operating budgets. Proper classification of expenditures to specific operations is required. Accordingly, charging of expenditures directly to Contingency accounts is prohibited.
- 5.3 The Contingency appropriation is a two part authorization, determined on whether cash funding has been allocated in the General Fund during budget development:
 - a. General Fund financed; and,
 - b. Unfunded - a specific fund cash balance, additional revenue, or other funding source must be identified before the “unfunded” contingency appropriation may be used.

Section 6. - Classification and Pay Plan

- 6.1 The objective of the City’s Classification and Pay Plan is to enable the City to retain, and when necessary, recruit competent employees. Therefore, the Plan must be a dynamic tool which is continuously updated.
- 6.2 The City Manager is authorized to administratively change the Classification and Pay Plan. Annual pay surveys, continual or periodic review of positions with changed duties or responsibilities, and additions to the classification plan of changed and new classes of work will assure that the Classification and Pay Plan remains current and equitably meets

the needs of the City and its employees.

Section 7. - Budgetary Authority

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

Section 8. - Accounting Structure

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

Section 9. – Municipal Court Clerk Salary

The City Manager is authorized to administratively set the salary of the Municipal Court Clerk using the following salary range:

Municipal Court Clerk	\$42,692 to \$64,038
-----------------------	----------------------

Section 10. – Fund Balance

As permitted by Mont. Code Ann. § 7-6-4034, the General Fund unreserved fund balance shall be considered adequate at 22% of annual appropriations. All other tax levy supported funds shall be considered adequate at 17% of annual appropriations. An unreserved fund balance for other operating funds of the City shall be considered adequate at a range of 8% to 17% of annual appropriations for seasonal operations, and 8% to 17% of annual appropriations for all other operating funds.

Such unreserved fund balances shall be used to meet extended revenue cycles, meet short term economic difficulties, respond to unique opportunities, provide for one-time expenditures, and respond to emergency and disaster situations. The balances should not be available to meet recurring operating expenses.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,
July 21, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

Funds	Beginning Balance	+ Working Capital Sources			- Working Capital Uses			Ending Balance	Reserved Balance	Available Balance
		Revenues	Transfers In	Total Sources	Expenditures	Transfers Out	Total Uses			
General	8,581,677	34,134,143	0	34,134,143	33,347,070	1,659,178	35,006,248	7,709,572	0	7,709,572
Special Revenue Funds										
Park & Rec Special Revenue	951,466	77,900	0	77,900	65,519	0	65,519	963,847	379,204	584,643
Parkland Trust	133,787	0	0	0	0	0	0	133,787	133,787	0
Library	387,954	1,096,029	350,000	1,446,029	1,444,629	0	1,444,629	389,354	101,880	287,474
Library Foundation	308,813	108,375	0	108,375	102,775	0	102,775	314,413	314,413	0
Planning & Comm Dev	79,169	1,105,811	271,932	1,377,743	1,358,443	0	1,358,443	98,469	0	98,469
Central MT Ag Tech TID	1,340,168	233,000	0	233,000	114,763	0	114,763	1,458,405	1,458,405	0
Airport TID	91,434	58,200	0	58,200	4,862	0	4,862	144,772	144,772	0
Downtown TID	1,715,205	1,184,000	0	1,184,000	89,949	0	89,949	2,809,256	2,809,256	0
East Industrial Ag Tech TID	118,811	292,500	0	292,500	264,330	0	264,330	146,981	146,981	0
Economic Revolving	20,400	0	0	0	0	0	0	20,400	20,400	0
Permits	979,440	980,721	0	980,721	1,361,878	0	1,361,878	598,283	0	598,283
Natural Resources	219,955	448,617	256,277	704,894	814,967	0	814,967	109,882	31,886	77,996
Portage Meadow	58,899	65,252	0	65,252	65,267	0	65,267	58,884	0	58,884
Park Maintenance District	1,842,556	1,500,000	0	1,500,000	1,500,000	0	1,500,000	1,842,556	0	1,842,556
Street District	3,764,775	6,194,575	0	6,194,575	8,172,300	50,000	8,222,300	1,737,050	0	1,737,050
Support & Innovation	87,395	726,258	0	726,258	726,258	0	726,258	87,395	0	87,395
Gas Tax BaRSAA	1,288,592	1,000,000	50,000	1,050,000	1,050,000	0	1,050,000	1,288,592	0	1,288,592
911 Special Revenue	794,235	612,447	0	612,447	0	346,674	346,674	1,060,008	1,060,008	0
Police Special Revenue	245,109	37,761	0	37,761	900	0	900	281,970	281,970	0
HIDTA Special Revenue	(45,236)	216,975	0	216,975	70,354	0	70,354	101,385	101,385	0
Fire Special Revenue	53,086	6,600	0	6,600	0	0	0	59,686	59,686	0
Federal Block Grant	992,243	1,283,862	0	1,283,862	808,151	0	808,151	1,467,954	1,467,954	0
HOME Grant	129,442	280,426	0	280,426	280,426	0	280,426	129,442	129,442	0
Housing Authority	0	1,560,383	0	1,560,383	1,560,383	0	1,560,383	0	0	0
Street Lighting Districts	1,781,523	1,123,242	0	1,123,242	1,430,135	0	1,430,135	1,474,630	0	1,474,630
Special Revenue Funds Total	17,339,222	20,192,934	928,209	21,121,143	21,286,289	396,674	21,682,963	16,777,402	8,641,429	8,135,974
Debt Service Funds										
Soccer Park Bond	41,504	164,500	0	164,500	169,265	0	169,265	36,739	36,739	0
West Bank TID	785,389	776,889	0	776,889	319,198	0	319,198	1,243,080	1,243,080	0
Improvement District Revolving	125,493	0	0	0	39,557	0	39,557	85,936	85,936	0
Master Debt SILD	31,674	15,984	0	15,984	3,346	0	3,346	44,312	44,312	0
General Obligation Taxable Bond	8,795	0	144,846	144,846	144,846	0	144,846	8,795	8,795	0
Debt Service Funds Total	992,855	957,373	144,846	1,102,219	676,212	0	676,212	1,418,862	1,418,862	0
Capital Projects Funds										
General Capital Projects	969,453	0	0	0	0	0	0	969,453	969,453	0
Improvement Districts Projects	5,781	0	0	0	0	0	0	5,781	5,781	0
Street Lighting Construction	0	0	0	0	0	0	0	0	0	0
Hazard Removal	45,989	0	0	0	0	0	0	45,989	45,989	0
Capital Projects Funds Total	1,021,222	0	0	0	0	0	0	1,021,222	1,021,223	0
Enterprise Funds										
Golf Courses	(1,305,567)	1,435,578	0	1,435,578	1,319,350	0	1,319,350	(1,189,339)	0	(1,189,339)
Water	8,695,659	13,384,445	0	13,384,445	14,649,298	0	14,649,298	7,430,806	3,940,665	3,490,141
Sewer	13,844,906	10,615,701	0	10,615,701	11,678,833	0	11,678,833	12,781,774	5,251,191	7,530,583
Storm Drain	5,366,705	2,950,800	0	2,950,800	3,948,221	0	3,948,221	4,369,284	950,138	3,419,146
Sanitation	625,578	3,870,325	0	3,870,325	3,979,365	0	3,979,365	516,538	208,111	308,427
Swimming Pools	111,433	478,200	267,861	746,061	763,681	0	763,681	93,813	0	93,813
911 Dispatch Center	765,532	1,949,522	346,674	2,296,196	2,249,640	0	2,249,640	812,088	812,088	0
Parking	411,919	366,900	0	366,900	659,800	0	659,800	119,019	49,026	69,993
Recreation	50,335	408,500	39,206	447,706	520,006	0	520,006	(21,965)	0	(21,965)
Multisports	6,184	152,160	0	152,160	160,443	0	160,443	(2,099)	0	(2,099)
Ice Breaker Run	2,562	72,400	0	72,400	70,874	0	70,874	4,088	0	4,088
Civic Center Events	115,896	379,325	265,913	645,238	648,415	0	648,415	112,719	29,345	83,374
Special State Projects	0	383,402	0	383,402	383,402	0	383,402	0	0	0
Port Authority	127,986	0	0	0	0	0	0	127,986	127,986	0
Enterprise Funds Total	28,819,128	36,447,258	919,654	37,366,912	41,031,328	0	41,031,328	25,154,712	11,368,550	13,786,162
Internal Service Funds										
Central Garage	2,727,547	3,356,383	0	3,356,383	3,013,570	0	3,013,570	3,070,360	1,557,899	1,512,461
Information Tech	232,619	1,527,602	0	1,527,602	1,498,803	0	1,498,803	261,418	242,752	18,666
Insurance & Safety	494,258	1,275,524	0	1,275,524	1,370,226	0	1,370,226	399,556	0	399,556
Health & Benefits	(211,508)	11,214,249	0	11,214,249	11,225,321	0	11,225,321	(222,580)	0	(222,580)
Human Resources	47,719	578,034	0	578,034	584,445	0	584,445	41,308	0	41,308
City Telephone	41,073	77,655	0	77,655	71,988	0	71,988	46,740	0	46,740
Finance	31,513	1,823,378	0	1,823,378	1,823,884	0	1,823,884	31,007	0	31,007
Engineering	89,885	1,665,268	63,143	1,728,411	1,752,386	0	1,752,386	65,910	36,922	28,988
Public Works Admin	95,619	689,853	0	689,853	695,804	0	695,804	89,668	5,271	84,397
Civic Center Facility Services	213,498	638,640	0	638,640	638,640	0	638,640	213,498	97,116	116,382
Internal Service Funds Total	3,762,224	22,846,586	63,143	22,909,729	22,675,067	0	22,675,067	3,996,886	1,939,960	2,056,926
Total	60,516,327	114,578,294	2,055,852	116,634,146	119,015,966	2,055,852	121,071,818	56,078,655	24,390,024	31,688,633

Attention Legal Ads

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Great Falls has completed its preliminary annual budget for Fiscal Year 2021. The preliminary budget has been placed on file and open to public inspection at the City Clerk's Office in the Civic Center, Room 204. The Fiscal Year 2021 budget will be brought before the Great Falls City Commission for public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, on Tuesday, July 21, 2020, at 7:00 o'clock p.m. Any interested person may appear and speak for or against said City of Great Falls annual budget or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

Documents pertaining to this agenda item are posted on the City's website at <https://greatfallsmt.net> under "Meetings," and are on file for public inspection during regular office hours at the City Clerk's Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

/s/ Lisa Kunz
City Clerk

DO NOT PUBLISH BELOW THIS LINE:

Publication dates: July 12 and 19, 2020



Item: Set Public Hearing for Resolution 10354 to Levy and Assess the Street Maintenance District

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission set public hearing date of August 4, 2020 for Resolution 10354 to Levy and Assess the Street Maintenance District

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) the public hearing for Resolution 10354 to levy and assess the Street Maintenance District for August 4, 2020.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission set a public hearing date for August 4, 2020.

Background: The Street Division maintains approximately 383 miles of streets and alleys within the city limits. Maintenance consists of pavement rehabilitation and restoration, street cleaning, snow and ice removal, alley maintenance, and the nuisance weed program. In addition, Traffic Operations are funded through the Street Division and are responsible for the maintenance of all roadway signs, signals, and pavement markings.

During the budget process, information is gathered regarding the actual and anticipated expenses of the Street District Fund, future capital projects are reviewed, and the street maintenance assessment for the next fiscal year is discussed.

After calculating all factors pertinent to the operation of the Street Maintenance District, an assessment amount for the next fiscal year is calculated, proposed and presented to the City Commission for approval. No assessment increase is proposed for Fiscal Year 2021 to aid in economic recovery from COVID-19. The last street maintenance increase of 10% was approved in Fiscal Year 2016.

As part of the annual budget development and adoption procedures, the Street Maintenance Assessment Resolution must be submitted for City Commission action. A public notice and hearing is required prior to final passage of the assessment resolution.

ASSESSMENT OPTION

MCA Section 7-12-4425 states: "...The council shall pass and finally adopt a resolution specifying the district assessment option and levying and assessing all the property within the several districts..." The City uses the "assessable area" option under MCA Section 7-12-4422, to assess its street maintenance. The assessable area option defines assessable area by square footage caps. Five options for assessments exist:

Residential: Square footage caps per parcel of 12,000 square feet for residential property and properties categorized as non-profit/cemetery organizations 501(c)(13) as defined by the Internal Revenue Code.

Downtown: Downtown District shall be defined as being within an area bounded on the north by Third Alley North, on the south by Third Alley South, on the east by Tenth Street and on the west by Park Drive. Any properties located in this area with a designated residential land use code of 111, 112 or 114 shall be excluded from the District and assessed as part of the Residential District.

Mixed-Use: A 'mixed-use' category consists of property equal to or greater than 112,000 square feet but less than 50% commercially developed. For the 'mixed-use' category, the Planning & Community Development Department shall annually identify all property equal to or greater than 112,000 square feet which are 50% or less commercially developed. Those properties shall be assessed 50% commercial and 50% at capped residential.

Commercial: 1 million square foot cap for all other property. The 1 million square foot cap for all other property encourages large green areas on some private properties within the City.

Inter-Local Agreement: An "inter-local contracted maintenance" category designates properties owned by other governments or their agencies adjacent to City streets that are maintained by the other governments or their agencies. This category's assessment includes a 7.5% administrative fee as well as the annual contracted cost of maintenance. The maintenance cost portion is agreed upon by the City and the contracting entity. At this time, the City does not assess for any inter-local agreements.

Fiscal Impact: Adoption of Resolution 10354 will allow the City to fund the cost of work, improvements and maintenance in the Street Maintenance District.

For Fiscal Year 2021, the street maintenance assessment will remain the same as Fiscal Year 2020. For an average-sized residential lot, the estimated assessment factor is \$0.014767 per square foot, or \$110.75 (7,500 sq. ft. x 0.014767 factor = \$110.75.). The estimated total assessment for the District is \$4,583,265.

Alternatives: The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 10354 to Levy and Assess the Street Maintenance District; however, the reduction in services for street maintenance could be hazardous to the safety and welfare of the general public.

Concurrences: Public Works staff is responsible for the operational expenses of the Street Department. Finance staff is responsible for assessing and collecting revenues necessary to carry out the operations.

Attachments/Exhibits:
Resolution 10354
Legal Notice for Public Hearing

RESOLUTION NO. 10354

A RESOLUTION LEVYING AND ASSESSING THE COST OF STREET MAINTENANCE FOR STREETS AND ALLEYS IN THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021

WHEREAS, creation and alteration of Street Maintenance Districts is authorized pursuant to Mont. Code Ann. Title 7, Chapter 12, Part 44; and

WHEREAS, the Great Falls City Commission did provide for street maintenance pursuant to Ordinance 1687 adopted September 7, 1971; and

WHEREAS, the City Commission did amend and expand the scope of street maintenance services pursuant to Ordinance 2584 adopted February 5, 1991; and

WHEREAS, the City Commission finds and has determined that each and every lot or parcel within said district has been or will be specially benefited by said maintenance; and

WHEREAS, the City intends to continue maintaining streets and alleys within the corporate limits of the City of Great Falls; and

WHEREAS, on July 21, 2020, the City Commission adopted Resolution 10350, Annual Budget Resolution, in which the estimated assessment for such maintenance not offset by other revenues within the Street Maintenance District was reflected as FOUR MILLION FIVE HUNDRED EIGHTY-THREE THOUSAND TWO HUNDRED SIXTY FIVE DOLLARS (\$4,583,265); and

WHEREAS, in accordance with Mont. Code Ann. § 7-12-4426, notice was published setting forth that Resolution No. 10354 Levying and Assessing the Cost of Street Maintenance for Streets and Alleys in the City of Great Falls, Montana, would be brought before the Great Falls City Commission for public hearing on August 4, 2020.

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

Section 1 – Maintenance Costs Assessed

The costs of maintenance, not offset by other revenues, in the Street Maintenance District, totaling FOUR MILLION FIVE HUNDRED EIGHTY-THREE THOUSAND TWO HUNDRED SIXTY FIVE DOLLARS (\$4,583,265) be levied and assessed upon the property in said district for the fiscal year ending June 30, 2021. The description of each lot or parcel of land within the Street Maintenance District and the respective assessments are set forth in the records of the Finance Department of the City of Great Falls, Montana, and by this reference incorporated herein as if fully set forth.

Section 2 – Maintenance Assessment Method

The percentage of the cost of maintenance for the assessable areas benefitted by the maintenance district as established in Mont. Code Ann. § 7-12-4425 shall be made as set forth in Mont. Code Ann. § 7-12-4422.

The Street Maintenance District shall be assessed according to factors based on the property classification and square footage with caps. Assessable areas within the Street Maintenance District shall be set with a square footage cap of 12,000 square feet for residential property and properties categorized as non-profit/cemetery organizations 501(c)(13) as defined by the Internal Revenue Code, and a square footage cap of one million square feet for all other property. Downtown District shall be defined as being within an area bounded on the north by Third Alley North, on the south by Third Alley South, on the east by Tenth Street and on the west by Park Drive and any properties located within this area with a designated residential land use code shall be excluded from the District and assessed as residential. The Planning and Community Development Department shall annually identify all mixed-use property equal to or greater than 112,000 square feet which are 50% or less commercially developed. Those mixed-use properties shall be assessed 50% commercial and 50% capped residential. Inter-local Agreement shall be defined as properties owned by other governments or their agencies adjacent to City streets that are maintained by the other governments or their agencies. This category's assessment includes a 7.5% administrative fee as well as the annual contracted cost of maintenance.

No proration of the street maintenance assessment shall be made for any reason, including the fact that a particular property did not have paved streets for the entire taxable year.

Section 3 – Assessments Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2020 and May 31, 2021.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 4th day of August, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

Attention Legal Ads

NOTICE OF PUBLIC HEARING

Notice is hereby given that Resolution No. 10354 titled “A Resolution Levying and Assessing the Cost of Street Maintenance for Streets and Alleys in the City of Great Falls” will be brought before the Great Falls City Commission for public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, on Tuesday, August 4, 2020, at 7:00 o’clock p.m. Any interested person may appear and speak for or against said Resolution 10354 or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

Documents pertaining to this agenda item are posted on the City’s website at <https://greatfallsmt.net> under “Meetings,” and are on file for public inspection during regular office hours at the City Clerk’s Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

/s/ Lisa Kunz
City Clerk

DO NOT PUBLISH BELOW THIS LINE:
Publication dates: July 12 and 19, 2020



Item: Set Public Hearing for Resolution 10355 to Levy and Assess the General Boulevard Maintenance District No. 3570

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission set public hearing date of August 4, 2020 for Resolution 10355 to Levy and Assess the General Boulevard Maintenance District No. 3570

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) the public hearing for Resolution 10355 to levy and assess the General Boulevard Maintenance District for August 4, 2020.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission set a public hearing date for August 4, 2020.

Background: The Park and Recreation Department, Natural Resources - Boulevard Division is responsible for the care and maintenance of over 15,000 street trees located within the General Boulevard District. Services provided within the District are pruning, removal, planting and streetscape design.

The budget development process begins in January of each year when the Natural Resources - Boulevard Division receives its midyear financial reports. The midyear reports, and subsequent reports, are used to determine the current financial position of the department. Information is gathered regarding the actual and anticipated expenses, future projects, goals and objective of the department.

After calculating all factors pertinent to the operation of the Natural Resources - Boulevard Division, an assessment amount for the next fiscal year is calculated, proposed and presented to the City Commission for approval. No assessment increase has been proposed for Fiscal Year 2021 to aid in the economic recovery from COVID-19. The last General Boulevard Maintenance increase of 5% was approved in Fiscal Year 2020.

In order to legally provide for the necessary assessment support, State laws require City Commission hearings and passage of authorizing resolutions. MCA Sections 7-12-4102, 4176, and 4179 authorize the City Commission to create and assess the costs of work, improvements, and maintenance to the owners of property within the boundaries of such district.

As part of the annual budget development and adoption procedures, the General Boulevard Maintenance District Assessment Resolution must be submitted for City Commission action. A public notice and hearing is required prior to final passage of the assessment resolution.

Fiscal Impact: Adoption of Resolution 10355 will allow the City to finance the costs of work, improvements and maintenance conducted each year in the General Boulevard Maintenance District.

The estimated assessment amount for the General Boulevard Maintenance District for the next fiscal year is the amount reflected in the Fiscal Year 2021 Budget. This equates to an estimated assessment of \$0.011446 per square foot, for a total of \$405,892 and will result in an assessment of \$85.85 for an average size lot of 7,500 square feet (7,500 sq. ft. x 0.011446 factor = \$85.85.)

Alternatives: The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 10355 to Levy and Assess the General Boulevard Maintenance District; however, the reduction in services to trim, prune, spray, and maintain the trees within the district would be harmful and devastating to the overall shelter and beauty provided by the street trees to the community.

Concurrences: Park and Recreation staff is responsible for the operation expenses of the Boulevard District Fund. Finance staff is responsible for assessing and collecting the revenues necessary to carry out the operations.

Attachments/Exhibits:

Resolution 10355

Legal Notice for Public Hearing

Map of the General Boulevard District

RESOLUTION NO. 10355

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING BOULEVARDS IN THE GENERAL BOULEVARD DISTRICT NO. 3570 OF THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021

WHEREAS, the Great Falls City Commission did create a General Boulevard Maintenance District No. 3570 by Resolution 3570 on January 2, 1946; and

WHEREAS, the City Commission did amend and exclude Lots 8-14, Block 34 of Boston and Great Falls Addition, from the boundaries of the General Boulevard District by Resolution 8132 on September 1, 1987, in accordance with Mont. Code Ann. § 7-12-4335; and

WHEREAS, the City intends to continue trimming, pruning, spraying, and otherwise maintaining the trees within said district, except when such maintenance conflicts with other provisions of the Official Code of the City of Great Falls; and

WHEREAS, on July 21, 2020, the City Commission adopted Resolution 10350, Annual Budget Resolution, in which the estimated assessment for such maintenance within the General Boulevard Maintenance District No. 3570 was reflected as FOUR HUNDRED FIVE THOUSAND EIGHT HUNDRED NINETY-TWO DOLLARS (\$405,892); and

WHEREAS, in accordance with Mont. Code Ann. § 7-1-4127, notice was published setting forth that Resolution No. 10355 Levying and Assessing the Cost of Maintaining Boulevards in the General Boulevard Maintenance District No. 3570 would be brought before the Great Falls City Commission for public hearing on August 4, 2020.

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

Section 1 – Maintenance Costs Assessed

The cost of maintaining boulevards in General Boulevard Maintenance District No. 3570, totaling \$405,892, be levied and assessed upon the properties in said district for the fiscal year ending June 30, 2021.

Section 2 – Maintenance Assessment Method

Each lot and parcel within the district be assessed in proportion to its square footage. The procedure for determining the square footage to be assessed is the total square footage as set forth in Exhibit “A” of Resolution 6202 adopted by the Great Falls City Commission on July 22, 1968, and presently on file in the office of the City Clerk.

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2020 and May 31, 2021.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 4th day of August, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

Attention Legal Ads

NOTICE OF PUBLIC HEARING

Notice is hereby given that Resolution No. 10355 titled “A Resolution Levying and Assessing the General Boulevard Maintenance District No. 3570” will be brought before the Great Falls City Commission for public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, on Tuesday, August 4, 2020, at 7:00 o’clock p.m. Any interested person may appear and speak for or against said Resolution 10355 or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

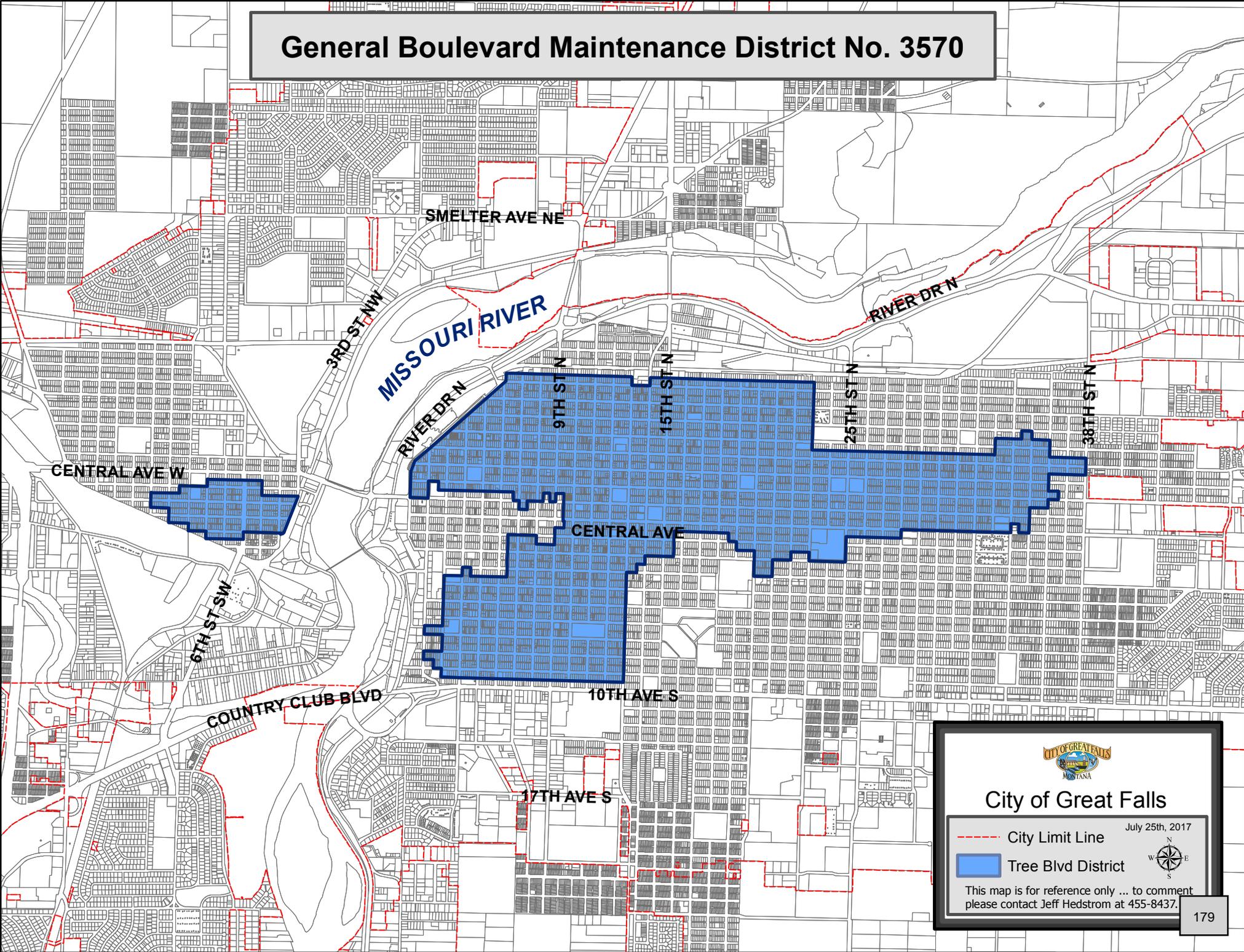
Documents pertaining to this agenda item are posted on the City’s website at <https://greatfallsmt.net> under “Meetings,” and are on file for public inspection during regular office hours at the City Clerk’s Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

/s/ Lisa Kunz
City Clerk

DO NOT PUBLISH BELOW THIS LINE:

Publication dates: July 12 and 19, 2020

General Boulevard Maintenance District No. 3570





Item: Set Public Hearing for Resolution 10356 to Levy and Assess the Portage Meadows Maintenance District No. 1195

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission set public hearing date of August 4, 2020 for Resolution 10356 to Levy and Assess the Portage Meadows Maintenance District No. 1195

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) the public hearing for Resolution 10356 to levy and assess the Portage Meadows Maintenance District for August 4, 2020.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission set a public hearing date for August 4, 2020.

Background: In February 1977, Resolution 6913 created Special Improvement Maintenance District No. 1195 for the purpose of maintaining the Green Belt of the Portage Meadows Addition. The assessment covers the costs for materials, snow removal labor, water, mowing labor, fertilizer costs and labor, aerification labor, and tree pruning, which was part of the original Planned Unit Development.

The budget development process begins in January of each year when the Park & Recreation Department receives its midyear financial reports for the Portage Meadows Fund. The midyear reports and subsequent reports are used to determine the current financial position of the department. Information is gathered regarding the actual and anticipated expenses, future projects, goals and objective of the department.

After calculating all factors pertinent to the operation of the Portage Meadows Maintenance District, an assessment amount for the next fiscal year is calculated, proposed and presented to the City Commissioners for approval. No assessment increase has been proposed for Fiscal Year 2021 to aid in economic recovery from COVID-19. The last Portage Meadows Maintenance District increase of 5% was approved in Fiscal Year 2020.

In order to legally provide for the necessary assessment support, State laws require City Commission hearings and passage of authorizing resolutions. MCA Sections 7-12-4102, 4176, and 4179 authorize the City Commission to create and assess the costs of work, improvements, and maintenance to the owners of property within the boundaries of such district.

As part of the annual budget development and adoption procedures, the Portage Meadows Maintenance District Assessment Resolution must be submitted for City Commission action. A public notice and hearing is required prior to final passage of the assessment resolution.

Fiscal Impact: Adoption of Resolution 10356 will allow the City to finance the cost of repairs and maintenance required each year in the Portage Meadows Maintenance District.

The estimated assessment amount for Portage Meadows Boulevard Maintenance for the next fiscal year is the amount reflected in the Fiscal Year 2021 Budget. This equates to an estimated assessment of \$0.077517 per square foot, a total of \$65,252 and will result in an annual assessment of \$348.90 for an average lot of 4,501 square feet (4,501 sq. ft. x 0.077517 factor = \$348.90).

Alternatives: The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 10356 to Levy and Assess the Portage Meadows Maintenance District; however, the City agreed to provide the services when the land area was donated to the City. The proposed assessment will allow for the recovery of costs incurred providing those services.

Concurrences: Park and Recreation staff members are responsible for the operational expenses for the Portage Meadows Maintenance District. Finance staff members are responsible for assessing and collecting the revenues necessary to carry out the operations.

Attachments/Exhibits:

Resolution 10356

Legal Notice for Public Hearing

Map of Portage Meadows Boulevard District

RESOLUTION NO. 10356

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING THE GREEN BELT PARK OF PORTAGE MEADOWS ADDITION IN THE CITY OF GREAT FALLS ON ALL REAL ESTATE IN SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 1195 FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021

WHEREAS, the City Commission did create and amend Special Improvement Maintenance District No. 1195 by Resolutions 6913, 6980, and 8426 on February 15 and July 17, 1977, and July 16, 1991, respectively; and

WHEREAS, the City intends to continue maintaining the Green Belt Park of Portage Meadows Addition within Special Improvement Maintenance District No. 1195; and

WHEREAS, on July 21, 2020, the City Commission adopted Resolution 10356, Annual Budget Resolution, in which the estimated costs for the assessment of such maintenance within Special Improvement Maintenance District No. 1195 was reflected as SIXTY-FIVE THOUSAND TWO HUNDRED FIFTY-TWO DOLLARS (\$65,252); and

WHEREAS, in accordance with § 7-1-4127, MCA, notice was published setting forth that Resolution No. 10356 Levying and Assessing the Cost of Maintaining the Green Belt Park of Portage Meadows Addition in the City of Great Falls on all Real Estate in Special Improvement Maintenance District No. 1195 would be brought before the Great Falls City Commission for public hearing on August 4, 2020.

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

Section 1 – Maintenance Costs Assessed

The cost of care and maintenance in Special Improvement Maintenance District No. 1195, totaling \$65,252, be levied and assessed upon the properties in said district for the fiscal year ending June 30, 2021.

Section 2 – Maintenance Assessment Method

There are 188 properties contained within the boundaries of Portage Meadows Special Improvement Maintenance District No. 1195. The costs per property and the property list for Portage Meadows Special Improvement Maintenance District No. 1195 are set forth in the records of the City Clerk of the City of Great Falls. Said property is generally identified as each lot or parcel of land within Portage Meadows Additions #1, #2, and #3, excluding Blocks 4, 5, and 6 of Portage Meadows #1 Addition.

Assessments may be reviewed on an annual basis and the amount may be revised according to the following formula: cost plus ten percent (10%) divided by the total square feet of all of the lots within said district times the square feet of each lot. Costs shall be for expendable material, snow

removal labor, water, mowing labor, fertilizer costs and labor, aerification labor, and tree pruning costs.

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2020 and May 31, 2021.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 4th day of August, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

Attention Legal Ads

NOTICE OF PUBLIC HEARING

Notice is hereby given that Resolution No. 10356 titled “A Resolution Levying and Assessing the Portage Meadows Maintenance District No. 1195” will be brought before the Great Falls City Commission for public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, on Tuesday, August 4, 2020, at 7:00 o’clock p.m. Any interested person may appear and speak for or against said Resolution 10356 or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

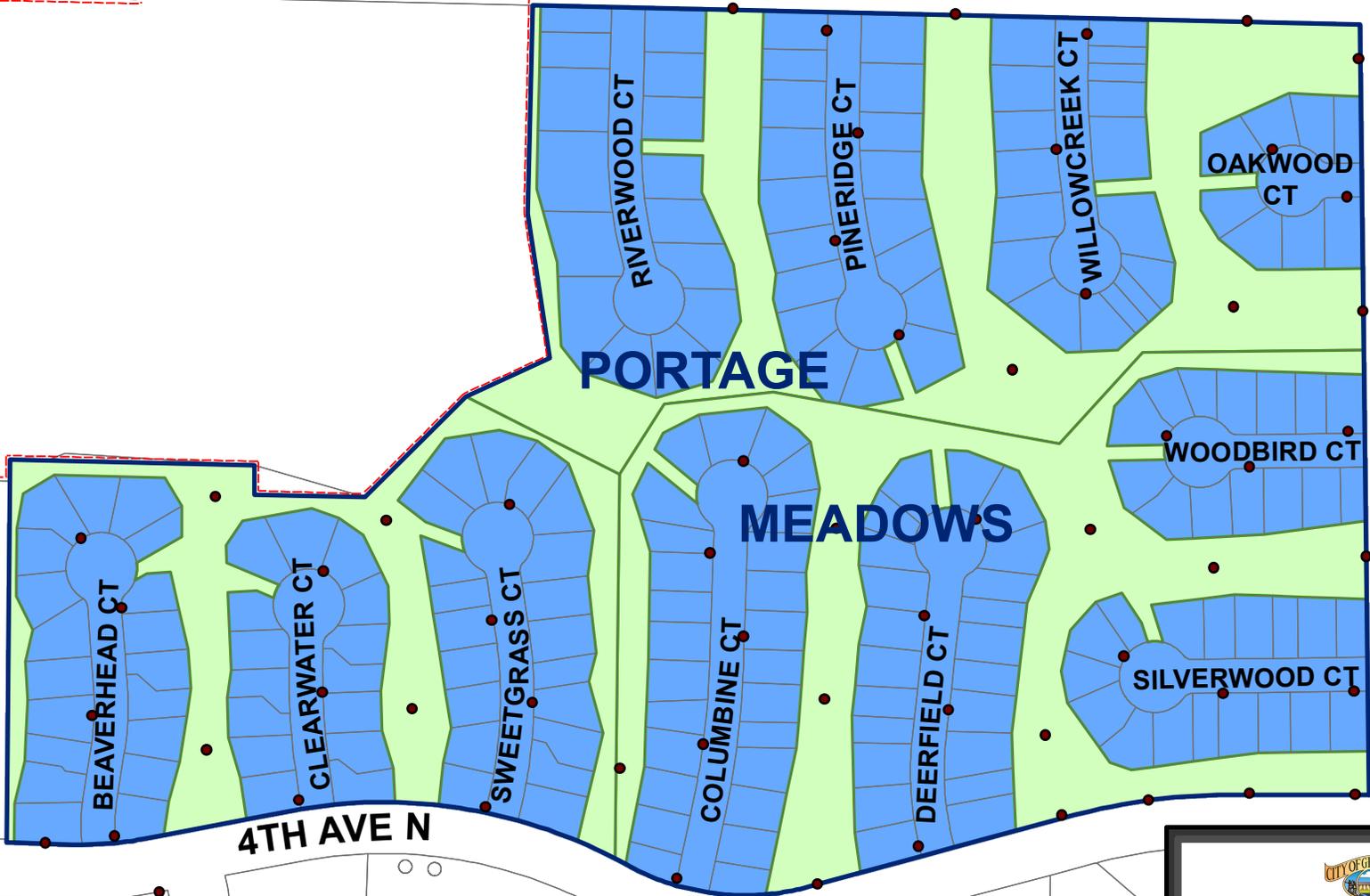
Documents pertaining to this agenda item are posted on the City’s website at <https://greatfallsmt.net> under “Meetings,” and are on file for public inspection during regular office hours at the City Clerk’s Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

/s/ Lisa Kunz
City Clerk

DO NOT PUBLISH BELOW THIS LINE:

Publication dates: July 12 and 19, 2020

Portage Meadows Maintenance District No. 1195



46TH ST N

4TH AVE N

52TH ST N



City of Great Falls

June 12th, 2014

- City Limit Line
- Light Poles
- Green Belt Area
- Portage Properties



This map is for reference only ... to comment please contact Jeff Hedstrom at 455-8437.



Item: Set Public Hearing for Resolution 10357 to Levy and Assess Properties within Special Improvement Lighting Districts

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission set public hearing date of August 4, 2020 for Resolution 10357 to Levy and Assess Properties within Special Improvement Lighting Districts

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) the public hearing for Resolution 10357 to levy and assess properties within Special Improvement Lighting Districts for August 4, 2020.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission set a public hearing date for August 4, 2020.

Background: There are currently 27 Special Improvement Lighting Districts (SLD's) with approximately 9,429 roadway lights. The majority (97%) of the roadway lights are owned by Northwestern Energy. The City pays a maintenance fee to Northwestern Energy for these lights in addition to a fee which covers the electrical transmission and distribution. The electrical supply for the street lights is currently being furnished by Energy Keepers. The remaining 3% of roadway lighting is City-owned. The Special Improvement Lighting District funds are administered by the Finance Department. The purpose of the funds is to maintain the light poles and furnish electrical supply for the lighting districts throughout the year. After determining financial factors pertinent to the operation of the special improvement lighting districts, an assessment amount for the next fiscal year is calculated, budgeted and presented to the City Commissioners for approval.

As part of the annual budget development and adoption procedures, the Special Improvement Lighting Districts Assessment Resolution must be submitted for City Commission action. A public notice and hearing is required prior to final passage of the assessment resolution.

Fiscal Impact: Adoption of Resolution 10357 will allow the City to fund the operational and maintenance costs required in the Special Improvement Lighting Districts for the fiscal year.

The estimated assessment amount for the Special Improvement Lighting District funds for the next fiscal year is \$1,123,242. After review of the budget and the estimated assessment for Fiscal Year 2021, the total assessment amount reflects an aggregate 4.0% *decrease* from the prior fiscal year.

<u>BUDGETED</u> <u>TOTAL ASSESSMENT</u>	<u>FISCAL YEAR</u>
\$ 1,428,082	2015/2016 (26 Districts)
\$ 1,175,344	2016/2017 (27 Districts)
\$ 1,159,589	2017/2018 (27 Districts)
\$ 1,164,252	2018/2019 (27 Districts)
\$ 1,170,052	2019/2020 (27 Districts)
\$ 1,123,242	2019/2020 (27 Districts)

The Fiscal Year 2021 assessment per district is indicated on the Lighting Districts Maintenance Budget & Assessment Worksheet attached as Exhibit "A" and made a part of Resolution 10357.

Alternatives: The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 10357; however, the reduction in services could be hazardous to the safety and welfare of the general public.

Concurrences: Public Works staff is responsible for the maintenance of all City-owned lights. Finance staff is responsible for assessing and collecting revenues.

Attachments/Exhibits:

Resolution 10357

Appendix A

Legal Notice

RESOLUTION NO. 10357

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING SPECIAL IMPROVEMENT LIGHTING DISTRICTS (SLD'S) NUMBERED 18, 650, 651, 912, 973, 1067A, 1105, 1230, 1255, 1261, 1269, 1270, 1289, 1290, 1294, 1295, 1296, 1297, 1298, 1302, 1303, 1304, 1305, 1306, 1308, 1309 AND 1310 IN THE CITY OF GREAT FALLS, MONTANA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021

WHEREAS, the City Commission declares that the above-captioned Special Improvement Lighting Districts were created, lighting systems installed and that the City intends to continue maintenance of such lighting systems in said SLD's; and

WHEREAS, the City Commission declares that each lot or parcel of land contained in each of said SLD's will continue to be benefited by such lighting in the same manner as determined in the creation of each Special Improvement Lighting District; and

WHEREAS, on July 21, 2020, the City Commission adopted Resolution 10350, Annual Budget Resolution. The budgeted amounts for maintenance of the City's lighting systems were reviewed and adjusted. The newly adjusted assessment amount totals ONE MILLION ONE HUNDRED TWENTY THREE THOUSAND TWO HUNDRED FORTY TWO DOLLARS (\$1,123,242); and

WHEREAS, in accordance with § 7-1-4127, MCA, notice was published setting forth that Resolution No. 10309 Levying and Assessing the Cost of Maintaining Special Improvement Lighting Districts (SLD's) Nos. 18, 650, 651, 912, 973, 1067A, 1105, 1230, 1255, 1261, 1269, 1270, 1289, 1290, 1294, 1295, 1296, 1297, 1298, 1302, 1303, 1304, 1305, 1306, 1308, 1309 and 1310 in the City of Great Falls, Montana, would be brought before the Great Falls City Commission for public hearing on August 4, 2020.

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

Section 1 – Maintenance Costs Assessed

The cost of maintenance for said lighting systems in the above-captioned SLD's totaling \$1,123,242 be levied and assessed upon the properties in said SLD's.

Section 2 – Assessment Method

Each lot and parcel within each SLD is hereby assessed a proportion of the maintenance costs attributed to the SLD in the proportion to which its assessable area (individual square feet) bears to the area of the whole special improvement lighting district (total square feet), exclusive of streets, avenues, alleys and public places. An assessment projection summary of each district, describing total cost, is attached hereto and, by this reference, incorporated herein as if fully set

forth. The description of each lot or parcel of land within each SLD and the respective assessments are set forth in the records of the Finance Department of the City of Great Falls, Montana and by this reference is also incorporated herein as if fully set forth.

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2020 and May 31, 2021.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 4th day of August, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

LIGHTING DISTRICTS MAINTENANCE BUDGET & ASSESSMENT WORKSHEET
RESOLUTION #10357 - EXHIBIT "A"

DISTRICT	DISTRICT TYPE	FUND	FY 2021	FY 2021	FY 2021	FY 2021	TARGET	FY 2020	FY 2021	DIFF (+/-)
			PROJECTED BEGINNING CASH	REQUESTED TOTAL EXPENSES	ESTIMATED ASSESSMENT	ENDING CASH	CASH BALANCE	ASSESSMENT	ASSESSMENT	
18	STREET	8402	2,587	2,996	2,883	2,475	1,498	2,883	2,700	(183)
650	PERIOD	8403	47,452	10,404	7,429	44,477	5,202	7,429	6,400	(1,029)
651	STREET	8404	2,005	2,468	2,138	1,675	1,234	2,138	2,000	(138)
912	STREET	8405	14,747	15,539	11,708	10,917	7,769	11,708	10,000	(1,708)
973	STREET	8406	24,271	57	55	24,268	29	55	40	(15)
1067A	ALLEY	8407	5,854	5,492	4,760	5,122	2,746	4,760	4,000	(760)
1105	STREET	8408	3,092	4,351	3,710	2,451	2,175	3,710	3,500	(210)
1230	STREET	8409	532	214	185	503	107	185	170	(15)
1255	STREET	8410	1,126	428	371	1,068	214	371	350	(21)
1261	PERIOD	8411	16,418	9,008	8,153	15,564	4,504	8,153	8,000	(153)
1269	PERIOD	8412	93,972	28,650	25,935	91,257	14,325	25,935	22,000	(3,935)
1270	PERIOD	8413	27,294	12,016	10,417	25,695	6,008	10,417	9,500	(917)
1289	STREET	8414	9,713	15,218	11,097	5,593	7,609	11,097	11,097	-
1290	STREET	8415	1,794	1,262	1,093	1,625	631	1,093	900	(193)
1294	SLDA	8416	111,132	156,733	142,611	97,010	78,366	142,611	133,000	(9,611)
1298	SLDI	8417	19,819	23,728	10,185	6,277	11,864	10,185	10,185	-
1295	SLDC	8418	74,127	65,299	56,550	65,378	32,649	56,550	54,000	(2,550)
1296	SLDR	8419	1,089,413	1,030,048	841,943	901,308	515,024	841,943	815,000	(26,943)
1297	SLDT	8420	9,534	33,504	22,498	(1,473)	16,752	22,498	25,000	2,502
1302	ML3	8430	20,294	1,393	557	19,458	697	557	400	(157)
1304	EC1	8432	8,112	3,688	1,705	6,130	1,844	1,705	1,500	(205)
1306	ML4	8434	6,315	553	371	6,133	276	371	300	(71)
1308	ECII & III	8436	10,013	2,501	1,133	8,645	1,250	1,133	1,000	(133)
1310	ML5	8438	9,313	1,844	835	8,305	922	835	750	(85)
1303	Stone Meadow 1	8440	12,995	982	446	12,459	491	446	350	(96)
1305	Water Tower	8442	11,420	738	334	11,016	369	334	250	(84)
1309	Stone Meadow 2	8444	2,871	1,024	950	2,797	512	950	850	(100)
ALL DIST	Fund 217	8401	103,394							
			1,739,609	1,430,137	1,170,052	1,376,131	715,068	1,170,052	1,123,242	(46,810)

City-Owned Lighting Districts

Aggregate % of Increase (Decrease)

-4.0%

Attention Legal Ads

NOTICE OF PUBLIC HEARING

Notice is hereby given that Resolution No. 10357 titled “A Resolution Levying and Assessing the Cost of Maintaining Special Improvement Lighting Districts (SLD’s) Numbered 18, 650, 651, 912, 973, 1067A, 1105, 1230, 1255, 1261, 1269, 1270, 1289, 1290, 1294, 1295, 1296, 1297, 1298, 1302, 1303, 1304, 1305, 1306, 1308, 1309 and 1310 in the City of Great Falls” will be brought before the Great Falls City Commission for public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, on Tuesday, August 4, 2020, at 7:00 o’clock p.m. Any interested person may appear and speak for or against said Resolution 10357 or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

Documents pertaining to this agenda item are posted on the City’s website at <https://greatfallsmt.net> under “Meetings,” and are on file for public inspection during regular office hours at the City Clerk’s Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

/s/ Lisa Kunz
City Clerk

DO NOT PUBLISH BELOW THIS LINE:

Publication dates: July 12 and 19, 2020



Item: Set Public Hearing for Resolution 10358 to Levy and Assess Great Falls Park District No. 1 for August 4, 2020

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission set public hearing date of August 4, 2020 for Resolution 10358 to Levy and Assess Great Falls Park District No. 1

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) the public hearing for Resolution 10358 to levy and assess Great Falls Park District No.1 for August 4, 2020.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission set a public hearing date for August 4, 2020.

Background: On June 5, 2018, the City Commission adopted Resolution 10238 creating the Great Falls Park District Number 1. The boundaries of the District are the current incorporated limits of the City, as well as all properties later annexed thereto.

The Park District's overall purpose is to utilize assessment dollars and direct those monies to:

- Maintenance, repair, replacement, upkeep, installation, improvements, operation enhancement, construction, acquisition of land;
- Implementation of measures required to maintain public health and safety or meet legal or regulatory requirements;
- Purchase, replace and/or maintain equipment, tools or vehicles used to carry out the functions described herein; and/or
- Other functions, labor, supplies and/or materials necessary for management and maintenance of City-owned facilities, lands, and equipment under the responsibility and care of the City of Great Falls Park and Recreation Department including but not limited to:

- Public parks and park areas (as described in the City of Great Falls Park and Recreation Master Plan), recreation facilities, trails, open space, urban forest, medians, boulevards, pathways, sidewalks, public easements, and other facilities which are located in the city limits and/or are owned by the City.

The Park District's revenue may not be used for programming.

According to Mont. Code Ann. Sections 7-11-2021 and 1025, prior to annually levying assessments necessary to carry out the services to be performed in the District, each year the Commission shall specify the method of assessment for the lots of parcels of land located in the District, publish notice, and conduct a public hearing on such assessment before finally adopting a resolution levying assessments against the lots of parcels of land in the District. The Commission must annually adopt a resolution establishing the annual assessment for the District.

Fiscal Impact: The cost of the proposed improvements for the Great Falls Park District No. 1 is \$1,500,000 annually for the first three years. Fiscal Year 2021 is year 3 of the assessment.

The annual assessment shall be based on the taxable value of each parcel within the District for a total of \$1,500,000 district-wide. The City will not receive current taxable value information from the Montana Department of Revenue until approximately August. Therefore, based on last year's valuations, the estimated annual assessment for a \$100,000 market value property would be \$25.57.

Alternatives: The City Commission could choose to not set the public hearing and thereby deny Resolution 10358 to Levy and Assess Great Falls Park District No. 1. However, the reduction in services and improvements to the park system including facilities and the urban forest, or maintenance will not improve and facilities will deteriorate or close.

Concurrences: Park and Recreation staff is responsible for the operational expenses of the Park District Number 1. Finance staff is responsible for assessing and collecting the revenue necessary to carry out the operations.

Attachments/Exhibits:

Resolution 10358

Legal Notice for Public Hearing

RESOLUTION NO. 10358

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTENANCE IN THE GREAT FALLS PARK DISTRICT NUMBER 1 OF THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021

WHEREAS, the City Commission did create Great Falls Park District No. 1 (hereinafter “District”) by adoption of Resolution 10238 on June 5, 2018; and

WHEREAS, said Resolution 10238 set forth the boundaries of the District, the method of governing the District, the assessment method, estimated cost of the District and method of financing, payment of the assessment, list of properties available and the duration of the District. The District was established for the purpose of providing services including but not limited to:

- Maintenance, repair, replacement, upkeep, installation, improvements, operation enhancement, construction, reconstruction, acquisition of land;
- Implementation of measures required to maintain public health and safety or meet legal or regulatory requirements;
- Purchase, replace and/or maintain equipment, tools or vehicles used to carry out the functions described herein; and/or
- Any other functions, labor, supplies and/or materials necessary for management and maintenance of City-owned facilities, lands, and equipment under the responsibility and care of the City of Great Falls Park and Recreation Department including but not limited to:
 - Public parks and park areas (as described in the City of Great Falls Park and Recreation Master Plan), recreation facilities, trails, open space, urban forest, medians, boulevards, pathways, sidewalks, public easements, and other facilities which are located in the city limits and/or are owned by the City; and

WHEREAS, on July 21, 2020, the City Commission adopted Resolution 10350, Annual Budget Resolution, in which the estimated assessment for such maintenance within the District was reflected as ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000); and

WHEREAS, in accordance with Mont. Code Ann. § 7-11-1024 and § 7-1-4127, notice was published setting forth that Resolution No. 10358 Levying and Assessing the Cost of the

Great Falls Park District No. 1 would be brought before the Great Falls City Commission for public hearing on August 4, 2020.

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

Section 1 – Maintenance Costs Assessed

The cost of maintenance in the Great Falls Park District No. 1, totaling \$1,500,000, be levied and assessed upon the properties in said district for the fiscal year ending June 30, 2021.

Section 2 – Maintenance Assessment Method

Each lot or parcel of land, including improvements on the lot or parcel, will be assessed for that part of the cost of the District that its taxable valuation bears to the total taxable valuation of the properties within the District.

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2020 and May 31, 2021.

Section 4 – Office of Record

The official list of properties subject to potential assessment, fees or taxation of the District is on file and available for public inspection in the City Clerk's office, and further that such list is the last completed property tax record maintained by the Department of Revenue for the county. The City Clerk's office is designated as the office of record for the minutes to be maintained.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 4th day of August, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

Attention Legal Ads

NOTICE OF PUBLIC HEARING

Notice is hereby given that Resolution No. 10358 titled “the Cost of Maintenance in the Great Falls Park District Number 1 of the City of Great Falls, Montana for the Fiscal Year Beginning July 1, 2020 and Ending June 30, 2021” will be brought before the Great Falls City Commission for public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, on Tuesday, August 4, 2020, at 7:00 o’clock p.m. Any interested person may appear and speak for or against said Resolution 10358 or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

Documents pertaining to this agenda item are posted on the City’s website at <https://greatfallsmt.net> under “Meetings,” and are on file for public inspection during regular office hours at the City Clerk’s Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

/s/ Lisa Kunz
City Clerk

DO NOT PUBLISH BELOW THIS LINE:

Publication dates: July 12 and 19, 2020



Item: Set Public Hearing for Tourism Business Improvement District (TBID) 2020/2021 Budget and Work Plan

From: Melissa Kinzler, Finance Director

Initiated By: Tourism Business Improvement District Board of Directors

Presented By: Rebecca Engum, Great Falls Tourism Director

Action Requested: City Commission set public hearing date of July 21, 2020 for the Tourism Business Improvement District (TBID) 2020/2021 Budget and Work Plan.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) the public hearing for the 2020/2021 Tourism Business Improvement District Budget and Work Plan for July 21, 2020.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: The TBID recommends that the City Commission set the public hearing for the 2020/2021 TBID Budget and Work Plan for July 21, 2020.

Background: The initial creation of the TBID was in 2008. On February 6, 2018, the City Commission approved Resolution 10222 re-creating said TBID for a duration of ten (10) years. The TBID's overall purpose is to promote tourism, conventions, trade shows, and travel to the City of Great Falls through the use of assessment revenue. If there are any material increases or decreases in the actual assessment from the approved budget, the TBID's Board will either request a budget amendment from the City Commission, or the Board will include the amount of revenue whether it is an increase or decrease in their Work Plan and Budget for the coming Fiscal Year.

According to MCA Section 7-12-1132(3), the City Commission must hold a public hearing to hear any objections to the budget and work plan. Following the public hearing, the City Commission may approve the plan or request that amendments be made to it, prior to levying an assessment on all properties within the district to defray the costs.

Fiscal Impact: The TBID is projecting annual revenue for Fiscal Year 2020/2021 of approximately \$486,258 in assessment dollars. This is a decrease from the prior year budget largely due to impacts from COVID-19.

The assessment will be according to the formula approved with the re-creation of the district:

The assessment will be a flat fee of two dollars (\$2.00) per occupied room night for establishments with 31 or more rooms and a flat fee of one dollar (\$1.00) per occupied room night for establishments with 1-30 as prescribed in Mont. Code Ann. Section 7-12-1133(f). The new assessment method began on July 1, 2018, so Fiscal Year 2020/2021 will be the second year of billing the assessment with the new formula.

Alternatives: The City Commission could request the TBID Board make changes to either the Budget or Work Plan.

Concurrences: The TBID partners with several organizations to provide results and follow the overall purpose for the TBID. Finance staff is responsible for assessing and collecting the revenues.

Attachments/Exhibits:

TBID Budget and Work Plan

Map of TBID Boundaries

Legal Notice



Great Falls
MONTANA
TOURISM

2021 Marketing Plan

July 1, 2020 to June 30, 2021

www.VisitGreatFallsMontana.org



Overlook Park

2020 SUCCESS

Great Falls Montana Tourism offered a NEW Event Grant in 2020 and awarded \$19,000 in funding to Montana Performing Arts Consortium to develop RegFest, a performing arts festival featuring Reggie Watts. Reggie is a Great Falls native and current band leader for The Late Late Show with James Corden.

Our Social channels grew with the creation of a Content Director in February 2019. Instagram audience

exceed our goal with 30% growth and Facebook audience met our goal at 20% growth. Our goal for Instagram was 25% growth.

We are at 50% of our Convention and Meeting goal with 3 new pieces of business. The CDC guidance related to COVID-19 has halted our progress.

Great Falls saw a 54% increase in new overnight visitors in 2019, even though we saw a 2% decline in total overnight visitors. Our goal for new overnight visitors and total overnight visitors was 5% growth for each.

EXECUTIVE SUMMARY

Great Falls Montana Tourism is the Destination Management Organization [DMO] focused on promoting the city of Great Falls, Montana to overnight visitors. It includes efforts of the Convention and Visitors Bureau and the Tourism Business Improvement District. As we plan for 2021, we are in uncertain times that will be taken day by day, then week by week, then month by month as the situation surrounding COVID-19 evolves. Our strategies and budget may change by July 1, 2020 as we continue to get new data and guidance.

Great Falls Montana Tourism will leverage the Montana Brand and use paid and owned media to orient overnight visitors to Great Falls' unique spectacular unspoiled nature and the only in Great Falls breathtaking experiences that can be had by day, with the ability to come back to the relaxing hospitality of our community to renew their spirit for the next day. By developing itineraries around specific events, we will facilitate extended stays in Great Falls, a vibrant and charming small town full of art and modern amenities, prior to departing for adventures in more of Montana's spectacular, unspoiled nature.

Our team will continue to work alongside the leaders at Cascade County and in the community to bring the Future of Montana ExpoPark into reality. We will incentivize conventions and events that can generate overnight visitors. We will leverage our Great Falls Champions to share positive content and leverage reach.

We will focus efforts for Convention and Meetings inside Montana and continue to build relationships with regional and National meeting planners where Great Falls, Montana has a competitive advantage. Our team will be focused on strengthening the economy by promoting the uniqueness of Great Falls, Montana to overnight visitors that will result is Great Falls being THE place in Montana to visit for a genuine experience with the funding received in partnerships with our Great Falls lodging facilities.

GREAT FALLS, MONTANA

Great Falls is the 3rd largest city in the Nation's 4th largest state. With 1 million residents in the State and just under 60,000 residents in the city, the open space appeals to residents and non-residents alike. Last year alone, 12 million people visited Montana, and 1 million spent a night in Great Falls.

Great Falls is Montana's Basecamp for Art and Adventure. Designed for independent, outdoor adventurers and planners of meetings, Great Falls provides a true, authentic Montana experience. Our community sits on the banks of the Missouri River in the center of the State. Great Falls is a basecamp to the Rocky, Big Belt, Highwood, and Little Belt Mountain Ranges; each providing public access for a variety of outdoor recreation. It is also a basecamp to the Sun and Smith Rivers; Belt Creek, and Holter Lake; it is 2.5 hours south of the East entrance to Glacier National Park, and 3.5 hours north of the



Downtown Murals

North Entrance to Yellowstone National Park. Great Falls' access to a variety of outdoor adventures is complimented by a haven of rich arts, culture, and history in a vibrant, modern community where you can renew your spirit.

Great Falls is Montana's Museum Capital. Famed Cowboy artist and humanitarian, Charlie Russell made Great Falls, Montana his basecamp and the museum that bears his name has the largest collection of Russell's work, the complex has his studio and home, and The C.M. Russell Museum has been named Montana's Museum worth driving for. The Lewis & Clark Interpretive Center has North America's most extensive display of the Lewis & Clark expedition. First People's Buffalo Jump is North America's Largest and is a National Historic Landmark. The remaining museums in Great Falls celebrate our history, the life of Brother Van, modern artists, the railroad, the artwork of Sister Mary Trinitas Morin and Mother Raphael Schweda, the military missions at Malmstrom Air Force Base, and a hands-on Children's Museum.

Great Falls is known as the Western Art Capital of the World during Western Art Week. This signature event brings in over 750 artists at 15+ shows for a variety of auctions, direct purchase, quick finishes, demonstrations, lectures, music and more.

Businesses that make up the Tourism Industry account for 2,180 jobs and over \$42 million in payroll locally. Tourism Industry businesses account for over \$16 million in property taxes. Great Falls' tourism industry accounts for 5% of Montana's total overall tourism impact. The State, the Region, and the City's tourism economy is driven by outdoor recreation.

BENCHMARK COMMUNITIES

Communities that we compete with are numerous, however, we benchmark our efforts against a few specific communities:

Billings MT | Missoula MT | Kalispell MT | Casper WY
Spokane WA | Boise ID | Sioux Falls SD
Grand Forks ND | Bismarck ND

ANAYLSIS

The appeal of Montana's spectacular, unspoiled nature inspires people to travel to the fourth largest state in the US and experience its over 100 vibrant and charming small towns that provide impressive outdoor experiences. As a result, Great Falls competes within the state, as well as the Northwest region and the nation to orient and facilitate the visitor to experience Montana's Basecamp for Art & Adventure.

STRENGTHS

Art | In the broadest sense of the term, Great Falls has art—from statutes and murals on the river's edge trail and downtown, to state parks and museums that capture our history and culture, to restaurants who source local food, to residents who create masterpieces on canvasses or using batik, and our entrepreneurs who create industry changing products. Great Falls is creative, innovative, and full of art.

River | The Missouri River connects Great Falls' history to the Plains Indians, Corp of Discovery, mining and electricity. Today it provides access to outdoor recreation, bird viewing, a path for scenic drives, and a backdrop for stunning photography.



Basecamp | In about an hour or less from Great Falls, you can be in the Rocky Mountain Front and the greater Bob Marshall Wilderness Complex, Sluice Boxes State Park and the Little Belt Mountains, the Highwood Mountains, on Holter Lake, at Smith River, Sun River. And, just a little further in Glacier National Park.

Malmstrom | 3,300 personnel, along with their families, are stationed in Great Falls' air force base. The base itself draws national contractor business, and the personnel's extended family come to visit.

GTF | Our international airport is small and accessible, offering direct flights from Seattle, Denver, Las Vegas, Minneapolis, Phoenix, Salt Lake City, and seasonally to Chicago.

WEAKNESS

Venues| Tried and true, our facility infrastructure is stable but suffers from deferred maintenance and lack of capital investment for industry demanding improvements.

Impression| Immediate thoughts of Montana include mountains, roaming wildlife, and backpacking adventures, and Great Falls is a modern community on the Missouri River with an industrial history.

Detractors | 34% of Great Falls residents hold a low-self image of and are negative about the community being a great place to visit.

OPPORTUNITIES

I-15 Corridor | Great Falls is roughly halfway between Salt Lake City, Utah, and Edmonton, Alberta (via Highway 2 in Alberta, Canada). Through traffic provides a chance to convert travelers for experiences and events. 55% of travelers drive through Great Falls without spending a night.

Air Service | United, Delta, Alaska, and Allegiant are great partners, however, there are opportunities to add carriers and direct flights.

Events| Signature events give visitors a specific time to travel to Great Falls. We have room to add more.

In-Market Experience | The Missouri River is amazing; however, we are missing the opportunity to make it, and other experiences, easier to access. Great Falls can benefit from easy access equipment rentals, tour guides, facilitated experiences, and review worthy interactions.

THREATS

COVID-19 | We have already witnessed postponed, cancelled, and rescheduled events, conventions, and meetings. The uncertainty of how long the current shelter-in place and group size restrictions will remain, prevents travel. In addition, local businesses

that support the tourism ecosystem will have taken dramatic losses and may not be able to continue operations or support the industry as they did. Recovery in our target markets may take longer than in Montana and could delay travel.

I-90/I-94 CORRIDOR | This Montana route has larger communities with larger population bases, sees higher traffic counts and has had more success in event routing than I-15.

Market Economy | Volatility in the local economy of our target market communities can directly impact travel decisions.

Growth | The success of peer and benchmark communities related to increased retail experiences and capital investments in infrastructure have increased their tourism budgets to attract more visitors, causing Great Falls to lag.



St. Peter's Mission

THE BASECAMP BRAND

From every direction, Montana's spectacular, unspoiled nature calls you closer – from two of America's most amazing national parks, a short drive in either direction, to the miles of trails along the Missouri River and beyond, it is all accessible beginning right in Great Falls. It beckons you to discover Montana's rugged and alluring outdoors freely with independence.

One of the greatest things about our community is we are welcoming, down-to-earth and proud of what we have. We are forward thinking and unapologetic about creating a future based on our potential. Great Falls is a place where you feel more independent, more liberated from conformity and convention. You are more free to pursue your passion, from outdoor recreation to embracing your inner artist.

It's a place where you can be in the middle of an evolving and vibrant downtown life near the riverfront and yet never far from getting away from it all. If you look at life as a wonderful, ever-changing adventure (as we do), we invite you to come to a place where you can live it abundantly, celebrate your independence every single day.

Great Falls provides a basecamp for a wide range of outdoor adventures and offers a haven of rich arts, culture, and history in a vibrant, modern community where an expansive, unspoiled, diverse landscape renews one's spirit!

- We share the unique stories.
- We keep it conversational.
- We play up our diverse landscapes.
- We show hospitality in our community.
- We use dynamic images and videos.
- We are consistent in our style.

We use a lighthearted, conversational tone with personality and a little humor in our communications. We use specific words to set a tone, reinforce the attributes of our community and unify our voice.

Independent | Adventurous | Fun | Courageous | Refreshing | Creative | Scenic | Freedom Alluring | Artistic | Rugged | Spirited | Real | Curiosity | Open | Breathtaking | Authentic

We Show, Not Tell.

It is one thing to tell people we have the largest veggie omelet in town. It is quite another to show them a picture of someone eating the largest veggie

omelet in town. We refrain from the use of big, flowery words, and a ton of adjectives. Show them.

We Build Anticipation.

Telling a person's story about their experience can create the excitement for other's to have their own experience. When people start dreaming about the experience they could have, it builds the anticipation and desire to make the experience happen.

We Let people create their story.

Leave room for people to experience their way. Each person has their own way to experience something, so let them. Don't plan every step or pre-package every product, leave some mystery for people to discover something for their own unique story to retell.

We Make no assumptions.

Someone may be a frequent flyer to our community or frequent certain members, but they may not know we have North America's most extensive display of the Lewis & Clark expedition at the Lewis & Clark Interpretive Center or that Celtic Cowboy was named the Best Irish Pub in Montana.



MARKET

ROOM INVENTORY

Great Falls will have 2,292 rooms available any given night across 30 properties beginning in the Fall of 2020. Our inventory by property is broke down by room capacity with:

- 17% with less than 30 Rooms
- 57% with 31—99 Rooms
- 27% with 100+ Rooms

Room demand had been in decline since 2015. We saw an increase in 2018, then 2019 took a dip again.

OVERNIGHT VISITOR HISTORY

Great Falls saw a slight decrease in overnight visitors in 2019, down 19,543 visitors from 2018.



Alberta was back in the leader seat for location our visitors came from, and retail shopping took back the 3rd location in the Top 5 Activities.

Top 5 markets out of state overnight visitors came from:

- Alberta 14%
- Washington 7%
- Idaho 7%
- Colorado 6%
- California 6%

Our overnight visitors top 5 activities were:

- Scenic driving 58%
- Day hiking 32%
- Recreational shopping 31%
- Wildlife watching 30%
- Nature photography 27%

The Business traveler continues to trail the Leisure traveler, with only 13% of overnight visitors being here for a convention or meeting. We saw an increase in first time visitors to 11%, over 7% the previous year.

Our overnight In-State Traveler is arriving from:

- Billings 45%
- Missoula 40%
- Bozeman 38%
- Kalispell 21%
- Helena 17%

Our overnight visitors primarily arrive by vehicle [63%]. Spending continues to decrease, from \$198 million [2017] to \$184 million [2018]. Top spending categories include:

1. Fuel
2. Restaurants
3. Retail
4. Grocery
5. Lodging

PROCESS

Developing and growing the tourism effort is driven by market and consumer behavior research. This research ensures the delivery of a specifically crafted trip planning message during a critical stage of the consumer purchase process in targeted markets on specific platforms.

Knowing what activities visitors like to experience, how they make decisions, and how to help influence the decisions at each stage all form the cornerstones to Great Falls Montana Tourism’s marketing strategies.

Great Falls Montana Tourism invests in paid media placement, developing compelling content, and leveraging that content through owned media.

The Montana Department of Commerce’s Office of Tourism and Business Development makes significant investment to support the inspiration stage of the trip planning cycle. Great Falls Montana Tourism leverages that investment with joint marketing opportunities and focusing efforts on orienting.

As part of the orientation step of the trip planning process, Great Falls Montana Tourism provides infographics on direct flights, drive time, and distance from our target markets to support the message that making a trip to the city can be done in a day or less. That “getting here” message is supported by various trip ideas for weekend trips and weeklong vacations. One of our one-day trips shows how to spend a day in Great Falls before an evening concert – highlighting day hikes, kayaking, fishing, and shopping along with dining options to make a memorable time connected to an event.

STRATEGY 1 | Get the Leisure Traveler in Great Falls, Montana Overnight.

The road to recovery for leisure travel is expected to take 36 months to get back to where we were in 2019. This strategy will use paid and owned media to generate overnight travelers.

TACTICS – Paid Media, Joint Ventures, Owned Media, Trade Shows

PAID MEDIA

Great Falls Montana Tourism will relaunch paid media at a time when people can consider traveling again. When paid media relaunches, we will focus first on our Montana travelers and out of state markets where airline capacity hasn't been reduced and COVID recovery isn't delayed.

Paid media that has been successful in the past and are likely to be part of our 2021 strategy include: Digital Display Ads, Social Media Ads, Activity Focused Print, Online Audio, and Content.

In looking at Great Falls assets, we determined that our community stands apart in 5 areas:

- Outdoor Adventures (Little Belt mountains, Rocky mountain front, open spaces, big skies)
- Water Features (Missouri river, Sun river, Smith river, Giant Springs, the falls)
- Art Scene (museums, murals, sculptures, statues, local food)
- Unique Experiences (Sip 'n Dip, Borries, Tracy's)
- Historical Encounters (military, mining, Paris Gibson, Charlie Russell, Lewis & Clark)

The message delivered through our paid media will be phased, focusing on key messages throughout the year and varying what our market engages with.

		July	August	September
Message	Outdoor Adventures			
	Water Features			
	Art Scene			
	Unique Experiences			
	Historical Encounters			

		October	November	December
Message	Outdoor Adventures			
	Water Features			
	Art Scene			
	Unique Experiences			
	Historical Encounters			

		January	February	March
Message	Outdoor Adventures			
	Water Features			
	Art Scene			
	Unique Experiences			
	Historical Encounters			

		April	May	June
Message	Outdoor Adventures			
	Water Features			
	Art Scene			
	Unique Experiences			
	Historical Encounters			

JOINT VENTURES

Great Falls Montana Tourism will use joint ventures to leverage its paid media by sharing costs with a partner.

OWNED MEDIA

Great Falls Montana Tourism will continue to support our paid media with media developed in-house and delivered through:

Adventure Awaits

This email communication is delivered to our database of over 75,000 leisure traveler inquiries to orient potential travelers to the experiences available in Great Falls, Montana. The objective is to provide specific experiences that will entice leisure travelers to plan an overnight visit. The content of this communication will focus on seasonal outdoor recreation, art features, a significant seasonal event, and unique only in Great Falls dining/drinking establishments. This communication provides preference to members.

Welcome to Great Falls

This email communication is delivered to every leisure inquiry received through email, telephone, and reader service. It is a seasonally appropriate introduction to Great Falls, getting here, places to stay, our State Parks, Outdoor Recreation, Art, and Signature Events.

Great Falls Champions

Forty percent of Great Falls residents would recommend visiting Great Falls to a friend. We want to work our promoters of Great Falls to increase overnight visitation. Champions are local residents that share our branded content (through the use of Social Toaster and organically from our owned channels), write a blog, volunteer for strategic efforts, refer a lead, and capture and share videos and photos for Tourism's use.

Facebook

Tourism staff will make organic posts using carousel itineraries with preference provided to members, sharing blog content from our website, posting of Adventure Awaits newsletter, giveaways, polls, contests, sharing content from our website, and posting emotion evoking images. The use of stories will increase and include more opportunity for user engagement. Story content will provide preference for members.

Instagram

Tourism staff will make organic posts using emotion evoking images, sometimes driving traffic to blog content from our website and leveraging hashtags. We will engage users with giveaways, polls, contests using stories, and promote using organic posts. Story content will provide preference for members.

Twitter

Tourism staff will make more in the moment posts organically with this media, leveraging hashtags. Posts will include breaking news, activity completion, visitor interactions, and unique facts.

Basecamp Blog

Tourism staff will utilize Champions, as well as their own experiences to share first person experiences, suggestions for experiences in Great Falls, inspiration travel itineraries, interesting details about Great Falls, best of lists, and monthly to do lists. Mentions within content will give preference to members.

The Eventory

This is a weekly email communication that is an inventory style listing of events that Tourism Staff have found happening in the Basecamp. This list is inclusive, showing no preference for members of nonmembers. From this list, Tourism Staff add mission relevant events to the Event Page of VisitGreatFallsMontana.org. The objective of this effort is twofold. First is to inform anyone planning events in Great Falls what is happening that could cannibalize attendance or to find events to partner with to enhance an event. The second objective is for all our partners to quell the "there is nothing to do in Great Falls" and provide itinerary fillers for any in-market guests.

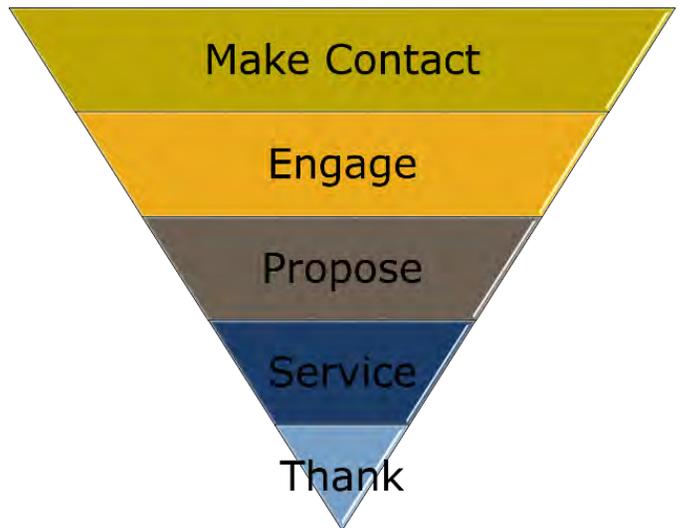
This email is delivered through Constant Contact to partners, and those who sign-up to receive it.

TRADE SHOWS
The Calgary Outdoor Travel & Adventure show for 2020 was cancelled



due to COVID-19. The already paid booth fee will be transferred to our 2021 attendance. Great Falls Montana Tourism will attend the 2021 Calgary Outdoor Travel & Adventure show. Additional trade shows will be considered with respect to any increases to projected budget numbers, however, with a reduced staff team, additional shows may not produce needed return on investment at this time.

STRATEGY 2 - Get Meetings and Conventions in Great Falls, Montana.



The regional and national meeting and convention market may take longer than leisure travel to start bouncing back in Great Falls, Montana. Each State and Industry's COVID-19 recovery could hinder attendance and the uncertainty of group size allowances by CDC could hinder the ability to even have a gathering. Great Falls Montana Tourism will take a Montana focused approach to begin with while maintaining and growing relationships with regional and national meeting planners. Great Falls Montana Tourism will use our sales funnel strategy as the core to its tactics.

TACTICS – Outreach, 1:1 Meetings, In-Market Support, Owned Media

OUTREACH

Great Falls Montana Tourism staff will research what conventions and meetings are held by the associations within Montana and through our national database, MINT+. The potential projects will be placed into our pipeline as prospects. Staff will utilize telephone to make first introductions, and follow up by telephone, email, video calls, mail, and face to face meetings to qualify the prospect into a lead. Once the lead is qualified, the team will deliver a Letter of Interest to inspire the planner to consider Great Falls, Montana for their project.

Great Falls Montana Tourism will deliver Bring it to the Basecamp presentations throughout Great Falls

to find Great Falls Champions who have conventions and meetings within their industry or passion area to refer us to.

Through our outreach efforts, we will find leads to make proposals for.

1:1 MEETINGS

Great Falls Montana Tourism staff will meet with meeting planners face to face to get additional details on potential projects the planner has, through familiarization tours for meeting planners with qualified leads, and after a proposal is submitted for site visits.

We will monitor COVID-19 national recovery and the meetings industry to determine if hosted buyer shows would produce a return on investment. Currently, hosted buyer shows are not part of our strategy.

IN-MARKET SUPPORT

Once the business is secured, we will service them with what we committed to, which can include:

- Building attendance for hosted business
- Connecting with local service providers and key leadership
- Fundraising support
- Assisting to secure room blocks

OWNED MEDIA

Bring it to the Basecamp

This is an email communication distributed monthly to our meeting planners with highlights of venues, showcase of successes, familiarization trip opportunities, and requests projects. Preference will be provided for members within the content.

LinkedIn

Tourism staff will make posts highlighting current projects in Great Falls, share testimonials of meeting planners, highlight the economic vitality Tourism provides to the community, share Bring it to the Basecamp email, and post case studies of projects that were unique and successful in Great Falls.

STRATEGY 3 – Improve the Great Falls, Montana online experience.

TACTICS – Website, Photo Library, Video Development

WEBSITE

The current theme used to host www.VisitGreatFallsMontana.org is 3 years old. The theme hinders certain video features, event posting, ADA compliance, and site updating. Great Falls Montana Tourism will use 2021 to redevelop and relaunch a new website.

PHOTO LIBRARY

Great Falls Montana Tourism will refresh its photos with contests, nonexclusive & unlimited use purchase agreements, and staged photo shoots to support a new creative direction.

VIDEO DEVELOPMENT

Great Falls Montana Tourism will develop new video content that will support a new creative direction and will be used through Paid Media strategies.

STRATEGY 4 - Sustain Great Falls Montana Tourism as a Destination Management Organization

TACTICS – Membership, Reserve Funds, Retain Staff

MEMBERSHIP

Great Falls Montana Tourism offers businesses and individuals to invest in our annual efforts. The investment of \$100 provides benefits to expose businesses to meeting planners, conference attendees, and leisure travelers. The guidance connected to COVID-19 has caused damaged to our local economy, hitting the businesses that make up the Tourism industry the hardest. Membership is one of the ways we can spread the Tourism efforts locally. For Tourism, there is more benefit to having members versus having the financial investment. To show strong support for our members and our industry, we will be waiving the investment for 2021. All credits will be applied to 2022



membership. Great Falls Montana Tourism will still work to recruit members and provide them benefits.

RESERVE FUNDS

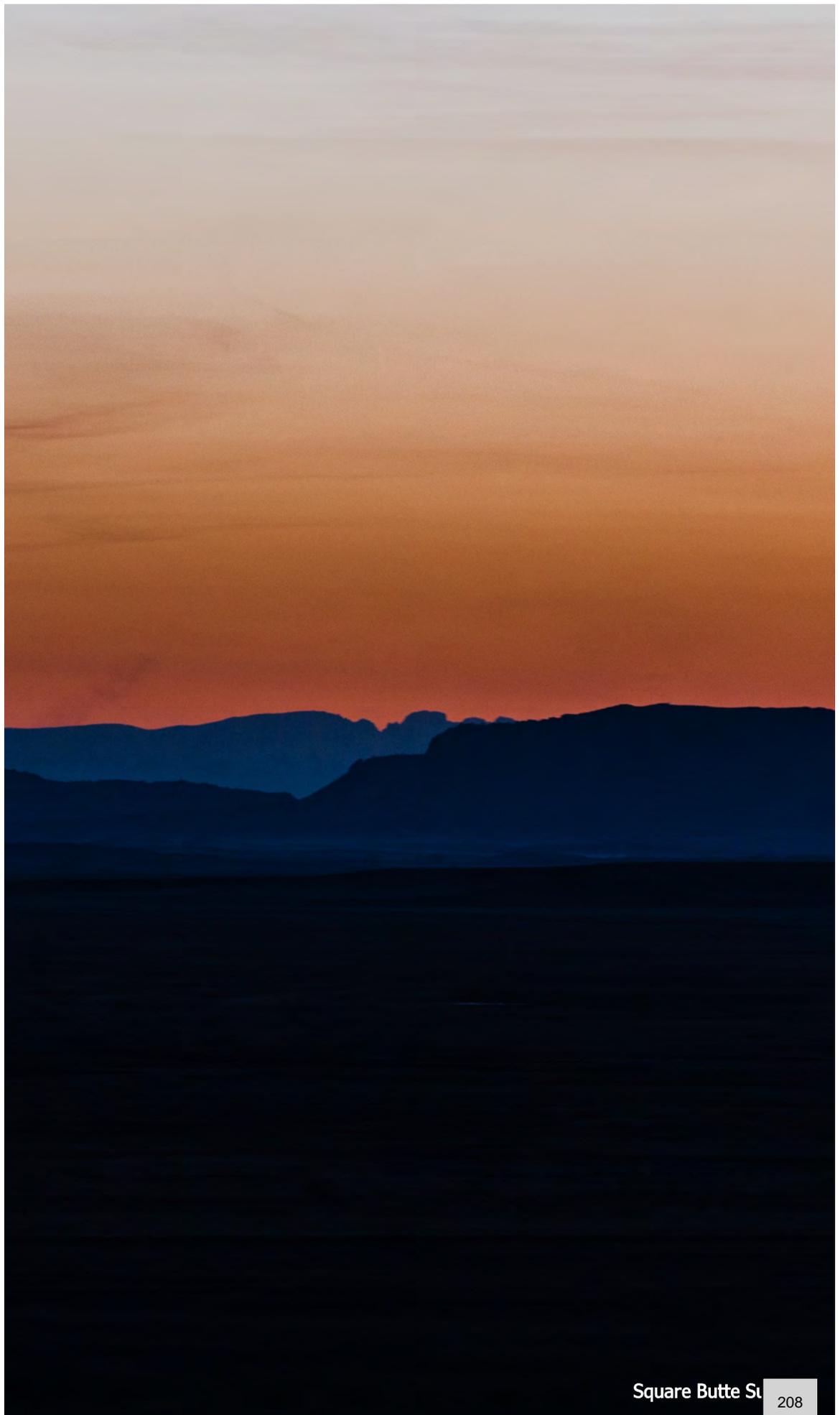
Great Falls Montana Tourism has maintained Reserves for investment in strategic priorities. The largest of these has been Montana ExpoPark, followed by Airline Service. In addition to strategic priority reserves, COVID-19 has taught us operating reserves are necessary. Great Falls Montana Tourism will maintain a \$350,000 operating reserve and work to rebuild a \$350,000 strategic investment reserve.

RETAIN STAFF

A professional, qualified staff produces returns on investment. With our team, we have seen 30%+ growth in social media followers, national conventions and events, and highly functioning operations. Great Falls Montana Tourism will continue to invest in highly trained staff and work to retail a quality workforce.

MEASUREMENT FOR SUCCESS

- Retain 90% of Current Members
- Get 75 NEW Members
- Get 4 NEW Conventions
- 45% Growth in Facebook Followers
- 45% Growth of Instagram Followers
- Establish 1,500 Twitter Followers
- Recover room demand to 60% of 2019 levels





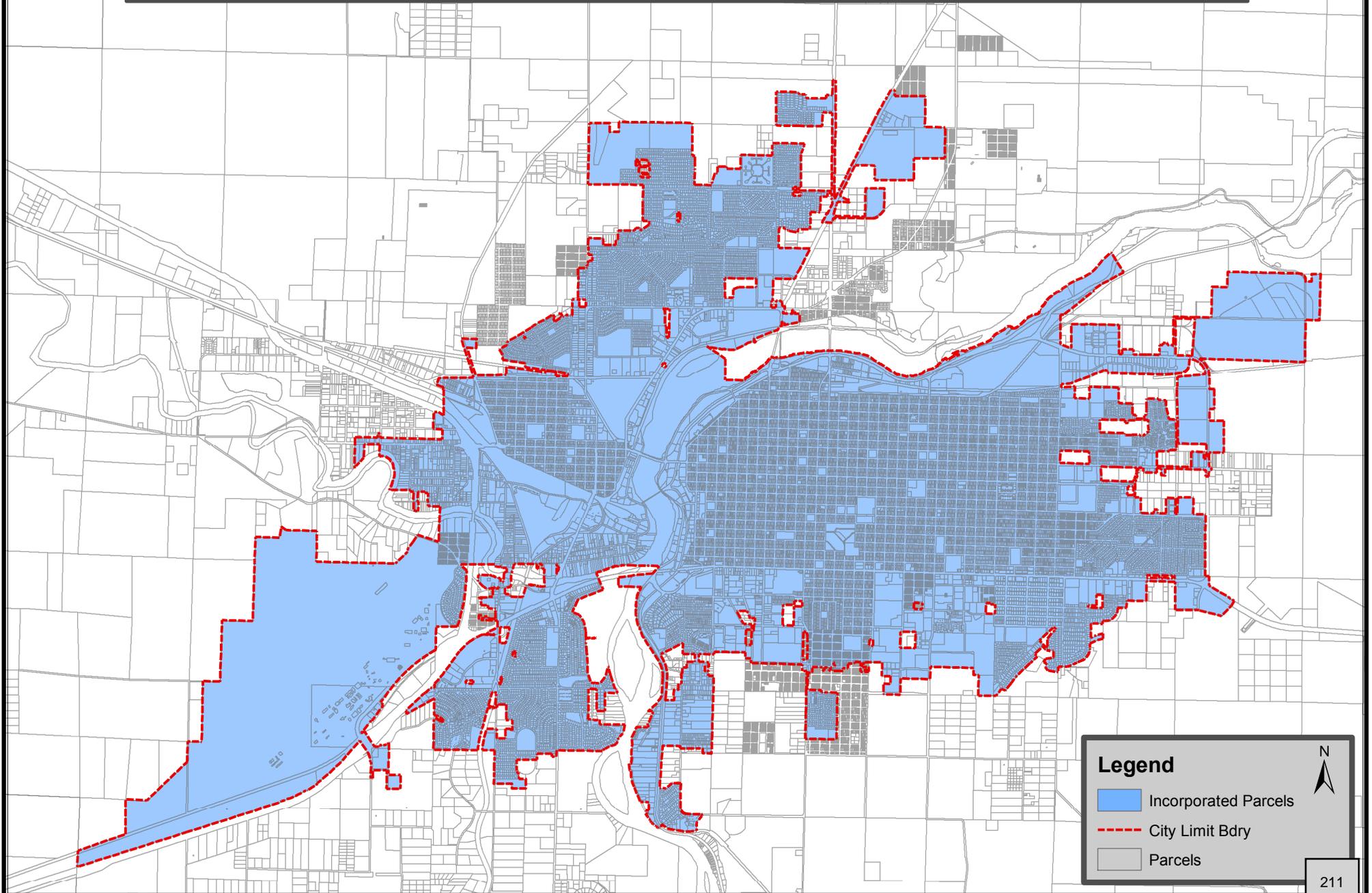
Great Falls Montana Tourism Budget Summary
July 1, 2020 - June 30, 2021

DRAFT

		DRAFT					
		CVB	GENERAL	TBID	Total	National	
Income							
1	Bed Tax	\$96,739	\$0	\$0	\$96,739		
2	TBID Assessment	\$0	\$0	\$486,258	\$486,258		
3	Membership	\$0	\$0	\$0	\$0		
4	Advertising	\$0	\$0	\$0	\$0		
	Total Income	<u>\$96,739</u>	<u>\$0</u>	<u>\$486,258</u>	<u>\$582,997</u>		
Expenses							
Personnel							
5	Wages	\$16,948	\$0	\$136,052	\$153,000		
6	Payroll Expense	\$0	\$0	\$35,190	\$35,190		
	Total Personnel	<u>\$16,948</u>	<u>\$0</u>	<u>\$171,242</u>	<u>\$188,190</u>	32%	40%
Administration							
7	Rent	\$0	\$0	\$15,600	\$15,600		
8	Memberships	\$0	\$0	\$2,760	\$2,760		
9	Subscription	\$0	\$0	\$20,810	\$20,810		
10	Phone	\$0	\$0	\$5,220	\$5,220		
11	Maintenance	\$0	\$0	\$3,100	\$3,100		
12	Supplies	\$0	\$0	\$8,500	\$8,500		
13	Postage	\$0	\$0	\$1,000	\$1,000		
14	Insurance	\$850	\$0	\$2,800	\$3,650		
15	Professional Fees	\$1,550	\$0	\$19,525	\$21,075		
16	TAC	\$1,500	\$0	\$0	\$1,500		
17	Professional Development	\$0	\$0	\$2,500	\$2,500		
18	Travel	\$0	\$0	\$1,500	\$1,500		
	Total Admin	<u>\$3,900</u>	<u>\$0</u>	<u>\$83,315</u>	<u>\$87,215</u>	15%	12%
19	Leisure Traveler Marketing	\$70,891	\$0	\$157,528	\$228,419	39%	
20	Conventions Meetings & Groups	\$0	\$0	\$42,989	\$42,989	7%	
21	ExpoPark	\$0	\$0	\$0	\$0	0%	
22	Opportunity	\$0	\$0	\$275,167	\$275,167	47%	
23	Photo Library	\$0	\$0	\$10,000	\$10,000	2%	
24	Video			\$10,000	\$10,000		
25	Visitor Guide	\$0	\$6,059	\$0	\$6,059	1%	
26	Joint Venture	\$5,000	\$0	\$0	\$5,000	1%	
27	Trade Shows	\$0	\$0	\$1,200	\$1,200	0%	
28	Website	\$0	\$0	\$15,000	\$15,000	3%	
31	Events	\$0	\$0	\$10,000	\$10,000	2%	
	Total Expenses	<u>\$96,739</u>	<u>\$6,059</u>	<u>\$776,441</u>	<u>\$879,239</u>	102%	48%
	Net Profit	<u>\$0</u>	<u>-\$6,059</u>	<u>-\$290,183</u>	<u>-\$296,241</u>		

Tourism Business Improvement District No. 1307

Map of District Boundaries



Legend

-  Incorporated Parcels
-  City Limit Bdry
-  Parcels



Attention Legal Ads

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Tourism Business Improvement District (TBID) budget and work plan for Fiscal Year 2020/2021 will be brought before the Great Falls City Commission for public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, on Tuesday, July 21, 2020, at 7:00 o'clock p.m. Any interested person may appear and speak for or against said TBID budget and work plan or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

Documents pertaining to this agenda item are posted on the City's website at <https://greatfallsmt.net> under "Meetings," and are on file for public inspection during regular office hours at the City Clerk's Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

/s/ Lisa Kunz
City Clerk

DO NOT PUBLISH BELOW THIS LINE:

Publication dates: July 12 and 19, 2020



Item: Proposed Amendments to the 2019/2020 Annual Action Plan and Citizen Participation Plan

From: Planning and Community Development

Initiated By: Tom Micuda, Deputy Director, Planning and Community Development

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: City Commission approval of the amendments to the Annual Action Plan and Citizen Participation Plan

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/deny) the amendments to the 2019/2020 Annual Action Plan and Citizen Participation Plan.”
 2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
-

Staff Recommendation: Staff recommends approval of the amendments to the 2019/2020 Annual Action Plan and Citizen Participation Plan.

Summary: Staff in the City’s Planning and Community Development Department administer the allocation of grant funds for two federal grant programs: 1) the Community Development Block Grant (CDBG) program and 2) the Home Investment Partnership (HOME) program. Every fiscal year, the City Commission is required to adopt an Annual Action Plan that outlines priority areas for how these Federal entitlement funds should be spent to assist low to moderate income citizens within the City of Great Falls. The City’s administration of these grant programs is also required to have citizen involvement, and this requires the City Commission to approve what is known as a Citizen Participation Plan.

The City’s federal grant program is nearing the end of its current 2019/2020 fiscal year. Almost all of the originally programmed CDBG funds awarded to the City last summer have been allocated. However,

on March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was signed into law and released an additional \$5 billion of CDBG funds for entitlement communities nationwide “to prevent, prepare for, and respond to the coronavirus (COVID-19)” pandemic. The City has since received a letter from the US Department of Housing and Urban Development (HUD) indicating that the program will receive a future allocation of CDBG funds in the amount of \$475,515.

Prior to the new CDBG funds being made available for applicants to submit grant proposals addressing the impacts of COVID-19 on low to moderate income citizens, the City Commission must amend the current 2019/2020 Annual Action Plan to create priorities for potential funding allocation. Additionally, revisions to the program’s Citizen Participation Plan must be approved by the Commission to allow for a shorter period of public input on revisions to the Action Plan.

Amended Annual Action Plan – The proposed amendment to the Annual Action Plan has been included as an attachment to this agenda report. In summary, the additional allocation of COVID-19 grant funds is proposed to address the following funding priorities:

- Assistance to Public Service Agencies - \$190,206 – Under this funding priority, local public service agencies may submit grant requests that target Low to Moderate Income individuals and act to prevent, prepare for, or respond to COVID-19 impacts.
- Economic Development Assistance - \$190,206 – In this funding category, businesses, microenterprises, or the Great Falls Development Authority as a representative agency would be able to apply for grants to address job retention or other economic impacts related to the COVID-19 pandemic.
- Grant Administration - \$95,103 (20% of the total CDBG allocation) – Entitlement communities like Great Falls budget up to 20% of their CDBG funding allocations for program administration. The Department’s entire CDBG and HOME Program budget, including staff salaries and benefits, is funded through an apportionment of federal grant funds.

Amendments to Citizen Participation Plan – A summary of the proposed amendments to this Plan is also attached. Because many communities across the country have needed almost immediate access to COVID-19 CDBG funding, HUD has allowed entitlement communities to incorporate revisions to their normal public input process for amending Annual Action Plans. The key provisions outlined in the Citizen Participation Plan amendments include: 1) the option of using virtual hearings for citizen participation, and 2) allowing a 5-day public comment period (rather than the typical 30 days). The reduced public comment period and virtual hearing option will only be utilized for amending the Action Plan to address the new COVID-19 funding allocation.

Public Comment Process - The public has been given an opportunity to provide comments on the amendments to the Annual Action Plan and Citizen Participation Plan through the following means:

- Display of the amendment documents in the Planning and Community Development office as well as the Great Falls Public Library;
- Posting of both documents on the Department’s home page;
- Two public notices in the Great Falls Tribune – one informing the public of the five-day comment period, the other notifying them of the July 7 City Commission public hearing; and
- Email contact to key stakeholders who have been involved in development of the City’s 5-year Consolidated Plan

Public Comments – Staff received public comments from four individuals during the five-day period. All comments are attached as an exhibit for City Commission review. They will also be included in the documentation provided to HUD. There was a concern submitted from one of the commenters about the proposed use of 20% of the \$475,515 for grant administration. Regarding this concern, staff notes the following:

- All CDBG grants require significant staff resources for administration. This includes such elements as determining eligibility, review of submitted invoices, development of funding agreements, and grant compliance monitoring, closeout, and program auditing.
- Although the COVID-19 CDBG funding allocation is associated with the 2019/2020 Annual Action Plan, CDBG grants can occasionally take up to five or six years for complete administration. The proposed 20% amount will cover multiple years of grant administration.
- The amount of money awarded coupled with the complexity of tracking both income compliance and COVID-19 compliance will create significant challenges for staff administration. This is illustrated by some communities that have asked that the typical 20% administrative budget be increased to 25%.

Fiscal Impact: If the City is able to eventually award grants from the new allocation of COVID-19 CDBG funding, this could greatly assist social service agencies and businesses that have been negatively impacted by the COVID-19 pandemic.

Alternatives: The Commission could choose not to approve the amendments to the Annual Action Plan and Citizen Participation Plan. The impact of this action would mean that the special CDBG funding allocation would not be available within the Great Falls community.

Concurrences: No other departmental concurrences are necessary for this item.

Attachments/Exhibits:

Proposed Amendments to Annual Action Plan

Proposed Amendments to Citizen Participation Plan

Public Comments

Amendments to the 2019-2020 Annual Action Plan

AP-35 Projects – 91.220(d)

Projects

#	Project Name
1	2019 Residential Housing Rehab
2	2019 Economic Development
3	2019 Public Improvements
4	2019 Public Services
5	2019 Fair Housing Specialist
6	2019 Loan Program Specialist
7	2019 CDBG/HOME Administration
8	2019 HOME Investment Partnership Program
9	2019 CHDO Project
10	CV-Public Services
11	CV-Economic Development
12	CV-CDBG Admin

AP-38 Project Summary

10	Project Name	CV-Public Services
	Target Area	
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG-CV: \$190,206
	Description	Public service activities specifically to LMI individuals. This includes but is not limited to providing equipment, supplies, and materials to new or expanding public service activities that are directly related to prevent, prepare for, or respond to the Coronavirus.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	30 LMI families will be served
	Location Description	All activities will be undertaken within the City of Great Falls.
Planned Activities	Public service activities specifically to LMI individuals. This includes but is not limited to providing equipment, supplies, and materials to new or expanding public service activities that are directly related to prevent, prepare for, or respond to the Coronavirus.	
	Project Name	CV-Economic Development

11	Target Area	
	Goals Supported	Economic Development
	Needs Addressed	Economic Development
	Funding	CDBG-CV: \$190,206
	Description	Assistance to private for profit entities and microenterprise businesses to assist with economic development activities, to include job retention. All economic development assistance activities will be directed to the prevention, preparation for, and response to the Coronavirus.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	5 LMI jobs will be created/retained and 5 businesses will be assisted.
	Location Description	All activities will be undertaken within the City of Great Falls.
	Planned Activities	Assistance to private for profit entities and microenterprise businesses to assist with economic development activities, to include job retention. All economic development assistance activities will be directed to the prevention, preparation for, and response to the Coronavirus.
12	Project Name	CV-CDBG Admin
	Target Area	City of Great Falls
	Goals Supported	Public Services Economic Development
	Needs Addressed	Public Services Economic Development
	Funding	CDBG-CV: \$95,103 (20% Administration Allowance)
	Description	Staff to Administer, Manage, and Monitor the CDBG Grant.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	All activities will be undertaken within the City of Great Falls.
Planned Activities	Staff to Administer, Manage, and Monitor the CDBG Grant.	

City of Great Falls, Montana Citizen Participation Plan

June 1, 2020 Update & Revisions (COVID-19 Update)

The Citizen Participation Plan has been revised on June 1, 2020 to:

- Include virtual hearings as an allowed method for citizen participation when necessary for public health reasons;
- Provide a 5-day notice/comment period for proposed amendments necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.
- Allow for minor edits that do not change current citizen participation policies. Please be advised that if virtual hearings are used, real-time responses and accommodations for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible;
- Include provisions relative to the Consolidated Planning process and public participation waivers made available under the Coronavirus Aid, Relief, and Economic Security (CARES) Act;
- Include provisions related to funding from the Community Development Block Grant (CDBG) program and other applicable U.S. Department of Housing and Urban Development funding made available under the Coronavirus Aid, Relief, and Economic Security (CARES) Act;

City of Great Falls, Montana
Citizen Participation Plan for the
Consolidated Plan and
Consolidated Annual Performance Evaluation Report
UPDATED June 1, 2020

PURPOSE OF CITIZEN PARTICIPATION IN DEVELOPING THE CONSOLIDATED PLAN AND CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT

The City of Great Falls (City) must develop a Consolidated Plan to be eligible to receive Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) federal grant funds from the Department of Housing and Urban Development. A key component in creating the Consolidated Plan is citizen participation in all steps of the planning development process. Additionally, citizen participation is an integral component of the Consolidated Annual Performance Evaluation Report (CAPER) which is also required by HUD to receive federal grant funds. To ensure citizens in Great Falls have the opportunity to take part in creating the Consolidated Plan, the Annual Action Plan and the CAPER, the City has developed and commits to implement the following elements of the Citizen Participation Plan.

THE CITIZEN PARTICIPATION PLAN

Participation: The City will provide for, and encourage, citizen participation emphasizing the involvement of low to moderate income residents in areas where housing and community development funds may be spent, particularly those in slum and blighted areas. The City will also inform and offer opportunities for comment to residents of low to moderate income neighborhoods (neighborhoods having 51% or higher low to moderate income populations). The City will encourage the participation of the Great Falls Housing Authority public/assisted housing residents and Opportunities, Inc. assisted housing residents in Great Falls.

The City will make reasonable efforts to consult with other public, private and non-profit agencies that provide housing, health service, and social services. In particular, agencies to be consulted will be those that focus on service to children/families with children, elderly persons, racial/ethnic minorities, persons with disabilities, female heads of household, non-English speaking persons, and other persons in need of services. The City will encourage input and solicit information from each of the nine Neighborhood Councils and will notify the Councils about public hearings, the Consolidated Plan or the Annual Action Plan development process and solicit comments. The City will encourage community input through surveys, focus groups, and public meetings.

When preparing the portion of the Consolidated Plan or Annual Action Plan regarding lead-based paint hazards, the City will consult with the City and Great Falls Housing Authority certified lead-based paint risk assessors to define what specific activities will be undertaken to mitigate and abate lead-based paint in housing units subsidized to be affordable for low to moderate income households. Activities required for lead-based paint hazards will also be addressed in non-profit facilities which receive CDBG grant

funds as sub-recipients of the City where children spend the amount of time which meets the minimum threshold criteria.

The City Commission is the final citizen policy body that reviews and takes action on the Citizen Participation Plan, Annual Action Plan, and Consolidated Plan. After receipt and consideration of public comments, the City Commission votes on these Plans. During all City Commission meetings, citizens have the opportunity to provide public comment.

Meetings and Public Hearings: The City will provide notification of meetings two weeks in advance so all citizens can attend public hearings. Notice shall be provided to the public via email, mail, broadcast or cable media, or social media, and will also be published twice in the publication designated by the City of Great Falls for legal notices prior to any hearing date.

***If virtual hearings are used, real-time responses and accommodation for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible. Also, the virtual hearing method will only be used in lieu of an in-person hearing if national or local health authorities recommend social distancing and limit public gatherings for public health reasons.**

Access to Information: The City will provide citizens, public agencies and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan, Annual Action Plan and all of its components, and the City's planned use of financial assistance received under the relevant federal programs during the upcoming year. The public will have the opportunity to receive information, review and submit comments on any proposed HUD submission, including the Consolidated Plan adopted by the City Commissioners and any plan amendments.

Information will also be available on the range of programs, the amount of assistance the City expects to receive, the amount of funds available and the estimated amount proposed to benefit low to moderate income residents. These groups will have access to the City's plans to minimize displacement of residents and businesses and assist those displaced because of these activities. The City will also provide citizens, public agencies and other interested parties with reasonable and timely access to information and records relating to all processes associated with the CAPER.

The final version of the current Consolidated Plan, Annual Action Plan, CAPER, and Annual Community Assessment will be available on the City website on an ongoing basis.

Technical Assistance: The City will provide appropriate technical assistance to all groups that request assistance in developing proposals for financial assistance under any of the programs covered by the Consolidated Plan. An annual application workshop will be held to provide applicants with information on how to complete application forms. Individuals with specific special needs should contact the City one week before workshop date to make arrangements if they wish to attend.

Public Hearings: The City will provide multiple opportunities to obtain citizens opinions. The City program year begins July 1 and ends June 30. Public hearings will address and respond to proposals and comments on:

1. Grant Policies
2. Housing and community development needs
3. Development of proposed activities
4. Review of proposed uses for funding
5. Review of program performance

The City will hold public hearings that are conveniently timed for people who are likely to benefit from program funds, accessible to people with disabilities and adequately publicized with sufficient information about the subject of the hearing to encourage informed comment. Material presented at the public hearing will be made available in electronic format on the City's webpage. Individuals with specific special needs should contact the City one week before public hearing dates to make arrangements if they wish to attend.

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

- Any housing and non-housing community development needs they have identified
- How funding proposals may meet community development needs in Great Falls
- Performance of the City in administering and distributing federal funds
- Citizens may comment on the adoption of the Citizens Participation Plan every five years or any time the Citizen Participation Plan has substantial revisions or has been re-written. Prior to adopting the Citizen Participation Plan, the City will distribute the plan for review and comment for a 15 day period.

The City Commission will offer two additional opportunities for the citizens to comment on the following:

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

***For projects utilizing CDBG funding under Program Year (PY) 2019 and 2020, and the CARES Act CDBG-CV funding, the City of Great Falls may provide a 5-day notice/comment period for proposed amendments necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.**

Timely Response: The City will consider any comments or views of citizens, agencies, units of general local government or other interested parties concerning the Consolidated Plan or Annual Action Plan, any amendments to these plans, and the CAPER. Comments can be submitted to the Planning & Community Development Department (PCD) via written submission, phone, or email, or oral comment at public hearings. The Montana Relay number will be included in notifications to facilitate deaf, hard-of-hearing, and people with speech disabilities the ability to submit comments via phone. The PCD Department will address any complaints with written responses to written complaints within 15 working days, where practical. Depending on the nature of the complaint, staff may refer the issue to the City Manager or the City Commission if the response from staff is unsatisfactory to the complainant. As appropriate, an attachment of summary of comments and responses to complaints to the final submission of the Consolidated Plan, Consolidated Plan amendments, Annual Action Plan and the CAPER will occur.

Non-English Speaking Residents: The City will provide translation services for non-English speaking residents at public hearings upon request and within reason.

Substantial Amendments: Substantial changes in the City's Consolidated Plan or Annual Action Plan will require a Substantial Amendment. The following criterion determines substantial change and governs Consolidated Plan or Annual Action Plan amendments:

1. Change in allocation priorities or method of distribution
2. Carrying out new activities, not identified in the Consolidated Plan or Annual Action Plan
3. Change in purpose, scope, location or beneficiaries of activities identified in the Consolidated Plan or Annual Action Plan

The City will provide a notice, published twice in a publication designated by the City of Great Falls for legal notices and have notifications on the City internet site. The City will also make available any substantial amendments to the Consolidated Plan or Annual Action Plan for citizen comment for a 30 day period.

*The CARES Act has made available additional funding through the Community Development Block Grant Coronavirus (CDBG-CV) program. The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual Program Year 2019 and 2020 CDBG grants due to hardship associated with the COVID-19 pandemic. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and states and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the Secretary to grant waivers and alternative requirements of statutes and regulations the Secretary administers in connection with the use of CDBG-CV funds and Program Year PY 2019 and 2020 CDBG funds (except for

requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

These revisions do not change current citizen participation policies but have been modified to allow for necessary expedited actions during times of declared disaster or emergencies.

Minor Amendment: Minor amendments represents any changes to the Consolidated Plan or Annual Action Plan that do not qualify as “substantial amendments.” Minor amendments require the signature of the Planning and Community Development Director or Deputy Director, but do not require public notice of 30 days or City Commission approval.

Consolidated Annual Performance Evaluation Report: The Proposed CAPER will be available to all citizens for review and comment on the City internet site and at the City Planning & Community Development Department for a 15 day comment period. Notice will also be published in a publication designated by the City of Great Falls for legal notices. All comments received regarding the CAPER will be considered and a summary of all comments will be attached to the report. The final version of the current CAPER will be available on the City website on an ongoing basis.

SOLICITATION OF CITIZEN COMMENTS ON THE CITIZEN PARTICIPATION PLAN:

Prior to the adoption of the Citizen Participation Plan and approval by the City Commission, a notice will be published twice in a publication designated by the City of Great Falls for legal notices..Notices of the Citizen Participation Plan and/or any amendments to this plan will be available for a 15 day comment period and will designate the sites where a citizen may obtain a copy of the plan. These sites will include the City internet site and the City Planning & Community Development Department. State relay 711 and reasonable accommodations are available upon request.

*As noted in the public participation process for Substantial Amendments in the previous section, the CARES Act has made available additional funding in the Community Development Block Grant Coronavirus (CDBG-CV) program. The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual Program Year PY 2019 and 2020 CDBG grants in these unprecedented times. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and States and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the Secretary to grant waivers and alternative requirements of statutes and regulations the Secretary administers in connection with

the use of CDBG-CV funds and Program Year PY 2019 and 2020 CDBG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

These revisions do not change current citizen participation policies but have been modified to allow for necessary expedited actions during times of declared disaster or emergencies.

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

1. The City will contact local affordable housing and public service agencies, the Great Falls Housing Authority and the Neighborhood Councils to obtain information and comments to make citizens aware of the Consolidated Plan or Annual Action Plan process. The City will make reasonable efforts to consult with other public, private and non-profit agencies that provide housing, health service, and social services. In particular, agencies to be consulted will be those that focus on service to children/families with children, elderly persons, racial/ethnic minorities, persons with disabilities, female heads of household, non-English speaking persons, and other persons in need of services. State relay 711 and reasonable accommodations are available upon request.
2. The proposed Consolidated Plan or Annual Action Plan will be available to all citizens on the City internet site and the City Planning & Community Development Department. Citizens will be informed about the availability of the proposed Consolidated Plan or Annual Action Plan by notifications on the City website, publishing display advertisements in the Great Falls Tribune and emailing notices to a wide variety of public service agencies. Notification will describe the availability of the plan and the 30 day period to receive public comment.
3. The City Commission will provide three public meetings requesting input from citizens and representatives of low to moderate income level people on grant policies and as to the needs of the community, including but not limited to housing, community development, infrastructure, economic development and homeless assistance.

*As noted in the previous sections, the CARES Act has made available additional funding in the Community Development Block Grant Coronavirus (CDBG-CV) program. The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual Program Year PY 2019 and 2020 CDBG grants in these unprecedented times. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and States and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the Secretary to grant waivers and alternative requirements of statutes and regulations the Secretary administers in connection with the use of CDBG-CV funds and Program Year PY 2019 and 2020 CDBG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

These revisions do not change current citizen participation policies but have been modified to allow for necessary expedited actions during times of declared disaster or emergencies.

The City will provide free copies of the Consolidated Plan or Annual action Plan to citizens and groups upon request. Electronic copies will be made available for download from the City's website. All information and public records will be available during regular business hours in the City's Planning & Community Development Department. Special arrangements will be available to accommodate access to information for persons with disabilities and/or limited English proficiency upon request and within reason, including alternative formats for important documents associated with the public participation process.

*For projects utilizing CDBG funding under Program Year PY 2019 and 2020, and the CARES Act CDBG-CV funding, the City of Great Falls may provide a 5-day notice/comment period for proposed amendments necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

All meeting venues associated with the Citizen Participation Plan process will be fully accessible to persons with disabilities and reasonable accommodations are available upon request.

Tonya Shumaker

From: Shyla Patera <ncils.patera@bresnan.net>
Sent: Tuesday, June 23, 2020 11:43 AM
To: Tonya Shumaker; Lisa C. Kunz; Thomas Micuda; Alicia Eatherly
Subject: Covid Amendment comments for thr Great Falls Consolidated plan submission and July 7 2020 Commission meeting

Importance: High

My name is Shyla Patera. I am an Independent Living Specialist employed by North Central Independent Living Services, Inc. and also a citizen of Great Falls with a disability. Covid 19 has changed how we as community provide services. Nonprofits have had to break down silos and work together to solve community needs particularly as gaps have emerged in many areas from housing security, food security, employment, education, medical and transportation services. People with disabilities need to access community services in the most accessible way possible. We encourage the City of Great Falls to include disabilities accessibility in local pandemic planning. We know that there often gaps in services on a day to day basis.

For all the transportation and transit success which has occurred during this time, Montanans definitely noticed gaps during the pandemic and stay at home order. The connectivity gap connecting frontier Montana to our small urban medical hub cities definitely became a concern as we watched and worried for our friends and neighbors in nursing homes and other congregate settings wonder how they would transport loved ones with accessibility needs if a Covid 19 diagnosis and extensive treatment were required and available in other cities and communities. As a first step NCILS asks that pandemic plans include accessibility in transit and other community systems so that a citizen of Great Falls can stay in their homes following treatment for COVID-19 as well as any other disability. We ask that communities in the state of Montana that are affiliated with transit and transit options write not only pandemic plans, but also ADA transition plans to assist communities in securing accessible transportation options as accessible vehicles.

Walking and rolling were paramount for many during this time. NCILS asks the City of Great Falls prioritize the need for accessible sidewalks and curb cuts in our communities. We also ask that you help Montana's disability community by defining what is public right of way versus privately owned sidewalks in Great Falls.

In the housing and homeless arena, NCILS is appreciative of the rental and housing emergency assistance that is being offered through through the State of Montana. NCILS is also appreciative of our local Great Falls revolving home loan fund. We need accessible affordable housing stock built in Great Falls. I believe that we should be exploring local and state wide policies which will enhance universal design and accessible home building. In short term issues NCILS would like to see relaxing of HUD rules regarding move in into HUD subsidized accessible units. With out transit access many didn't have access to grocery stores so a meals on wheels delivery program to low income transit dependent people upon request may be helpful.

On employment, NCILS supports telework options that benefit people with disabilities. Thank you for allowing me to comment.

Shyla Patera
IL Specialist

North Central IL Services, Inc.
1120 25 th Avenue NE
Black Eagle, Montana 59414
406 452-9834
ncils.patera@bresnan.net

Tonya Shumaker

From: Maria Porter <mz.porter@live.com>
Sent: Friday, June 19, 2020 2:55 PM
To: Tonya Shumaker
Cc: Bob Kelly; Mary Sheehy Moe
Subject: Public Comment- Annual Action Plan Amendment

I am making this comment in response to the Public Comment Period for the City of Great Falls CDBG-CV Allocation. The comment reflects my personal view and is not associated with the agency I work for.

Normally CDBG funds have a HUD cap of 15% of the Annual Allocation to provide public services, yet public service agencies are who needs and requests the most funding. It is the most competitive with the least available funds. The HUD CDBG-CV funds eliminates this restrictive cap so that the funding can go to those most vulnerable and effected by COVID. It is an opportunity to help the community, and it is being missed by the City of Great Falls. Please let's take this opportunity to give funding to the agencies that need it and have historically made the biggest impact with CDBG funds. I sit at the table with the hero's of our community, the agencies and people that work for nothing and give everything to help the homeless and abused, I advocate for them. We face people who due to COVID have lost jobs, childcare, friends, family.... their way of life and offer them what small support and comfort we can. The CDBG-CV funding is to help prevent, prepare for, or respond to the Coronavirus. It is the City's resource to directly help agencies serving those effected by this worldwide trauma. It is most needed in public services. The Continuum of Care, a team of agencies in Great Falls, pulled together communicated and provided available transportation, housing, food, healthcare and shelter. Opportunities, Inc stepped up and funneled emergency calls and redirected funding to serve the emergency needs. These services and agencies need the funds to support our low-income community impacted by COVID.

In the 2019-2020 AAP \$158,933 CDBG and \$27,308 HOME funds are being allocated, a total of \$186,241 to the City Administration for "Staff to Administer, Manage, and Monitor the CDBG and HOME Grant." In the amended Annual Action Plan, an additional \$95,103 of CDBG funding, through the CDBG-CV, is being awarded to the City Administration for "Staff to Administer, Manage, and Monitor" the CDBG. This gives the City \$281,344 in one year for 3 Staff. Why is CDBG-CV funding going to City Administration? Can you please explain the need of City Staff for this COVID Funding and **how are they helping to prevent, prepare for, or respond to the Coronavirus?** Managing and Monitoring the grant programs are already funded through the annual allocation, why are COVID funds being allocated to the City when those facing poverty need it more? The City is proposing to allocate \$95,103 to themselves and \$190,206 to Public Services, **the City Admin is receiving 50% of what Public Services are receiving.** Think of how many more people can be served. Just because the City can legally allocate 20% of the CDBG-CV funding to themselves does not mean it is right or moral.

In conclusion, more funding needs to go directly to the agencies who make the biggest impact in our community. Please increase funding, while you can since HUD eliminated the 15% Public Service cap, to agencies who will directly help low-income to help prevent, prepare for, or respond to the Coronavirus. These Public Services are the boots on the ground and they need our support.

Sincerely,

Maria Porter

1100 East Fiesta
Great Falls, MT 59404

June 22, 2020

Tonya Shumaker
City of Great Falls Planning and Community Development
PO Box 5021
Great Falls, Montana 59403-5021

RE: Comments on use of CARES Funds

Dear Ms. Shumaker:

Following are some comments in regards to the use of funds that Great Falls will be receiving under the CARES Program.

1. Insure that there is racial equity in the distribution and use of any funds that are budgeted for economic development, housing, education, and other programs for the City of Great Falls.
2. The reduction of rate of poverty in Great Falls should be a priority in the use of funds. If we spend money on efforts that do not address this systemic issue of income inequality we are not addressing any long term change to grow our community's families. Example: Insure that any business or organization that utilizes these funds provide a living wage of \$15.00 an hour for its employees.
3. Provide internet access to all people in the city of Great Falls. Access to technology is a huge racial inequity in Montana and the United States. It should be available to all families at no charge. (How often do we reach for our phone, ipad or computer to seek an answer, to get information, to connect to others – we must remember many families do not have this capability.)
4. Provide on going training to all law enforcement personnel to address the issues of systemic racism that has created the disparities in our justice systems for people of color. Insure that the police have body cameras and that they are turned on at all times when the police are on duty/patrol.

Thank you for allowing comments to this plan.

Carol Juneau
916 – 37th Avenue NE
Great Falls, Montana 59404
csjuneau@3rivers.net

Tonya Shumaker

From: Brett Doney <bdoney@growgreatfalls.org>
Sent: Sunday, June 21, 2020 7:42 PM
To: Tonya Shumaker
Cc: Jolene Schalper; Jason Nitschke; Jill Kohles; Lillian Sunwall; Craig Raymond
Subject: CDBG Action Plan Amendments Public Comment

Tonya,

I am writing on behalf of of the Great Falls Development Authority to voice support for the proposed amendments to the City's CDBG Action Plan for use of Covid supplemental funds.

If GFDA can help in any way, please let me know.

Brett

Brett Doney
President & CEO
Great Falls Montana Development Authority
High Plains Financial
Direct Mobile 1-406-750-2119

Untame Your Entrepreneurial Spirit in Great Falls Montana

GrowGreatFallsMontana.org

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For resources, virtual live meetups, and learning opportunities (recorded and live) to help navigate the COVID-19 crisis, please see our [Crisis Toolkit webpage](#).



Item: Resolution No. 10359, A Resolution Amending Resolution 10322, Rule 10.1 of the City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings.

From: Sara Sexe, City Attorney

Initiated By: City Commission

Presented By: Sara Sexe, City Attorney

Action Requested: Adopt Resolution 10359

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10359.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends that the City Commission adopt Resolution 10359.

Summary: The City Commission requested that Staff review the requirement that speakers provide their address for the record when they speak at public meetings.

The *Montana Municipal Officer’s Handbook* includes in its sample rules of meetings (Part IX, Section 1, Governing the Municipality) the statement that “the speaker should step up to the lectern or front of the room, and for the record, give his/her name and address and, if applicable, the person, firm, or organization he/she represents.” The City Commission Rules have used these sample rules as reference in formulating its Rules of Conduct and Procedure.

Montana’s Constitution and laws require that the local government decision making process be conducted openly and with reasonable opportunities for citizens to participate. Proper decorum for City Commission meetings requires management of time, place, and manner of public participation to facilitate the work of the governing body on all matters that impact the City.

Mont. Code Ann. § 7-3-4323 authorizes the Commission to determine its own rules and order of business. Throughout the years, the Commission’s rules and procedures have been adopted in various forms, in addition to those provided for in Montana Code or the Charter of the City of Great Falls.

On November 19, 2019, the City Commission adopted Resolution 10322 which consolidated its meeting rules into one reference document – City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings.

Staff reviewed the issue and researched other cities' policies. In light of the balancing of citizens' privacy and interests or claims thereof, Staff recommends that Rule 10.1 of the City of Great Falls Rules of Conduct and Procedure of Commission Meetings be amended to provide speakers the option to either provide their address or state whether they are a City resident for the record, when addressing the City Commission at public meetings. The identification of residency would not be provided to prohibit persons from public comment.

Alternatives: The City Commission could deny adoption of Resolution 10359, or table action on this item to a date certain to provide suggested amendments.

Concurrences: City Manager, City Attorney, and the City Clerk.

Attachments/Exhibits: Resolution No. 10359

RESOLUTION NO. 10359

A RESOLUTION AMENDING RESOLUTION 10322, RULE 10.1 OF THE CITY OF GREAT FALLS COMMISSION RULES OF CONDUCT AND PROCEDURE OF COMMISSION MEETINGS

WHEREAS, rules of procedure and public debate are to facilitate the transaction of public business in an orderly way; and

WHEREAS, Montana’s constitution and laws require that the local government decision making process be conducted openly and with reasonable opportunity for citizens to participate; and

WHEREAS, proper decorum for City Commission meetings requires management of time, place, and manner of public participation to facilitate the work of the governing body on all matters that impact the City; and

WHEREAS, Mont. Code Ann. § 7-3-4323 authorizes the Commission to determine its own rules and order of business; and

WHEREAS, throughout the years Commission rules and procedures have been adopted in various forms, in addition to those provided for in state statute or the Charter of the City of Great Falls; and

WHEREAS, on November 19, 2019, the City Commission adopted Resolution 10322 which consolidated its meeting rules into one reference document – City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings; and

WHEREAS, at its June 2, 2020, Commission meeting (Agenda Item 16), the City Commission requested that staff research the requirement of citizens providing their street address for public comment. Based upon that research, staff recommends that Rule 10.1 of the City of Great Falls Rules of Conduct and Procedure of Commission Meetings be amended to provide speakers an option to state either their address or whether they are a City resident when addressing the City Commission at public meetings for the record.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that Rule 10.1 of the City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings is amended to read as follows:

Rule 10. Public Participation

Procedures for encouraging and assisting public participation, and established protocol and rules of decorum at public meetings held by the City Commission, are as follows:

1. Persons addressing the Commission shall come to the podium and provide for the record that person’s name **and either their address or whether they are a City resident**, and, if applicable, the person, firm or organization the person represents.

BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that all other provisions of Resolution 10322 – City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings adopted November 19, 2019, remain in full force and effect.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, July 7, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney