



**City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
August 20, 2024
7:00 PM**

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 participation is welcome in the following ways:

- Attend in person.
- Provide public comments in writing by 12:00 PM the day of the meeting: Mail to City Clerk, PO Box 5021, Great Falls, MT 59403, or via email to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. 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.

Meeting Decorum Statement

1. Members of the public shall address their comments to the presiding officer and the Commission as a body and not to any individual member of the Commission or City staff.
2. Speakers shall keep their comments germane to the subject item on the agenda or, during petitions and communications, matters of significant public interest which are within the jurisdiction of the Commission.
3. Be respectful and do not engage in disorderly or boisterous conduct, including but not limited to applause, booing, or making any remarks that are, threatening, profane, abusive, personal, or slanderous that disturbs, disrupts, or otherwise impedes the orderly conduct of our meeting.
4. Signs, placards, banners, or other similar items shall not be permitted in the audience during our City Commission meeting.
5. Remain seated, unless addressing the body at the podium or entering or leaving the meeting. Private or informal conversations may occur outside of the Chambers. Obey any lawful order of the Presiding Officer to enforce the Rules of Decorum.
6. A complete copy of Rule 10 pertaining to the public participation is available on the table in the Commission Chambers and is included with the Meeting posting on the City’s Website.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

COMMUNITY INITIATIVES

1. Miscellaneous Reports and announcements from City County Health Department.

PETITIONS AND COMMUNICATIONS

(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and either your address or whether you are a city resident for the record.)

2. Miscellaneous reports and announcements.

NEIGHBORHOOD COUNCILS

3. Miscellaneous reports and announcements from Neighborhood Councils.

BOARDS AND COMMISSIONS

4. Miscellaneous reports and announcements from Boards and Commissions.

CITY MANAGER

5. 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.

6. Minutes, August 6, 2024, City Commission Meeting.
7. Minutes, August 6, 2024, Special City Commission Meeting.
8. Total Expenditures of \$5,825,387 for the period of July 18, 2024 through August 7, 2024, to include claims over \$25,000, in the amount of \$4,648,976.
9. Contracts List.
10. Approve the Final Payment for the 7th Avenue Northwest Street Reconstruction, in the amount of \$34,972.27 to United Materials of Great Falls, Inc., and \$353.26 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.
11. Approve the Final Payment for the Central Ave/3rd St Drainage Improvements Phase 1 project, in the amount of \$159,458.96 to Ed Boland Construction and \$1,610.72 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.
12. Approve the Final Payment for the Lower Northside Water Main Replacement Phase 2 project, in the amount of \$93,631.17 to United Materials of Great Falls Inc. and \$945.77 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.

Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote by any Commission member. After motion is made, Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

PUBLIC HEARINGS

13. Resolution 10556 to Levy and Assess the General Boulevard District No. 3570. *Action: Conduct a public hearing and adopt or deny Res. 10556. (Presented by Melissa Kinzler)*
14. Resolution 10557 to Levy and Assess Great Falls Park District No. 1. *Action: Conduct a public hearing and adopt or deny Res. 10557. (Presented by Melissa Kinzler)*

15. Resolution 10558 to Levy and Assess Properties within Special Improvement Lighting Districts. *Action: Conduct a public hearing and adopt or deny Res. 10558. (Presented by Melissa Kinzler)*

16. Resolution 10559 to Levy and Assess the Portage Meadows Maintenance District No. 1195. *Action: Conduct a public hearing and adopt or deny Res. 10559. (Presented by Melissa Kinzler)*

17. Resolution 10560 to Levy and Assess the Street Maintenance District. *Action: Conduct a public hearing and adopt or deny Res. 10560. (Presented by Melissa Kinzler)*

OLD BUSINESS

NEW BUSINESS

ORDINANCES / RESOLUTIONS

18. Resolution 10553 – Annual Tax Levy. *Action: Adopt or deny Res. 10553. (Presented by Melissa Kinzler)*

CITY COMMISSION

19. Miscellaneous reports and announcements from the City Commission.

20. Commission Initiatives.

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.

JOURNAL OF COMMISSION PROCEEDINGS
August 6, 2024

Regular City Commission Meeting

Mayor Reeves presiding
 Commission Chambers, Room 206

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Cory Reeves, Joe McKenney, Rick Tryon, Shannon Wilson, and Susan Wolff. Also present were City Manager Greg Doyon; Public Works Engineer Jesse Patton; Planning and Community Development Director Brock Cherry; Finance Director Melissa Kinzler and Grant Administrator Tom Hazen; Park and Recreation Director Steve Herrig; City Attorney David Dennis and Deputy City Attorney Rachel Taylor; Police Chief Jeff Newton; and City Clerk Lisa Kunz.

AGENDA APPROVAL: City Manager Greg Doyon noted updates were made to the recommended motion for Agenda Item 19 from what was originally posted. There were no proposed changes to the agenda by the City Commission. The Agenda was approved as presented.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

MILITARY UPDATES

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM MONTANA AIR NATIONAL GUARD (MANG).

Colonel David “Scott” Smith reported:

- A meeting is scheduled next week in Washington D.C. to discuss the timeline of construction projects pertaining to the conversion of the C-130 aircraft. The projects consist of a new fuel facility with a secondary gate through airport property that will start next year.
- As part of the State Partnership Program, MANG currently has 2 airplanes and 50 passengers in Sri Lanka until August 20, 2024.
- A crash response exercise with Malmstrom Air Force Base and Great Falls International Airport is scheduled for August 19, 2024.
- Wingman Day, Family Day and the Boss Lift is scheduled this weekend.

PETITIONS AND COMMUNICATIONS

- 2. Melissa Smith**, City resident, commented that the Montana Legislature made it difficult for counties and municipalities to fund their obligations. The only option is to bring levy proposals to the taxpayers. It does not make sense to her to reduce the Library budget by 26% in order to only slightly support Public Safety departments. She supported the levies and pays taxes so that she can live in a community where everyone has access to books and all in the community are safe and well cared for.

NEIGHBORHOOD COUNCILS

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3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

BOARDS AND COMMISSIONS

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

5. REAPPOINTMENTS/APPOINTMENT TO THE BUSINESS IMPROVEMENT DISTRICT BOARD OF TRUSTEES.

Mayor Reeves reported that Max Grebe was appointed to the Business Improvement District (BID) Board in August of 2016 and served two full terms ending on June 30, 2024. Sherrie Arey was appointed in July of 2020 for her first four-year term and Erica Ferrin, who represents the Pennington Property owned by Matthew Robb at 427 Central Avenue, was appointed to the Board in March 2024 to fill a partial term through June 30, 2024. Both Ms. Arey and Ms. Ferrin are interested and eligible to serve an additional term.

The City advertised for the vacancy to solicit citizen interest through the City's website and the local media. Applications were received from Caralina Carlson and Garry Hackett. The BID Board met on July 11, 2024 and made a recommendation to the City Commission to reappoint Ms. Arey and Ms. Ferrin for additional four-year terms and appoint Ms. Carlson to her first four-year term.

Commissioner Wolff moved, seconded by Commissioner McKenney, that the City Commission reappoint Sherrie Arey and Erica Ferrin and appoint Caralina Carlson to the Business Improvement District Board of Trustees to four-year terms through June 30, 2028.

Mayor Reeves asked if there were any comments from the public.

Kellie Pierce, BID Executive Director, thanked the Commission for their acceptance of the BID Board of Trustee's recommendation. The BID's Work Plan approved by the Commission included the intent of the BID acquiring property downtown and becoming an investor in downtown. Ms. Carlson's involvement with the Downtown Visioning Project and other various projects as an owner and partner of LPW will be an asset to the BID.

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

Commissioner Tryon commented that he will support Caralina Carlson, but hopes Garry Hackett will keep his application fresh for future openings. Mr. Hackett has been and could be again an outstanding contributor to the Board.

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

Motion carried 5-0.

CITY MANAGER

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6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon made the following announcements:

- Captain Rob Moccasin retired August 2, 2024, after 30 years of service with the Great Falls Police Department. Rob will be starting a new role as the City's Neighborhood Council Liaison in the coming week. He has extensive knowledge of the City structure, its departments, and familiarity with the City itself.
- Great Falls Fire Rescue partnered with the EPA and over 45 participants conducted a hazardous chemical release exercise on July 18, 2024. The goal of the tabletop exercise was to overwhelm City and County resources to see how the jurisdiction would handle such an event. An after action report will be shared with the Local Emergency Planning Committee on August 28, 2024.
- Orion consultants will be visiting Great Falls August 21-23, 2024, to meet with City staff, the Growth Policy Steering Committee, and individuals representing different stakeholder interests and groups, such as land use, economic development, and schools. The meetings will be open to the public.
- Public Works hired Cody McCrady as its Water Treatment Plant Manager.
- Dee Strending was promoted to a newly created position as Operations Support Specialist at Public Works.

CONSENT AGENDA.

7. Minutes, July 16, 2024, City Commission Meeting.
8. Total Expenditures of \$5,908,576 for the period of July 4, 2024 through July 17, 2024, to include claims over \$25,000, in the amount of \$5,310,332.
9. Contracts List.
10. Approve the 2024-2025 School Resource Officer Agreement between the City of Great Falls and the Great Falls Public School District.
11. Approve the annual purchase of water meter equipment for the 2025 Fiscal Year from Ferguson Enterprises, Inc. in an amount not to exceed \$550,000.
12. Approve a Construction Agreement with International Foam Pros to resurface the Flowrider at Electric City Water Park in the amount of \$128,900, and authorize the City Manager to execute the agreement documents.
13. Reject all bids received for the Missouri River North Bank Stabilization, Phase 2 project due to budget shortfalls, and ask staff to modify project size and re-advertise the project. **OF 1693.1**

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- 14. Approve Change Order No. 2 in the amount of \$130,577 for the Central Ave/3rd Street Drainage Improvements Phase 1 Project and increase the total contract amount from \$1,499,146 to \$1,629,723. **OF 1779.0**
- 15. Approve the Professional Services Agreement Amendment No. 1 in the amount of \$24,735 to Great West Engineering Inc., for the Central Ave / 3rd Street Drainage Improvements Phase 2 Project and authorize the City Manager to execute the agreement documents. **OF 1779.1**

Commissioner Tryon moved, seconded by Commissioner Wilson, that the City Commission approve the Consent Agenda as presented.

Mayor Reeves asked if there were any comments from the public or discussion amongst the Commissioners.

Hearing none, Mayor Reeves called for the vote.

Motion carried 5-0.

PUBLIC HEARINGS

- 16. **REQUEST FROM THE ESTATE OF SHARON C. WILSON FOR THE ANNEXATION AND ZONING CLASSIFICATION FOR PROPERTY ADDRESSED AS 423 RIVERVIEW COURT.**

I. RESOLUTION 10550, ANNEXING LOT 12-A, BLOCK 13 OF THE COUNTRY CLUB ADDITION.

II. ORDINANCE 3269, ESTABLISHING THE CITY ZONING CLASSIFICATION OF R-2 SINGLE-FAMILY MEDIUM DENISTY FOR LOT 12-A, BLOCK 13 OF THE COUNTRY CLUB ADDITION.

Mayor Reeves declared the joint public hearing open and asked for presentation of the agenda report.

Planning and Community Development Director Brock Cherry reported that in April of 2024, the owner of the property at 423 Riverview Court submitted an application to annex portions of adjacent land on the west and east sides of the property. A portion of the subject property, approximately 15,573 square feet, is already within the City limits. The annexation request is to add approximately 4,850 square feet of land adjacent to the west property line of the existing lot to include existing building encroachments, and approximately 5,841 square feet of land adjacent to the east property line between the existing lot line and the ordinary low water line of the Missouri River. Together, these two annexation areas total 10,691 square feet, or 0.245 acres.

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If approved, after annexation and a boundary line adjustment, the total area of Lot 12-A will be 26,264 square feet, or 0.603 acres. The property proposed for annexation is contiguous to the existing city limits through the portion of the subject property that is already within City limits and the property to the south.

The subject property is being proposed for R-2 Single-family Medium Density zoning. The R-2 zoning district aligns with the existing use of a single-family residence upon the property and fits the existing surrounding residential uses.

The subject property is located adjacent to Neighborhood Council #1. The project was presented to the Council at their regularly scheduled meeting on May 14, 2024. The Council voted unanimously to support the request.

At the conclusion of a public hearing held on June 11, 2024, the Planning Advisory Board/Zoning Commission recommended the City Commission approve the annexation and establishment of Single-family Medium Density (R-2) zoning for the subject property. Staff also recommends approval of the applicant proposing annexation and R-2 zoning for Lot 12-A, Block 13 of the Country Club Addition with the following conditions:

Mayor Reeves asked if the Commissioners had any questions of staff or applicant.

Hearing none, Mayor Reeves asked if there were any comments from the public in support of or in opposition to Resolution 10550 and Ordinance 3269.

Hearing none, Mayor Reeves closed the joint public hearing and asked the will of the Commission.

Commissioner Wilson moved, seconded by Commissioner Wolff, that the City Commission adopt Resolution 10550 and approve the Annexation Agreement pertaining to Lot 12-A, Block 13 of the Country Club Addition, and addressed as 423 Riverview Court.

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

Commissioner McKenney referred to page 122 of the agenda packet and clarified that this agenda item is to clean up encroachment issues on that lot.

Mayor Reeves called for the vote.

Motion carried 5-0.

Commissioner Wilson moved, seconded by Commissioner Tryon, that the City Commission adopt Ordinance 3269 to assign R-2 Single-Family Medium Density zoning for Lot 12-A, Block 13 of the Country Club Addition, and addressed as 423 Riverview Court.

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

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Motion carried 5-0.

17. RESOLUTION 10561, REQUEST FROM THE CITY OF GREAT FALLS TO USE UP TO \$400,000 IN DOWNTOWN URBAN RENEWAL DISTRICT TAX INCREMENT FINANCING FUNDS TO CONTRIBUTE TO THE MANSFIELD THEATER CEILING REPAIR, THEATER SEAT REPLACEMENT, AND CIVIC CENTER ELEVATOR REPAIR PROJECTS.

Mayor Reeves declared the public hearing open and asked for presentation of the agenda report.

Planning and Community Development Director Brock Cherry reported that this public hearing is for approval of a request to expend up to \$400,000 in Downtown Urban Renewal Tax Increment Financing (TIF) funds to contribute to three projects that will invest in the Great Falls Civic Center. Two of these projects are being undertaken to revitalize and preserve the historic Mansfield Theater. The third project will ensure that the Civic Center elevator remains operational and continues to facilitate access to the basement and second floor for patrons with mobility limitations. Each of these projects will be primarily funded through State Funds allocated to the City of Great Falls.

The City is requesting a TIF allocation to address the \$147,300 match required to repair the Mansfield ceiling, the \$162,500 match to replace the Mansfield seats, and the \$30,000 match to repair the Civic Center elevator. The City is also requesting \$60,200 be made available for contingency. The requested \$400,000 would be drawn in FY 25 and FY 26.

The Downtown Urban Renewal TIF fund has a current cash balance of approximately \$5.3 million dollars. After accounting for current obligations, the available fund balance is \$2,452,356. Additionally, the TIF receives approximately \$2 million dollars annually of new tax increment revenue.

Grant Administrator Tom Hazen added that there are 1,780 seats installed in the Mansfield Theater at this moment. Those seats are the same installations that residents sat in when they attended the dedication of this building 84 years ago. To the best of staff's knowledge, beyond upholstery refurbishment in 1996, no significant overhauls of seating has occurred since before the United States entered World War II.

The comfort of the Mansfield chairs has become a serious issue in recent years. Additionally, the seats are breaking down at an increasing rate. The estimate to replace the seats puts the project cost at \$611,500.00.

He noted that the proposed replacement would result in the reduction of seats in the Theater from 1,780 to 1,500. Eight hundred tickets are purchased for the average event, and 1,000 for the Symphony performances. Typically, only one event per year sells more than 1,500 tickets.

Additionally, the Mansfield ceiling has become compromised by the elements. Multiple leaks in the roof over the years have resulted in the Theater ceiling becoming water damaged. A specialist in historic ceiling repairs submitted a quote for \$397,300.

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Finally, the Civic Center Elevator, which is the sole method of access to the first and third floors of the Civic Center for mobility-limited individuals, has become prone to breakdowns and service interruptions. The Elevator will cost an estimated \$120,000 to repair.

City Staff has pursued funding avenues to address these concerns. A grant application was submitted to the Montana State Historic Preservation Office. The application was approved and the City was awarded \$250,000 to repair the Mansfield ceiling, leaving \$147,300 to be funded.

City Staff also identified the Montana State-Local Infrastructure Partnership Act (SLIPA) as a capital source. The City requested, and received, \$487,500 for the Mansfield seats and \$80,000 for the Elevator. SLIPA requires a minimum match commitment from local governments equal to 25% of the total project cost. This requires that the City commit a minimum match of \$162,500 to the Mansfield and \$40,000 to the Elevator project.

If approved, this allocation will allow the City to pay all current reasonably expected costs needed to thoroughly reinvigorate the Mansfield Theater and to secure a functional elevator without requiring contribution from the General Fund.

Mayor Reeves asked if the Commissioners had any questions of staff.

Commissioner Tryon inquired about the timeline for the projects.

Grant Administrator Hazen responded that the ceiling project will begin next summer by removing the seats, scaffolding will be set up to repair the ceiling, and then the new seats will be installed. Once approved, the bid process can begin for the elevator project to get implemented as quick as possible so that it is in place before the Municipal Court remodel is finished.

Mayor Reeves asked if there were any comments from the public in support of Resolution 10561.

Kellie Pierce, Executive Director of the Business Improvement District and Board Chair for the Downtown Development Partnership (DDP), the recommending body for TIF requests pertaining to the Downtown Urban Renewal District, commented that the Board discussed this application and had many questions because the City does not pay into the TIF District, but has used it in the past for the Civic Center façade project. It was noted in the Downtown Master Plan created in 2012 that the Mansfield was a major project. The fact that we are getting to this project now is a huge success. It was voted on favorably by the DDP and they are looking forward to seeing the restorations.

Raymond Porter, County resident, commented he is a member of the Board of Directors for the Great Falls Symphony Association. It will be a great thing to have comfortable seats in a very nice facility. The Association will do its best to fill those seats and will continue to be a key part of downtown.

Eric Bartz, City resident, commented that for the last five years he has sold tickets for an entity that puts on shows at the Mansfield Theater. He has repeatedly heard concerns about the comfortableness of the seats. There is only one seat on the main floor that is wider than the rest to accommodate larger patrons. He urged the Commission to approve replacing the theater seats.

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Mayor Reeves asked if there were any comments from the public in opposition to Resolution 10561.

John Hubbard, City resident, commented it is a waste of money for seats.

Written public comment was submitted by **Jeremy Trebas**, 2509 7th Avenue North, expressing opposition to Resolution 10561.

There being no one further to address the Commission, Mayor Reeves closed the public hearing and asked the will of the Commission.

Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10561 to allow the use of up to \$400,000 in Downtown Urban Renewal District Tax Increment Financing funds to contribute to the Mansfield Theater Ceiling Repair, Theater Seat Replacement, and Civic Center Elevator Repair projects.

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

Commissioner Tryon appreciates the DDP's approval and recommending these projects go forward. When he was on the Board for the Mansfield Theater of the Performing Arts 12-13 years ago, the theater was a priority. The projects will be a great improvement to this facility and he appreciates the financing package that has been put together without the use of general fund monies.

Commissioner Wolff commented when she was elected and touring City facilities, she learned about the ceiling tiles coming down and the danger in that. She also expressed appreciation for the work that went into getting the outside funding. Commissioner Wolff also noted a clerical error on page 146 of the agenda packet that the Mansfield Theater ceiling and seat projects will be completed by October 2025, rather than 2024.

Commissioner Wilson noted she was "luke warm" about the seats and the ceiling, but absolutely saw a necessity to upgrade the elevator. With the SLIPA funding and the additional funding it makes her feel better, but she still sees bigger needs downtown for the TIF funds.

Commissioner McKenney commented that the City has two economic development tools – tax abatements and TIFs. TIF Districts are a hot issue right now in the Legislature. Many legislators feel like local governments are abusing TIFs. It is absolutely legal, but does not pass the smell test for many legislators. What he is afraid of should this pass is that the City of Great Falls and this vote is going to be discussed in the Montana Senate and House as an example of why TIF Districts need to be restricted. He does not necessarily agree with that, but that is the political climate. He will be voting no, and would rather find another way to get that \$400,000.

Commissioner Tryon commented that he has also heard the objections of using TIF money for a public facility that does not pay into the TIF. It was used appropriately for the Civic Center façade project and he thinks it is also appropriate to use TIF funds for this purpose. In his opinion, this building is a key part of City infrastructure. The Legislature has said this is an appropriate use and the Commission should use it for this purpose.

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

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Motion carried 4-1 (Commissioner McKenney dissenting).

18. CDBG AND HOME PROGRAM 2024 ANNUAL ACTION PLAN.

Mayor Reeves declared the public hearing open and asked for presentation of the agenda report.

Grant Administrator Tom Hazen reported that this public hearing is part of an annual process that is an obligation of all Entitlement Communities that receive Community Block Development Grant (CDBG) or HOME Investment Partnerships Program (HOME) from the Department of Housing and Urban Development (HUD). Every year entitlement communities, like Great Falls, are required to prepare an Annual Action Plan that will identify priorities for potential funding. This Plan is a required step before Entitlement Communities may begin allocating HUD funds.

For the upcoming year, the City of Great Falls will have a total of \$814,777.74 in CDBG funds and \$231,257.10 available to allocate.

The purpose of tonight's hearing is to decide whether or not to approve the Annual Action Plan draft submitted. This plan takes into account the comments provided during the Public Needs Hearing held on July 16th during the City Commission regular meeting. Based upon that discussion the proposed Annual Action Plan emphasizes the use of HUD funding to address affordable housing, housing services for homeless/LMI individuals, and Slum and Blight removal. Additionally, the plan reserves a portion of money for City projects that will aim to overcome architectural barriers preventing ADA access to public installations.

Additionally, staff is recommending a change to the Competitive Application process. As stated at the July 16th City Commission meeting, the annual application process was not endorsed by any of the City partners. Therefore, Staff is recommending altering the annual application process to a quarterly process. This timeline would provide more opportunities for the community to apply for and secure HUD funding. This model also allows the City a structured funding schedule that would allow for budget adjustments, identifying application priorities, or other administrative requirements.

A comment was submitted at the Public Needs hearing that proposed a bi-monthly application process. Staff reviewed the submission and, while understanding the desire for increased funding opportunities, has elected to continue recommending the quarterly plan. This recommendation reflects a need for periods of time between application windows that allow for scoring applications, preparing funding agreements, Commission approval of those agreements, HUD environmental reviews, HUD system entry, and budget review to prepare for the next funding period. Not to mention any administration related to existing projects.

With these considerations in mind, staff recommends the approval of the CDBG and HOME Program Year 2024 Annual Action Plan as submitted.

Mayor Reeves asked if the Commissioners had any questions of staff. Hearing none, Mayor Reeves asked if there were any comments from the public in support of the CDBG and HOME Program 2024 Annual Action Plan.

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Brett Doney, Great Falls Development Alliance (GFDA), commented that the housing study GFDA published this spring contains data from 2022 that shows 22% of the City's renters are paying more than 50% of their income on rent, and 36% are spending more than one-third of their income on rent. From June 2023 to June 2024 Cascade County had the greatest increase in rental fees of any county of over 8%. The HOME and CDBG funds may seem like a drop in the bucket and they are. The biggest answer is going to come from private sector investment in housing. Every new home, whether it is home ownership or rental, helps. GFDA's economic development strategy is based on one premise of closing the gap between household earnings and the cost of living. When GFDA started out the gap was over 30% in Great Falls, and is now at 12.5%. The dream is to have earnings higher than cost of living. He urged the Commission to continue to be creative and do everything it can to keep the community affordable.

Written public comment was submitted by **Shyla Patera**, North Central Independent Living Services, Inc. in support of the 2024 Annual Action Plan.

Mayor Reeves asked if there were any comments from the public in opposition to the CDBG and HOME Program 2024 Annual Action Plan.

Hearing none, Mayor Reeves closed the public hearing and asked the will of the Commission.

Commissioner Wilson moved, seconded by Commissioner Wolff, that the City Commission approve the CDBG and HOME Program 2024 Annual Action Plan.

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

Motion carried 5-0.

OLD BUSINESS

19. SALE OF CITY-OWNED PROPERTY TO PASTA MONTANA LLC.

Park and Recreation Director Steve Herrig reported that after conducting a public hearing in July 1996, the City Commission approved a 20-year lease agreement with Pasta Montana LLC, thereby allowing the company to build its food manufacturing plant in Great Falls. The lease included the grant of an option to Pasta Montana to purchase the leased property, if exercised prior to the termination of the lease.

In 2016, rather than extend the original lease agreement, City staff took the opportunity to undertake a review of the agreement and updated the lease terms, that carried a 5-year term and renewed the option granted to Pasta Montana to purchase the leased property for its appraised value at the time the option was exercised. The City Commission approved the 2016 lease after a public hearing.

In 2021, Pasta Montana notified the City of its decision to exercise its option to purchase the leased premises. In preparing for the transfer of property to Pasta Montana, City staff learned that there were concerns with the City's ability to deliver a clean title to the leased premises, as well as the

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surrounding property owned by the City. It was also determined that there was no legally recognized parcel corresponding to the leased premises. Rather, the leased premises was made up of portions of three recorded parcels, none of which had been properly subdivided. Therefore, in 2022, the City of Great Falls Park and Recreation Department commissioned Stephen Babb of Babb Land Surveying, Inc. to retrace the boundaries of the three (3) parcels of record underlying the lease parcel and to relocate existing common boundaries to create a separate described parcel to transfer to Pasta Montana.

Documents that will need to be executed to effectuate the sale include a buy-sell agreement, deed to Pasta Montana, realty transfer certificate, bill of sale, settlement statement, and several easements.

The Park and Recreation Board approved the lease agreements and sale and have been kept updated on the status of completing the sale.

The City would receive \$375,000, which was the appraised price when Pasta exercised its option to purchase the leased premises. Due to the delays, it was agreed upon that the 2022, 2023 and 2024 lease payments made by Pasta Montana would be applied to the purchase price.

Commissioner Wolff moved, seconded by Commissioner Wilson, that the City Commission approve the sale of City-owned property to Pasta Montana LLC, described as Tract 10 located in Section 5 and Section 6, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, and described in a Certificate of Survey to be recorded in the office of the Cascade County Clerk and Recorder, for the purchase price of \$375,000, and authorize the City Manager to take all actions and execute all documents necessary to effectuate the sale upon the filing of the Certificate of Survey.

Mayor Reeves asked if there were any comments from the public.

Brett Doney, Great Falls Development Authority, expressed appreciation to the City and noted this has been a quiet success. It was a creative deal to allow for the lease of parkland so that Pasta Montana could pipe the freshest flour directly across from General Mills. The plant was created by local business people who partnered with people from the east coast who knew pasta manufacturing. It created a lot of jobs and it lead to the expansion of General Mills. Later, it was bought by a big customer of theirs in Japan and a new pasta line was installed, which was the fourth or fifth expansion of the plant. It also marked GFDA's first economic development gap loan when the company was created. That one deal that the City sparked has now lead to GFDA being able to offer \$68 million dollars in gap and bridge loans in Great Falls and the surrounding trade area, that has leveraged an additional \$286 million in private investment.

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

Mayor Reeves inquired if the buyer or seller paid for the survey.

Deputy City Attorney Rachel Taylor responded that the property that the leased property sat on was three different parcels of City property. To sell that property as promised to Pasta Montana the City paid the survey to make a legally described parcel to convey.

JOURNAL OF COMMISSION PROCEEDINGS**August 6, 2024**

Commissioner Tryon took exception that the City did not do its due diligence and did not know the parcel was legally unrecognized in 1996 and 2016, and inquired if the City learned anything so as to not end up in this situation again.

Noting current staff wasn't around when the lease was created, Manager Doyon speculated that somebody saw an opportunity for the City to sponsor economic development and cultivated this arrangement to make it happen which, long term, was a good thing for the community in terms of the impact of it. The title search was not done until it came time for Pasta Montana to exercise their right to purchase the property.

Commissioner Tryon commented that everybody should take note that, when things like this come up, it raises questions and creates negative perceptions of the City.

Manager Doyon commented that, at the time the elected body made a decision about this lease, they thought they were doing what was in the best interest of the City at the time. They did not know what was going to happen in 20 years. The architects of that arrangement were trying to pursue getting a business here in Great Falls for the betterment of the community.

Director Herrig added that, if the survey had been done in 1996 or 2016, there would have been the same issues that are being faced now. He also clarified that Pasta Montana continued to make lease payments to the City in 2022-2024 that have been deducted from the sale price.

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

Motion carried 5-0.

NEW BUSINESS**ORDINANCES/RESOLUTIONS****CITY COMMISSION****20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Wolff commented it was amazing to watch the Local Emergency Planning Committee's tabletop exercise and to see how well prepared all of the partners were.

She also noted that she participated in the Army National Guard ride on the Chinook and Blackhawk helicopters two weeks ago, and expressed appreciation for the ESGR Program and what they are able to provide for the employers who support the men and women in the Guard and Reserve.

21. COMMISSION INITIATIVES.

None.

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August 6, 2024

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Reeves, to adjourn the regular meeting of August 6, 2024, at 8:09 p.m.**

Motion carried 5-0.

Mayor Cory Reeves

City Clerk Lisa Kunz

Minutes Approved: August 20, 2024

DRAFT

JOURNAL OF SPECIAL COMMISSION PROCEEDINGS
August 6, 2024

Special City Commission Meeting

Mayor Reeves presiding

CALL TO ORDER: 5:00 PM

Civic Center, Gibson Room 212

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Cory Reeves, Shannon Wilson, Susan Wolff, Rick Tryon and Joe McKenney. Also present were the City Manager Greg Doyon; City Attorney David Dennis; and, Deputy City Clerk Darcy Dea.

AGENDA APPROVAL: There were no proposed changes to the agenda by the City Manager or City Commission. The agenda was approved as presented.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

PETITIONS AND COMMUNICATIONS

MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

NEW BUSINESS

1. OPIOID LITIGATION STRATEGY DISCUSSION - CONSIDERATION OF PROPOSED SETTLEMENT STRUCTURE.

Mayor Reeves explained that legal counsel requested that the presiding officer consider closing this portion of the meeting to the public and the City Commission entering into an executive session pursuant to Mont. Code Ann. § 2-3-203(4) because the meeting involves the discussion of litigation strategy and an open meeting would have an adverse effect on the litigation position of the City.

It was the consensus of the City Commission to enter into executive session to discuss litigation strategy.

Mayor Reeves moved, seconded by Commissioner Wolff, that the City Commission enter into Executive Session to discuss litigation strategy.

Mayor Reeves asked if there were any comments from the public or any discussion amongst the Commissioners. Hearing none, Mayor Reeves called for the vote.

Motion carried 5-0.

Mayor Reeves explained that the Commission will remain in the Gibson Room with staff and legal counsel for the purposes of discussing pending litigation. There will be no action taken during the executive session. When the executive session concludes and the meeting is re-opened to the public, if any action needs to be taken on what has been presented or heard in executive session, the motion will then be made and opportunity for public comment and Commission discussion at that time.

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August 6, 2024

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The meeting reconvened into an open meeting. Mayor Reeves called the special meeting back to order at 5:25 p.m.

2. **OPIOID LITIGATION-CONSIDERATION OF PROPOSED SETTLEMENT STRUCTURE.**

City Attorney Dennis reported that there has been an additional proposed settlement in the National

**JOURNAL OF SPECIAL COMMISSION PROCEEDINGS
August 6, 2024**

Class Action Opioid Lawsuit similar in its structure to prior settlements that the city has opted into and would be governed by the same agreement among the state, counties, municipalities and towns as the prior settlements. Outside legal counsel has recommended that the City opt-in to the class action settlement with Kroger.

Commissioner Wolff moved, seconded by Commissioner Wilson, that the City Commission opt-in to the proposed settlement framework with defendant Kroger, and authorizes the City Finance Director to execute any documents and take any other action necessary for the City to participate in said settlement.

Mayor Reeves asked if there were any comments from the public or discussion amongst the Commissioners.

Commissioner Tryon clarified that any future proposed settlements would be an item on the consent agenda item for transparency.

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

Motion carried 5-0.

ADJOURNMENT

There being no further business to come before the Commission, **the special meeting of August 6, 2024, adjourned at 5:28 p.m.**

Mayor Cory Reeves

Deputy City Clerk Darcy Dea

Minutes Approved: August 20, 2024



Commission Meeting Date: August 20th, 2024
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

ITEM: \$25,000 Report
 Invoices and Claims in Excess
 of \$25,000

PRESENTED BY: Finance Director

ACTION REQUESTED: Approval with Consent Agenda

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

TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$25,000:

ACCOUNTS PAYABLE CHECKS	07/18/2024 - 08/07/2024	4,461,314.21
MISCELLANEOUS ACCOUNTS PAYABLE WIRES	07/18/2024 - 08/07/2024	1,315,507.03
	SUB TOTAL: \$	<u>5,776,821.24</u>
MUNICIPAL COURT CHECKS	07/18/2024 - 08/07/2024	48,565.26
	GRAND TOTAL: \$	<u>5,825,386.50</u>

GENERAL FUND

FIRE

BENEFIS HOSPITALS INC	ANNUAL FF PHYSICALS	29,075.00
JORGENSON INDUSTRIAL COMPANIES	LOCKERS FIRE STATION	29,771.70

CITY CLERK

CITY COUNTY HEALTH DEPT	CCHD SUPPORT FOR FY 2025 1ST HALF	125,000.00
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CITY MANAGER

CASCADE COUNTY	NOVEMBER 7 2023 MUNICIPAL ELECTION	49,100.04
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SPECIAL REVENUE FUNDS

COVID RECOVERY

A T KLEMENS INC	CIVIC CENTER INFASTRUCTURE RENO	159,284.96
JAMES TALCOTT CONSTRUCTION INC	GF FIRE STATIONS 1-4 RENOVATION	78,378.83
WADSWORTH BUILDERS COMPANY INC	CIVIC CENTER COURT RELOCATION PROJECT	178,439.83
WADSWORTH BUILDERS COMPANY INC	CIVIC CENTER PARTIAL HVAC RENOVATION	325,883.25
A T KLEMENS INC	CIVIC CENTER INFASTRUCTURE RENO	28,966.45

PARK DISTRICT

L'HEUREUX PAGE WERNER PC AIM HIGH BIG SKY - DESIGN 27,605.79

STREET DISTRICT

GREAT FALLS SAND & GRAVEL INC TYPE B & C HOT MIX ASPHALT 35,940.19

GREAT FALLS SAND & GRAVEL INC TYPE B & C HOT MIX ASPHALT 28,069.38

UNITED MATERIALS OF GREAT FALLS 7TH AVE NW PAVING/FINAL PAY 135,067.68

DEBT SERVICE FUNDS

CAPITAL PROJECT FUNDS

ENTERPRISE FUNDS

GOLF COURSES

JOHNSON DISTRIBUTING CLUB CAR TEMPO GOLF CARTS 78,948.75

WATER

UNITED MATERIALS OF GREAT FALLS LOWER NORTHSIDE WMR PH 2/PMT9 483,238.78

SLETTEN CONSTRUCTION PROF ENG SERV WTP SOLIDS MIT/PMT16
(SPLIT AMONG FUNDS) 35,817.68

NASH ELECTRIC HS #1 JUNE 2024 40,912.00

SEWER

VEOLIA WATER NORTH AMERICA MONTHLY WWTP OPERATION CONTRACT 318,489.18

UNITED ELECTRIC LLC BACKUP GENERATORS & ELECTRICAL PMT1
(SPLIT AMONG FUNDS) 8,557.88

AE2S INC SANITARY SEWER SYSTEM CAPACITY /PMT3 42,296.14

SLETTEN CONSTRUCTION PROF ENG SERV WTP SOLIDS MIT/PMT16
(SPLIT AMONG FUNDS) 35,817.67

KLJ ENGINEERING LLC OF 1817.1 LIFT STATION 15/PMT2 26,975.50

STORM DRAIN

WATER & ENVIRO TECHNOLOGIES INC GF STORM DRAIN MIDDLE BASIN/PMT5 56,702.25

SANITATION

JACKSON GROUP PETERBILT PETERBILT 520/HEIL SIDELOADER #908 210,353.00

INTERNAL SERVICE FUNDS

HEALTH & BENEFITS

MT MUNICIPAL INTERLOCAL AUTHORITY ANNUAL PROPERTY PROGRAM 584,038.00

PUBLIC WORKS ADMINISTRATION

UNITED ELECTRIC LLC BACKUP GENERATORS & ELECTRICAL PMT1
(SPLIT AMONG FUNDS) 77,020.94

TRUST AND AGENCY FUNDS

COURT TRUST MUNICIPAL COURT

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	39,692.01
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PAYROLL CLEARING

STATE TREASURER	MONTANA TAXES	117,572.72
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FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	115,646.00
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STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	146,718.14
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PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	308,071.91
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US BANK	FEDERAL TAXES, FICA & MEDICARE	508,836.88
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UTILITY BILLS

HIGH PLAINS LANDFILL	LANDFILL CHARGES JULY 2024	117,362.11
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NORTHWESTERN ENERGY	ELECTRIC SUPPLY JULY 2024	65,325.85
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CLAIMS OVER \$25,000 TOTAL:		\$ <u>4,648,976.49</u>
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**CITY OF GREAT FALLS, MONTANA
COMMUNICATION TO THE CITY COMMISSION**

DATE: August 20, 2024

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

PRESENTED BY: Darcy Dea, Deputy 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	JPK Westwood Plaza LLC and Broadway Estates Westwood Plaza LLC	2024	\$7,028	First Amendment to Improvement Deferral Agreement for a City sidewalk project along 14 th Avenue NW fulfilling obligations of original agreement. Westwood Addition No. 2, T20N R3E Section 2 (CR 100317.13)

<p>B</p>	<p>Finance</p>	<p>Montana Department of Commerce – Montana Historic Preservation Grant (MHPG) Program</p>	<p>08/13/2024 – 03/31/2026</p>	<p>\$250,000 MHPG Awarded grant funds <u>\$147,300</u> City match \$397,300 Project</p>	<p>Ratification of MHPG Program Contract #MT-MHPG-CG-25-017 for the Mansfield Theater historic ceiling repair project. The City Commission approved the use of Downtown Urban Renewal Tax Increment Financing District funds for the City match at its August 6, 2024 meeting – agenda item #17, resulting in no contribution of general fund monies; the City Commission approved the grant submittal to MHPG pertaining to this project at its February 15, 2022 meeting – agenda item 16.</p>
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Commission Meeting Date: August 20, 2024
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Final Pay: 7th Avenue NW Street Reconstruction O. F. 1806.1

From: Engineering Division

Initiated By: Public Works Department

Presented By: Christoff Gaub, Public Works Director

Action Requested: Consider and Approve Final Pay Request

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Final Payment for the 7th Avenue Northwest Street Reconstruction, in the amount of \$34,972.27 to United Materials of Great Falls, Inc., and \$353.26 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 the Final Payment of \$34,972.27 to United Materials of Great Falls, Inc., and \$353.26 to the State Miscellaneous Tax Fund.

Summary:

This project improved pedestrian traffic and accommodates Americans with Disabilities Act (ADA) federally mandated criteria. Any patrons that use the public right of way along 7th Ave NW will benefit from the project. The ADA improvements also serve to support the connectivity of the pedestrian route system in the area by providing an ADA compliant pedestrian corridor along 7th Ave NW, which is the Northwest Bus Route.

Background:

Citizen Participation:

This low to moderate income area was identified as a location in need of ADA compliant sidewalks and pedestrian ramps as well as a street reconstruction. The construction activity required closing 7th Ave NW from the intersections of 12th Street NW to 14th Street NW. Access to residences adjacent to the construction zones were maintained through the alleys.

Workload Impacts:

Design phase engineering and plans and specifications were completed by TD&H. City Engineering staff provided construction phase engineering services and project inspection.

Purpose:

This project provides an Americans with Disabilities Act (ADA) compliant route of travel to connect citizens to each other and larger arterial routes for travel to various public and private amenities. These routes improve the functional and aesthetic properties of the area and connect all citizens while providing a means of independence to the young and old and those with disabilities in the area. This project provides ADA compliant routes with new curb ramps and sidewalk from the intersection at 7th Ave NW and 12th St NW to the intersection of 7th Ave NW and 14th St NW, and provided a new road base. The project corridor is located in the Public Right of Way, and was identified as an area able to receive CDBG funding.

Project Work Scope:

The project consisted of installing: approximately 2,000 Lineal Feet of integral concrete curb and gutter; 8,000 Square Feet of four (4)-inch concrete sidewalk; 6,000 Square Feet of six (6)-inch reinforced concrete; 16 truncated domes, four type 1 curb inlets, and two blocks (850 feet) of new road base.

Final Payment:

The final project cost is \$706,510.50 which is less than the original award of \$763,784.00. A majority of the cost savings is due to great collaboration between staff and the contractor, leading to an efficient and fiscally responsible project.

Conclusion:

City Staff recommends making the final payment of \$34,972.27 to United Materials of Great Falls, Inc., and \$353.26 to the State Miscellaneous Tax Fund. City Staff verified that United Materials of Great Falls, Inc. has completed all work and punch list items in accordance with the plans and the contract. The two year warranty period started July 17, 2024.

Fiscal Impact:

Funding for this project is through the Community Development Block Grant program and Street Capital Funds.

Alternatives:

The City Commission could vote to deny Final Payment and request City staff continue validating project completion.

Attachments/Exhibits:

Final Pay Documents
Project Summary Sheet

APPLICATION FOR PAYMENT NO. FIVE FINAL

To: City of Great Falls (OWNER)
From: United Materials of Great Falls, Inc. (CONTRACTOR)
Contract: 7th Ave NW Street Reconstruction
Project: Street Reconstruction
OWNER's Contract No. 1806.1 ENGINEER's Project No. PW342402
For Work accomplished through the date of: May 31, 2024

1.	Original Contract Price:	\$	<u>763,784.00</u>
2.	Net change by Change Orders and Written Amendments (+ or -):	\$	<u>0.00</u>
3.	Current Contract Price (1 plus 2):	\$	<u>763,784.00</u>
4.	Total completed <u>\$706,510.50</u> and stored () _____ to date:	\$	<u>706,510.50</u>
5.	Retainage (per Agreement):		
	<u>5</u> % of Completed Work: \$ <u>0.00</u>		
	<u>5</u> % of stored material: \$ _____		
	Total Retainage:	\$	<u>0.00</u>
6.	Total completed and stored to date less retainage (4 minus 5):	\$	<u>706,510.50</u>
7.	Less previous Applications for Payments:	\$	<u>671,184.97</u>
8.	Gross Amount Due this application: (6 minus 7):	\$	<u>35,325.53</u>
9.	Less 1% State Gross Receipts Tax:	\$	<u>353.26</u>
10.	DUE THIS APPLICATION (8 MINUS 9):	\$	<u>34,972.27</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 FIVE 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 7-26-2024 _____
United Materials of Great Falls, Inc.
CONTRACTOR
By: [Signature]

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 8/11/24 _____
City of Great Falls
ENGINEER
By: [Signature]

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.

PROJECT SUMMARY SHEET:
7th Ave NW Street Reconstruction, O.F. 1806.1
Not Part of CIP, CDBG Program – FY 2024
Current as of: July 29, 2024

Description: 7th Ave NW from 12th St NW and 14th St NW, 2 new intersections with ADA compliant pedestrian ramps and two full blocks of ADA compliant sidewalk.

Justification: Double block does not have sidewalk for full length; intersections not ADA compliant; road has settled in areas, not allowing storm water to flow to the inlets. New road base will completed with this project. The road was at the end of its useful life and would need to be repaired in the future.

Scope: Installed ~ 2,000 Lineal Feet of integral concrete curb and gutter; 8,000 Square Feet of four (4)-inch concrete sidewalk; 6,000 Square Feet of six (6)-inch reinforced concrete; 16 truncated domes, 4 type 1 curb inlets, and 2 blocks of new road base.

Added to CIP: N/A (this is a CBDG project).

CIP Timeline: On track (Construction scheduled for winter 2023/24)

Cost:

- Current Working Estimate: \$650,000
- Awarded Cost: \$763,784.00
- Final Construction Cost: \$706,510.50

Funding Source(s): CDBG

PW/Streets: \$65,000 for Design, and \$80/hr up to 10 hrs/week for Inspection overtime.

Planned Execution Method: Design-Bid-Build

Planned Construction CY: Winter 2023/Spring 2024

Current Project Stage (Estimated Completion Date): Planning (Fall 2023), Design (Oct 31, 2023), Bid (November 22, 2023), Commission Decision (December 6, 2023), Construction (To be Completed April 2024), Punchlist Completed (July 2024), Warranty (July 2026)

- Design Method: Consultant

Map & Site Pictures:



**PROJECT SUMMARY SHEET:
7th Ave NW Street Reconstruction, O.F. 1806.1
Not Part of CIP, CDBG Program – FY 2024
Current as of: July 29, 2024**



**PROJECT SUMMARY SHEET:
7th Ave NW Street Reconstruction, O.F. 1806.1
Not Part of CIP, CDBG Program – FY 2024
Current as of: July 29, 2024**



**PROJECT SUMMARY SHEET:
7th Ave NW Street Reconstruction, O.F. 1806.1
Not Part of CIP, CDBG Program – FY 2024
Current as of: July 29, 2024**



**PROJECT SUMMARY SHEET:
7th Ave NW Street Reconstruction, O.F. 1806.1
Not Part of CIP, CDBG Program – FY 2024
Current as of: July 29, 2024**





Commission Meeting Date: August 20, 2024
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Construction Contract Final Payment: Central Ave/3rd St Drainage Improvements Phase 1, O.F. 1779.0

From: Engineering Division

Initiated By: Public Works Department

Presented By: Christoff Gaub, Public Works Director

Action Requested: Consider and Approve Final Pay Request

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Final Payment for the Central Ave/3rd St Drainage Improvements Phase 1 project, in the amount of \$159,458.96 to Ed Boland Construction and \$1,610.72 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 Phase 1 project replaced and upsized approximately 5 blocks of storm main as part of a multi-phase project to reduce flooding downtown.

Background:

Increasing numbers of short duration high intensity rainfall events have resulted in flooding within the City in recent years. One problematic area is the Downtown Business District. Businesses and property owners expressed concerns with damage caused by water flooding the lower levels of their buildings. The “9th Ave South and Central Ave/4th Street Drainage Basin Study” was completed by Great West Engineering in December 2020. This study helped identify system deficiencies and made recommendations for improvements to the storm drainage network that will help reduce the duration and amount of future flooding. This Phase 1 drainage project was completed as part of a larger multi-phase project to address flooding in the Downtown Business District.

The December 2020 study assessed both the 3rd Ave South Basin and the 9th Ave South Basin as shown in the attached Figure 1. The study further delineates the 3rd Ave South Basin into five areas in need of improvements as shown in Figure 16. Area 1 was determined to be the most critical as this area has a

higher risk of flooding and encompasses a large portion of the downtown area. Area 1 improvements involve adding storm drain inlets and increasing underground pipe capacity to better convey storm water to the Missouri River. Area 1 is being designed and constructed in 4 phases. See Figure 2 for Area 1 phase locations.

This Phase 1 of the Central Ave / 3rd Street Drainage Improvements was constructed in 2023 with the project finalized in spring 2024. The project area for this phase is along 3rd Street South and extends from 4th Avenue South to 2nd Avenue South; along 3rd Avenue South from 3rd Street South to 4th Street South; and along 2nd Avenue South from 3rd Street South to 5th Street South.

Workload Impacts:

Great West Engineering completed engineering design, bidding, and construction contract documents. Great West Engineering, when necessary, provided construction phase services. City Engineering staff provided construction project inspection and engineering services support.

Purpose:

This project implemented Phase 1 one of the improvements recommended in the zone identified as “Area 1” in the December 2020, “9th Ave S and Central Ave/4th St Drainage Basin Study” prepared by Great West Engineering.

Project Work Scope:

The project installed 269 lineal feet of 12” PVC storm drain; 928 lineal feet of 18” PVC storm drain; 379 lineal feet of 18” DR25 C900 PVC storm drain; 541 lineal feet of 54” RCP storm drain; 24 lineal feet of 40” x 65” RCPA storm drain; 9 concrete manholes; 3 Type 1 curb inlets, and 2 hydrodynamic stormwater separators.

Evaluation and Selection Process:

The specifications were advertised three times in the Great Falls Tribune. Two bids were received on October 18, 2022 ranging from \$1,483,052 to \$1,487,693. Ed Boland Construction submitted the low bid and was awarded the project by the City Commission on November 1, 2022.

Final Payment:

The final project cost is \$1,629,723.00, which is more than the award of \$1,483,052.00. The increase in project cost amounted to \$146,671.00 due to two change orders previously approved by the City Commission. Change Order #1 for \$16,094.00 was approved by the Commission on June 20, 2023 while Change Order #2 for \$130,577.00 was approved by the Commission on July 16, 2024. This Final Payment will pay the contract’s remaining balance including withheld retainage.

Conclusion:

City Staff recommends making the Final Payment of \$159,458.96 to Ed Boland Construction and \$1,610.72 to the State Miscellaneous Tax Fund. Great West Engineering (Consultant) and City Staff verified that Ed Boland Construction has completed all work and punch list items in accordance with the plans and the contract. The two year warranty period started at the time of substantial completion, which was November 22, 2023.

Fiscal Impact:

State ARPA Grant funds were utilized for this Phase 1 construction project. Funds allocated for all phases of the Central Ave/3rd Street Drainage Improvements project include \$3,729,200.00 in State ARPA Grant Funds, \$2,500,00.00 in Downtown TIF Funds, and Storm Drain Enterprise Funds as necessary.

Alternatives:

The City Commission could vote to deny Final Payment.

Attachments/Exhibits:

Final Pay Documents

Project Summary Sheet

Figure 1 – Project Location Map

Figure 16 – Areas 1 through 5

Figure 2 – Phase Exhibit - Area 1

PROJECT FUNDING/EXPENDITURE SUMMARY

Final Pay

1779.0 Central Ave / 3rd St Drainage Improvements Phase 1

PREPARED BY THE CITY ENGINEERS OFFICE: RJB/MP

DATE: 7/3/2024

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE					CONTRACT AMOUNT	EXPENDITURES TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5			
CONTRACTOR: Great West Engineering	Professional Services 5315575.493250	\$1,433.50	\$9,097.87	\$15,212.00	\$15,548.25	\$5,244.75			
		\$1,433.50	\$9,097.87	\$15,212.00	\$15,548.25	\$5,244.75			
	DATE	9/24/2021	11/1/2021	11/19/2021	12/17/2021	1/24/2022			
CONTRACTOR: Great West Engineering	Professional Services 5315575.493250	\$14,826.25	\$2,172.75	\$3,495.00	\$2,386.50		\$135,598.50	\$135,595.12	\$3.38
		\$14,826.25	\$2,172.75	\$3,495.00	\$2,386.50	\$0.00	\$135,598.50	\$135,595.12	\$3.38
	DATE	7/27/2022	9/2/2022	9/26/2022	10/20/2022				
CONTRACTOR: Big Sky Sub Surface	Professional Services 5315575.493250	\$2,000.00					\$2,000.00	\$2,000.00	\$0.00
		\$2,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000.00	\$2,000.00	\$0.00
	DATE	10/21/2022							
CONTRACTOR: Boland Construction	Improvements Other Than Buildings 531575.493100	\$65,597.67	\$133,734.37	\$196,912.05	\$79,949.85	\$183,605.79	\$1,613,425.77	\$1,613,425.77	\$0.00
		\$65,597.67	\$133,734.37	\$196,912.05	\$79,949.85	\$183,605.79	\$1,613,425.77	\$1,613,425.77	\$0.00
	DATE	2/3/2023	6/1/2023	6/26/2023	7/25/2023	9/1/2023			
CONTRACTOR: Boland Construction	Improvements Other Than Buildings 531575.493100	\$358,246.78	\$326,980.46	\$108,939.84	\$159,458.96				
		\$358,246.78	\$326,980.46	\$108,939.84	\$159,458.96	\$0.00			
	DATE	10/5/2023	11/17/2023	1/30/2024	7/3/2024				
MT. DEPT. OF REV. 1%	Improvements Other Than Buildings 531575.493100	\$662.60	\$1,350.85	\$1,989.01	\$807.57	\$1,854.60	\$16,297.23	\$16,297.23	\$0.00
		\$662.60	\$1,350.85	\$1,989.01	\$807.57	\$1,854.60	\$16,297.23	\$16,297.23	\$0.00
	DATE	2/3/2023	6/1/2023	6/26/2023	7/25/2023	9/1/2023			
MT. DEPT. OF REV. 1%	Improvements Other Than Buildings 531575.493100	\$3,618.65	\$3,302.83	\$1,100.40	\$1,610.72				
		\$3,618.65	\$3,302.83	\$1,100.40	\$1,610.72	\$0.00			
	DATE	10/5/2023	11/17/2023	1/31/2024	7/3/2024				
MISCELLANEOUS	Improvements Other Than Buildings 531575.439100	\$280.23					\$9,811.00	\$280.23	\$9,530.77
							\$9,811.00	\$280.23	\$9,530.77
	DATE	11/22/2022							
	VENDOR	Tribune							

PROJECT #	ACCOUNT NUMBER	FUND DESIGNATION	FUNDING	EXPENDITURES	BALANCE
PW392014	5315575.493250	Professional Services	\$137,600.00	\$137,595.12	\$4.88
	531575.493100	Improvements Other Than Buildings	\$1,629,723.00	\$1,629,723.00	\$0.00
	531575.439100	Improvements Other Than Buildings	\$9,811.00	\$280.23	\$9,530.77
		TOTALS	\$1,777,134.00	\$1,767,598.35	\$9,535.65

MP
JRB
SM

Hold for Commission approval. (Aug. 20)



Contractor's Application for Payment No. 9 (Final)

Application Period: 1/13/2024 - 3/7/2024	Application Date: 3/7/2024 revised 6/18/2024
To: CITY OF GREAT FALLS 1025 25th Ave NE Great Falls, MT 59404	Via (Engineer): MATT PROUD CITY OF GREAT FALLS ENGINEERING
Owner: CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMENTS - PHASE 1 (O.F. 1799.0)	Contract: CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMENTS - PHASE 1 (O.F. 1799.0)
Owner's Contract No.: 581	Contractor's Project No.: 581
	Engineer's Project No.: PW392014

**Application For Payment
Change Order Summary**

Approved Change Orders Number	Additions	Deductions
1	\$16,094.00	
2	\$130,577.00	
TOTALS	\$146,671.00	
NET CHANGE BY CHANGE ORDERS	\$146,671.00	

1. ORIGINAL CONTRACT PRICE.....	\$	\$1,483,052.00
2. Net change by Change Orders.....	\$	\$146,671.00
3. Current Contract Price (Line 1 ± 2).....	\$	\$1,629,723.00
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates).....	\$	\$1,629,723.00
5. RETAINAGE:		
a. <input checked="" type="checkbox"/> Work Completed.....	\$	\$1,629,723.00
b. <input checked="" type="checkbox"/> Stored Material.....	\$	
c. Total Retainage (Line 5a + Line 5b).....	\$	\$1,629,723.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$1,468,653.32
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$161,069.68
8. GROSS AMOUNT DUE THIS APPLICATION.....	\$	\$1,610,722.00
9. 1% MT GROSS RECEIPTS TAX (1% x line).....	\$	-\$1,610.72
10. UNSCHEDULED EMPLOYMENT OF THE ENGINEER.....	\$	
11. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above).....	\$	\$159,458.96

Contractor's Certification
The undersigned Contractor certifies, to the best of its knowledge, the following:
(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 the Work covered by prior Applications for Payment;
(2) Title to 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); and
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature: 
By: **HG MacNeelley, Project Coordinator**
Date: 3/7/2024 revised 6/18/2024

Payment of: \$ 159,458.96 (Line 8 - 9 - 10 or other - attach explanation of the other amount)
is recommended by: _____ (Engineer) (Date)
Payment of: \$ 159,458.98 (Line 8 - 9 - 10 or other - attach explanation of the other amount)
is approved by: Matt Proud (Owner) 06/18/2024 (Date)
Approved by: _____ Funding or Financing Entity (if applicable) _____ (Date)

Note: Due to cumulative rounding for payments #1-#8, payment #9 is to be adjusted as shown.

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract)		CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMENTS - PHASE 1 (O.P. 1799.0)		Application Number		9 (Final)					
Application Period		1/13/2024 - 3/7/2024		Application Date		3/7/2024 revised 6/18/2024					
Item		Contract Information		Estimated		Value of Work					
Bid Item No	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)	Quantity Installed	Installed to Date	Materials Presently Stored (inv in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
100	MOBILIZATION	1	LS	\$35,000.00	\$35,000.00	1	\$35,000.00		\$35,000.00	100.0%	
101	TRAFFIC CONTROL	1	LS	\$15,000.00	\$15,000.00	1	\$15,000.00		\$15,000.00	100.0%	
102	REMOVE EXISTING MANHOLE	5	E.A	\$2,000.00	\$10,000.00	5	\$10,000.00		\$10,000.00	100.0%	
103	3RD AVE SOUTH HYDRODYNAMIC SEPARATOR	1	LS	\$147,225.00	\$147,225.00	1	\$147,225.00		\$147,225.00	100.0%	
104	2ND AVE SOUTH HYDRODYNAMIC SEPARATOR	1	LS	\$145,000.00	\$145,000.00	1	\$145,000.00		\$145,000.00	100.0%	
105	12" SDR 35 PVC STORM DRAIN	293	LF	\$95.00	\$27,835.00	269	\$25,555.00		\$25,555.00	91.8%	\$2,280.00
106	18" SDR 35 (PS46) PVC STORM DRAIN	946	LF	\$195.00	\$184,470.00	928	\$180,960.00		\$180,960.00	98.1%	\$3,510.00
107	18" SDR 35 C905 PVC STORM DRAIN	380	LF	\$245.00	\$93,100.00	379	\$92,855.00		\$92,855.00	99.7%	\$245.00
108	54" RCP STORM DRAIN (C1.3)	512	LF	\$630.00	\$322,560.00	541	\$340,830.00		\$340,830.00	105.7%	-\$18,270.00
109	40" R X 65" S RCPA STORM DRAIN (C1.3)	24	LF	\$900.00	\$21,600.00	24	\$21,600.00		\$21,600.00	100.0%	
110	54" DIA TO 40" R X 65" S TRANSITION	3	E.A	\$9,500.00	\$28,500.00	3	\$28,500.00		\$28,500.00	100.0%	
111	CONNECT TO EXISTING 3RD ST / 1TH AVE STRUCTURE	1	LS	\$24,687.00	\$24,687.00	1	\$24,687.00		\$24,687.00	100.0%	
112	48" BASIC MANHOLE	4	E.A	\$5,300.00	\$21,200.00	4	\$21,200.00		\$21,200.00	100.0%	
113	48" ADDITIONAL 48" MANHOLE DEPTH	8	VF	\$400.00	\$3,200.00	8	\$3,200.00		\$3,200.00	100.0%	
114	84" BASIC MANHOLE	2	E.A	\$16,000.00	\$32,000.00	2	\$32,000.00		\$32,000.00	100.0%	
115	ADDITIONAL 84" MANHOLE DEPTH	13	VF	\$600.00	\$7,800.00	13	\$7,800.00		\$7,800.00	100.0%	
116	96" BASIC MANHOLE	2	E.A	\$19,000.00	\$38,000.00	2	\$38,000.00		\$38,000.00	100.0%	
117	ADDITIONAL 96" MANHOLE DEPTH	11	VF	\$800.00	\$8,800.00	11	\$8,800.00		\$8,800.00	100.0%	
118	TYPE I CURB INLET W/ CONCRETE APRON	3	E.A	\$6,800.00	\$20,400.00	3	\$20,400.00		\$20,400.00	100.0%	
119	WATER SERVICE LOWERING AND INSULATING	4	E.A	\$2,350.00	\$9,400.00	3	\$7,050.00		\$7,050.00	75.0%	\$2,350.00
120	12" WATER MAIN VERTICAL ADJUSTMENT	1	E.A	\$13,000.00	\$13,000.00	1	\$13,000.00		\$13,000.00	100.0%	
121	WATER SERVICE, WATER MAIN AND SANITARY SEWER UTILITY CROSSINGS	14	E.A	\$2,000.00	\$28,000.00	26	\$52,000.00		\$52,000.00	185.7%	-\$24,000.00
122	IMPORTED BACKFILL MATERIAL	230	CY	\$35.00	\$8,050.00	40.1	\$1,403.50		\$1,403.50	17.4%	\$6,646.50
123	TYPE 2 PIPE BEDDING	8	CY	\$50.00	\$400.00	22.35	\$1,112.50		\$1,112.50	278.1%	-\$712.50
124	SEPARATION / STABILIZATION GEOTEXTILE	1900	SY	\$7.00	\$13,300.00	2362	\$16,534.00		\$16,534.00	124.3%	-\$3,234.00
125	BASE COURSE 1 1/2" MINUS	715	CY	\$38.00	\$27,170.00	884.6	\$33,614.80		\$33,614.80	123.7%	-\$6,444.80
126	4" A.C. PAVEMENT REMOVAL AND REPLACEMENT	1095	SY	\$42.00	\$45,990.00	1661	\$69,762.00		\$69,762.00	151.7%	-\$23,772.00
127	6" A.C. PAVEMENT REMOVAL AND REPLACEMENT	1195	SY	\$61.00	\$72,895.00	1195	\$72,895.00		\$72,895.00	100.0%	
128	4" CONCRETE SIDEWALK REMOVAL AND REPLACEMENT	105	SF	\$18.00	\$1,890.00	105	\$1,890.00		\$1,890.00	100.0%	
129	6" REINFORCED CONCRETE REMOVAL AND REPLACEMENT	850	SF	\$25.00	\$21,250.00	850	\$21,250.00		\$21,250.00	100.0%	
130	CURB AND GUTTER REMOVAL AND REPLACEMENT	82	LF	\$65.00	\$5,330.00	82	\$5,330.00		\$5,330.00	100.0%	
131	MISCELLANEOUS WORK	56000	UNIT	\$1.00	\$56,000.00	41793.2	\$41,793.20		\$41,793.20	83.6%	\$8,206.80
C.O. 1	Change Order #1 Jack and Base in Front of Meadow Gold	1	LS	\$16,094.00	\$16,094.00	1	\$16,094.00		\$16,094.00	100.0%	
C.O. 2	Cumulative Items Change Order	1	LS	\$130,577.00	\$130,577.00	1	\$130,577.00		\$130,577.00	59.3%	\$51,195.00
Totals					\$1,629,723.00		\$1,629,723.00		\$1,629,723.00	100.0%	

PROJECT FUNDING/EXPENDITURE SUMMARY

1779.0 Central Ave / 3rd St Drainage Improvements Phase 1

PREPARED BY THE CITY ENGINEERS OFFICE: RJB/MP

DATE: 7/3/2024

Final Pay

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE					CONTRACT AMOUNT	EXPENDITURES TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5			
CONTRACTOR: Great West Engineering	Professional Services 5315575.493250	\$1,433.50	\$9,097.87	\$15,212.00	\$15,548.25	\$5,244.75			
		\$1,433.50	\$9,097.87	\$15,212.00	\$15,548.25	\$5,244.75			
	DATE	9/24/2021	11/1/2021	11/19/2021	12/17/2021	1/24/2022			
CONTRACTOR: Great West Engineering	Professional Services 5315575.493250	\$14,826.25	\$2,172.75	\$3,495.00	\$2,386.50	\$0.00	\$135,598.50	\$135,595.12	\$3.38
		\$14,826.25	\$2,172.75	\$3,495.00	\$2,386.50	\$0.00	\$135,598.50	\$135,595.12	\$3.38
	DATE	7/27/2022	9/2/2022	9/26/2022	10/20/2022				
CONTRACTOR: Big Sky Sub Surface	Professional Services 5315575.493250	\$2,000.00					\$2,000.00	\$2,000.00	\$0.00
		\$2,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000.00	\$2,000.00	\$0.00
	DATE	10/21/2022							
CONTRACTOR: Boland Construction	Improvements Other Than Buildings 531575.493100	\$65,597.67	\$133,734.37	\$196,912.05	\$79,949.85	\$183,605.79	\$1,613,425.77	\$1,613,425.77	\$0.00
		\$65,597.67	\$133,734.37	\$196,912.05	\$79,949.85	\$183,605.79	\$1,613,425.77	\$1,613,425.77	\$0.00
	DATE	2/3/2023	6/1/2023	6/26/2023	7/25/2023	9/1/2023			
CONTRACTOR: Boland Construction	Improvements Other Than Buildings 531575.493100	\$358,246.78	\$326,980.46	\$108,939.84	\$159,458.96	\$0.00			
		\$358,246.78	\$326,980.46	\$108,939.84	\$159,458.96	\$0.00			
	DATE	10/5/2023	11/17/2023	1/30/2024	7/3/2024				
MT. DEPT. OF REV. 1%	Improvements Other Than Buildings 531575.493100	\$662.60	\$1,350.85	\$1,989.01	\$807.57	\$1,854.60	\$16,297.23	\$16,297.23	\$0.00
		\$662.60	\$1,350.85	\$1,989.01	\$807.57	\$1,854.60	\$16,297.23	\$16,297.23	\$0.00
	DATE	2/3/2023	6/1/2023	6/26/2023	7/25/2023	9/1/2023			
MT. DEPT. OF REV. 1%	Improvements Other Than Buildings 531575.493100	\$3,618.65	\$3,302.83	\$1,100.40	\$1,610.72	\$0.00			
		\$3,618.65	\$3,302.83	\$1,100.40	\$1,610.72	\$0.00			
	DATE	10/5/2023	11/17/2023	1/31/2024	7/3/2024				
MISCELLANEOUS	Improvements Other Than Buildings 531575.439100	\$280.23					\$9,811.00	\$280.23	\$9,530.77
	DATE	11/22/2022					\$9,811.00	\$280.23	\$9,530.77
	VENDOR	Tribune							

PROJECT #	ACCOUNT NUMBER	FUND DESIGNATION	FUNDING	EXPENDITURES	BALANCE
PW392014	5315575.493250	Professional Services	\$137,600.00	\$137,595.12	\$4.88
	531575.493100	Improvements Other Than Buildings	\$1,629,723.00	\$1,629,723.00	\$0.00
	531575.439100	Improvements Other Than Buildings	\$9,811.00	\$280.23	\$9,530.77
		TOTALS	\$1,777,134.00	\$1,767,598.35	\$9,535.65

SM
MP
JRP

Hold for Commission approval. (Aug. 20)



Contractor's Application for Payment No. 9 (Final)

Application Period: 1/13/2024 - 3/7/2024	Application Date: 3/7/2024 revised 6/18/2024
To: CITY OF GREAT FALLS 1025 25th Ave NE Great Falls, MT 59404	From (Contractor): ED BOLAND CONSTRUCTION INC.
Project: CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMENTS - PHASE 1 (O.F. 1799.0)	Contract: CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMENTS - PHASE 1 (O.F. 1799.0)
Owner's Contract No.: 581	Contractor's Project No.: 581
	Engineer's Project No.: PW392014
	Via (Engineer): MAITT PROUD CITY OF GREAT FALLS ENGINEERING


**Application For Payment
Change Order Summary**

Approved Change Orders Number	Additions	Deductions
1	\$16,094.00	
2	\$130,577.00	
TOTALS	\$146,671.00	
NET CHANGE BY CHANGE ORDERS		\$146,671.00

1. ORIGINAL CONTRACT PRICE: \$ 1,483,052.00
2. Net change by Change Orders: \$ 146,671.00
3. Current Contract Price (Line 1 ± 2): \$ 1,629,723.00
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates): \$ 1,629,723.00
5. RETAINAGE:
 - a. X \$1,629,723.00 Work Completed
 - b. X Stored Material
 - c. Total Retainage (Line 5a + Line 5b): \$ 1,629,723.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c): \$ 1,468,653.32
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application): \$ 161,069.68
8. GROSS AMOUNT DUE THIS APPLICATION: \$ 1,610,723.00
9. 1% MT GROSS RECEIPTS TAX (1% x line): \$ 16,107.22
10. UNSCHEDULED EMPLOYMENT OF THE ENGINEER: \$
11. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5,c above): \$ 1,610,723.00

\$1,610.72

Contractor's Certification
The undersigned Contractor certifies, to the best of its knowledge, the following:
(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 the Work covered by prior Applications for Payment;
(2) Title to 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); and
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature: 
By: **HQ MacNelly, Project Coordinator**
Date: 3/7/2024 revised 6/18/2024

Payment of: \$ 159,458.96 (Line 8 - 9 - 10 or other - attach explanation of the other amount)

is recommended by: Maattor Proud (Engineer) (Date) 06/18/2024

is approved by: _____ (Owner) (Date)

Approved by: _____ (Date)

Note: Due to cumulative rounding for payments #1 - #8, payment #9 is to be adjusted as shown.

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract) CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMENTS - PHASE 1 (0.F 1799.0)

Application Number

9 (Final)

Application Period 1/13/2024 - 3/7/2024

Application Date

3/7/2024 revised 6/18/2024

Bid Item No	Item Description	Item Quantity	Units	Contract Information		Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (m in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
				Unit Price	Total Value of Item (\$)						
100	MOBILIZATION	1	LS	\$35,000.00	\$35,000.00	1	\$35,000.00		\$35,000.00	100.0%	
101	TRAFFIC CONTROL	1	LS	\$15,000.00	\$15,000.00	1	\$15,000.00		\$15,000.00	100.0%	
102	REMOVE EXISTING MANHOLE	5	E-A	\$2,000.00	\$10,000.00	5	\$10,000.00		\$10,000.00	100.0%	
103	3RD AVE SOUTH HYDRODYNAMIC SEPARATOR	1	LS	\$147,225.00	\$147,225.00	1	\$147,225.00		\$147,225.00	100.0%	
104	2ND AVE SOUTH HYDRODYNAMIC SEPARATOR	1	LS	\$145,000.00	\$145,000.00	1	\$145,000.00		\$145,000.00	100.0%	
105	12" SDR 35 PVC STORM DRAIN	293	LF	\$95.00	\$27,835.00	266	\$25,555.00		\$25,555.00	91.8%	\$2,280.00
106	18" SDR 35 (PS46) PVC STORM DRAIN	946	LF	\$195.00	\$184,470.00	928	\$180,960.00		\$180,960.00	98.1%	\$3,510.00
107	18" SDR 23 C905 PVC STORM DRAIN	380	LF	\$245.00	\$93,100.00	379	\$92,855.00		\$92,855.00	99.7%	\$245.00
108	54" RCP STORM DRAIN (C1.3)	512	LF	\$630.00	\$322,560.00	541	\$340,830.00		\$340,830.00	105.7%	-\$18,270.00
109	40" R X 65" S RCPA STORM DRAIN (C1.3)	24	LF	\$900.00	\$21,600.00	24	\$21,600.00		\$21,600.00	100.0%	
110	54" DIA TO 40" R X 65" S TRANSITION	3	EA	\$9,500.00	\$28,500.00	3	\$28,500.00		\$28,500.00	100.0%	
111	CONNECT TO EXISTING 3RD ST / 4TH AVE STRUCTURE	1	LS	\$24,687.00	\$24,687.00	1	\$24,687.00		\$24,687.00	100.0%	
112	48" BASIC MANHOLE	4	EA	\$5,300.00	\$21,200.00	4	\$21,200.00		\$21,200.00	100.0%	
113	ADDITIONAL 48" MANHOLE DEPTH	8	YF	\$400.00	\$3,200.00	8	\$3,200.00		\$3,200.00	100.0%	
114	84" BASIC MANHOLE	2	EA	\$16,000.00	\$32,000.00	2	\$32,000.00		\$32,000.00	100.0%	
115	ADDITIONAL 84" MANHOLE DEPTH	13	VF	\$600.00	\$7,800.00	13	\$7,800.00		\$7,800.00	100.0%	
116	96" BASIC MANHOLE	2	EA	\$19,000.00	\$38,000.00	2	\$38,000.00		\$38,000.00	100.0%	
117	ADDITIONAL 96" MANHOLE DEPTH	11	VF	\$800.00	\$8,800.00	11	\$8,800.00		\$8,800.00	100.0%	
118	TYPE I CURB INLET W/ CONCRETE APPROX	3	EA	\$6,800.00	\$20,400.00	3	\$20,400.00		\$20,400.00	100.0%	
119	WATER SERVICE LOWERING AND INSULATING	4	EA	\$2,350.00	\$9,400.00	3	\$7,050.00		\$7,050.00	75.0%	\$2,350.00
120	12" WATER MAIN VERTICAL ADJUSTMENT	1	EA	\$13,000.00	\$13,000.00	1	\$13,000.00		\$13,000.00	100.0%	
121	WATER SERVICE, WATER MAIN AND SANITARY SEWER UTILITY CROSSINGS	14	EA	\$2,000.00	\$28,000.00	36	\$52,000.00		\$52,000.00	185.7%	-\$24,000.00
122	IMPORTED BACKFILL MATERIAL	230	CY	\$35.00	\$8,050.00	40.1	\$1,403.50		\$1,403.50	17.4%	\$6,646.50
123	TYPE 2 PIPE BEDDING	8	CY	\$50.00	\$400.00	22.35	\$1,112.50		\$1,112.50	278.1%	-\$712.50
124	SEPARATION / STABILIZATION GEOTEXTILE	1900	SY	\$7.00	\$13,300.00	2362	\$16,534.00		\$16,534.00	124.3%	-\$3,234.00
125	BASE COURSE 1 1/2" MINUS	715	CY	\$38.00	\$27,170.00	884.6	\$33,614.80		\$33,614.80	123.7%	-\$6,444.80
126	4" A.C. PAVEMENT REMOVAL AND REPLACEMENT	1095	SY	\$42.00	\$45,990.00	1661	\$69,762.00		\$69,762.00	151.7%	-\$23,772.00
127	6" A.C. PAVEMENT REMOVAL AND REPLACEMENT	1195	SY	\$61.00	\$72,895.00	1195	\$72,895.00		\$72,895.00	100.0%	
128	4" CONCRETE SIDEWALK REMOVAL AND REPLACEMENT	105	SF	\$18.00	\$1,890.00	105	\$1,890.00		\$1,890.00	100.0%	
129	6" REINFORCED CONCRETE REMOVAL AND REPLACEMENT	850	SF	\$25.00	\$21,250.00	850	\$21,250.00		\$21,250.00	100.0%	
130	CURB AND GUTTER REMOVAL AND REPLACEMENT	82	LF	\$65.00	\$5,330.00	82	\$5,330.00		\$5,330.00	100.0%	
131	MISCELLANEOUS WORK	50000	FNIT	\$1.00	\$50,000.00	41793.2	\$41,793.20		\$41,793.20	83.6%	\$8,206.80
C/O 1	Change Order #1 Jack and Bore in Front of Meadow Gold	1	LS	\$16,094.00	\$16,094.00	1	\$16,094.00		\$16,094.00	100.0%	
C/O 2	Unlabeled Items Change Order	1	LS	\$130,577.00	\$130,577.00	1	\$77,382.00		\$77,382.00	59.3%	\$53,195.00
					Totals		\$1,629,723.00		\$1,629,723.00	100.0%	

PROJECT SUMMARY SHEET:
CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMNTS Phase 1, O.F. 1779.0
FY 2023 Capital Improvement Plan
Current as of: June 24, 2024

Description: There has been an increasing number of short duration high intensity rainfall events that have resulted in flooding within the City in recent years. One area that has been problematic from a flooding perspective is the Downtown Business District. There has been an increasing number of short duration high intensity rainfall events that have resulted in flooding within the City in recent years.

Justification: The increase in flooding frequency triggered multiple complaints from downtown businesses. Business and building owners expressed concerns with damage caused by water flooding the basements and lower levels of their facilities

Scope: The project consists of installing 293 lineal feet of 12" PVC storm drain; 946 lineal feet of 18" PVC storm drain; 380 lineal feet of 18" DR25 C900 PVC storm drain; 512 lineal feet of 54" RCP storm drain; 24 lineal feet of 40" x 65" RCPA storm drain; 9 concrete manholes; Three Type 1 curb inlets, and two Hydrodynamic Stormwater separators.

Added to CIP: 2nd half FY2022

CIP Timeline: On track

Cost:

- CIP programmed cost/FY: \$1.5M/FY23
- Current Working Estimate: \$1.5M
- Awarded Cost: \$1,483,052 / Change Order #1- \$16,094 / Change Order #2 \$130,577
- Final Cost: \$1,629,723.00

Funding Source(s): Utilities Storm, ARPA Competitive, ARPA MAG, and TIF

- Funding Match Requirements: 50% ARPA Competitive requirements

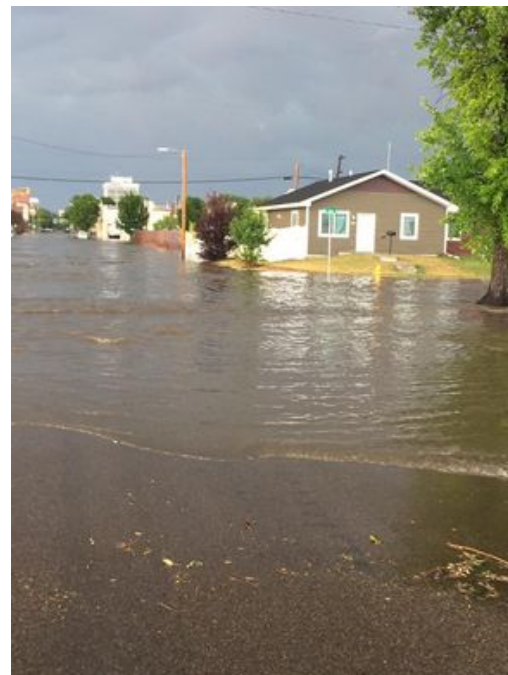
Planned Execution Method: Design-Bid-Build

Planned Construction CY: Summer 2023

Current Project Stage (Estimated Completion Date): Construction Summer 2023

- Design Method: Consultant
- Contractor: Boland Construction

Map & Site Pictures:



PROJECT SUMMARY SHEET:
CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMNTS Phase 1, O.F. 1779.0
FY 2023 Capital Improvement Plan
Current as of: June 24, 2024



P:\Engineering\Inspector\Russell\1 - Projects\1779_0-CentralAve-3rdst-Drainage-Improvements\1779_017-Design Information-Engineering Reports\1779_0-TIF-MAP.dwg

	<p align="center">CENTRAL AVE / 3RD STREET DRAINAGE IMPROVEMENTS PHASE 1</p>	<p align="center">VICINITY MAP</p>	<p align="center">OF 1779.0 06-08-2022</p>
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PROJECT SUMMARY SHEET:
CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMNTS Phase 1, O.F. 1779.0
FY 2023 Capital Improvement Plan
Current as of: June 24, 2024

Station 1+93 (3rd St S): Inlet elevation on plans were in conflict with utility duct bank



Station 2+81 (3rd Ave S) - sink hole was discovered beneath pavement



PROJECT SUMMARY SHEET:
CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMNTS Phase 1, O.F. 1779.0
FY 2023 Capital Improvement Plan
Current as of: June 24, 2024

Station 3+39 (3rd St S) – 6" Sewer Connection: Sewer service missed on as-built drawings.



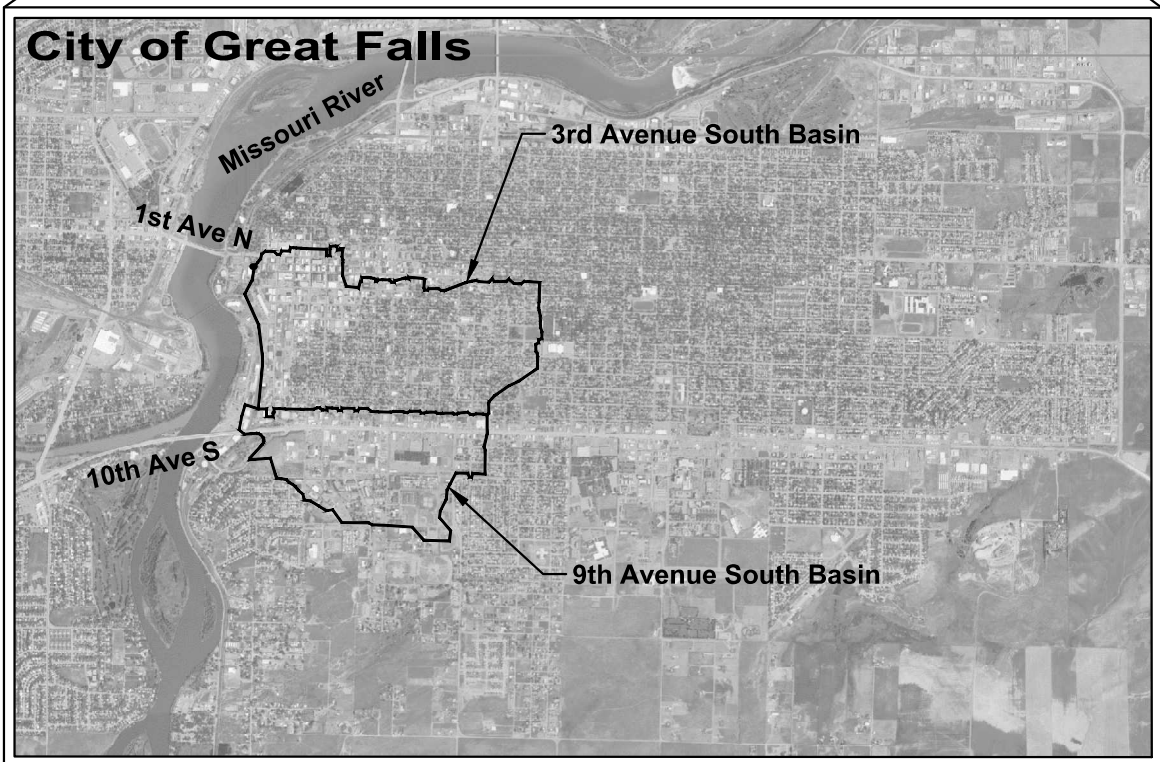
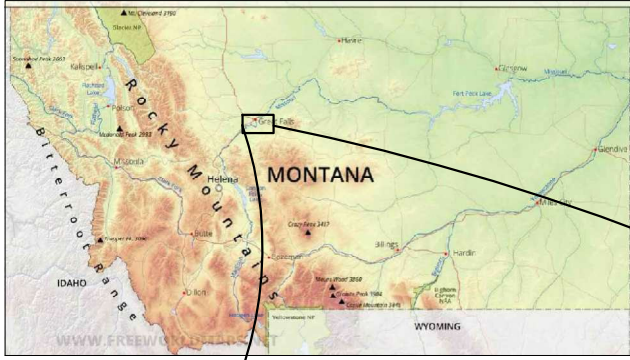
PROJECT SUMMARY SHEET:
CENTRAL AVE / 3RD ST DRAINAGE IMPROVEMNTS Phase 1, O.F. 1779.0
FY 2023 Capital Improvement Plan
Current as of: June 24, 2024

4+40 at the intersection of 3rd St S and 3rd Ave S inlet run encased in concrete



Station 3+35 (3rd St S) Repair ruptured fire line

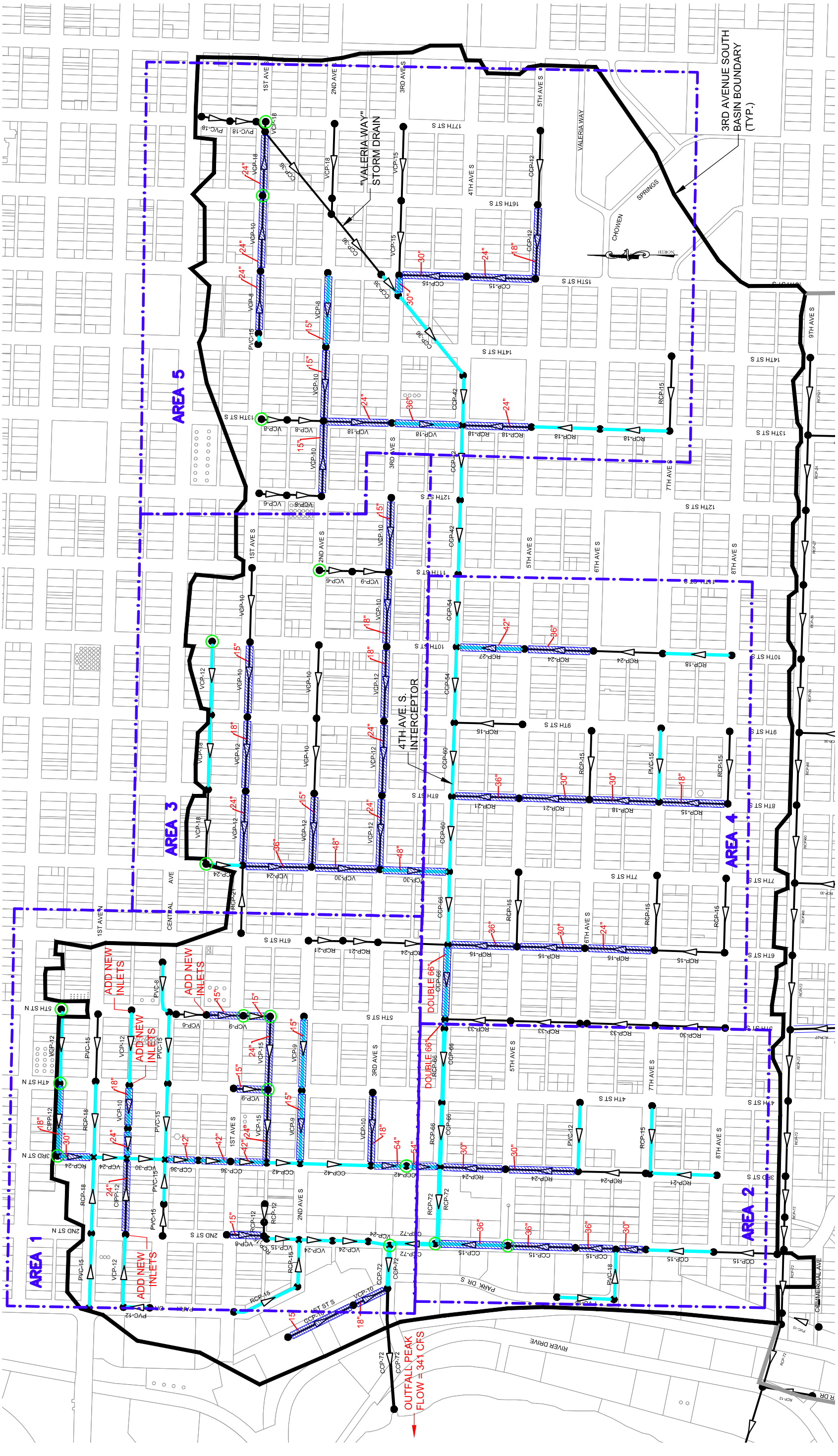




V:\6-20115-City of Great Falls Drainage Basin Study\CADD 6-20115\Exhibits\FIG 1) 6-20115-Project Location Map.dwg

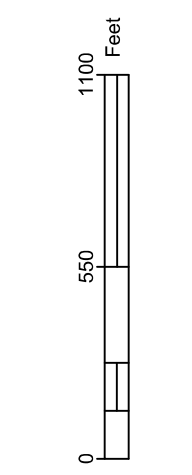


**FIGURE 1
PROJECT LOCATION MAP**



**FIGURE 16 - 3RD AVENUE SOUTH BASIN
ALTERNATIVE NO.1 - PIPE UPSIZING AND
INLET IMPROVEMENTS ONLY
(5 YEAR, 2 HOUR STORM)**

GREAT FALLS DRAINAGE BASIN STUDY



- TYPICAL PIPE WITH FLOW DIRECTION
- LEVEL 1 SURCHARGING - PRESSURE FLOW IN PIPE
- LEVEL 2 SURCHARGING - PRESSURE FLOW IN PIPE AND SURFACE FLOODING AT MANHOLES/INLETS
- PIPE SIZE TO BE INCREASED
- TYPICAL MANHOLE
- STORM INLET CAPACITY TO BE INCREASED
- 18"
- 18"
- 18"
- CCP-12
- 18"
- 18"
- EXISTING PIPE SIZE AND MATERIAL
- NEW PIPE SIZE
- PIPE INLET CAPACITY TO BE INCREASED



FIGURE 2 - PHASE EXHIBIT

Note: Alignments are preliminary and subject to change

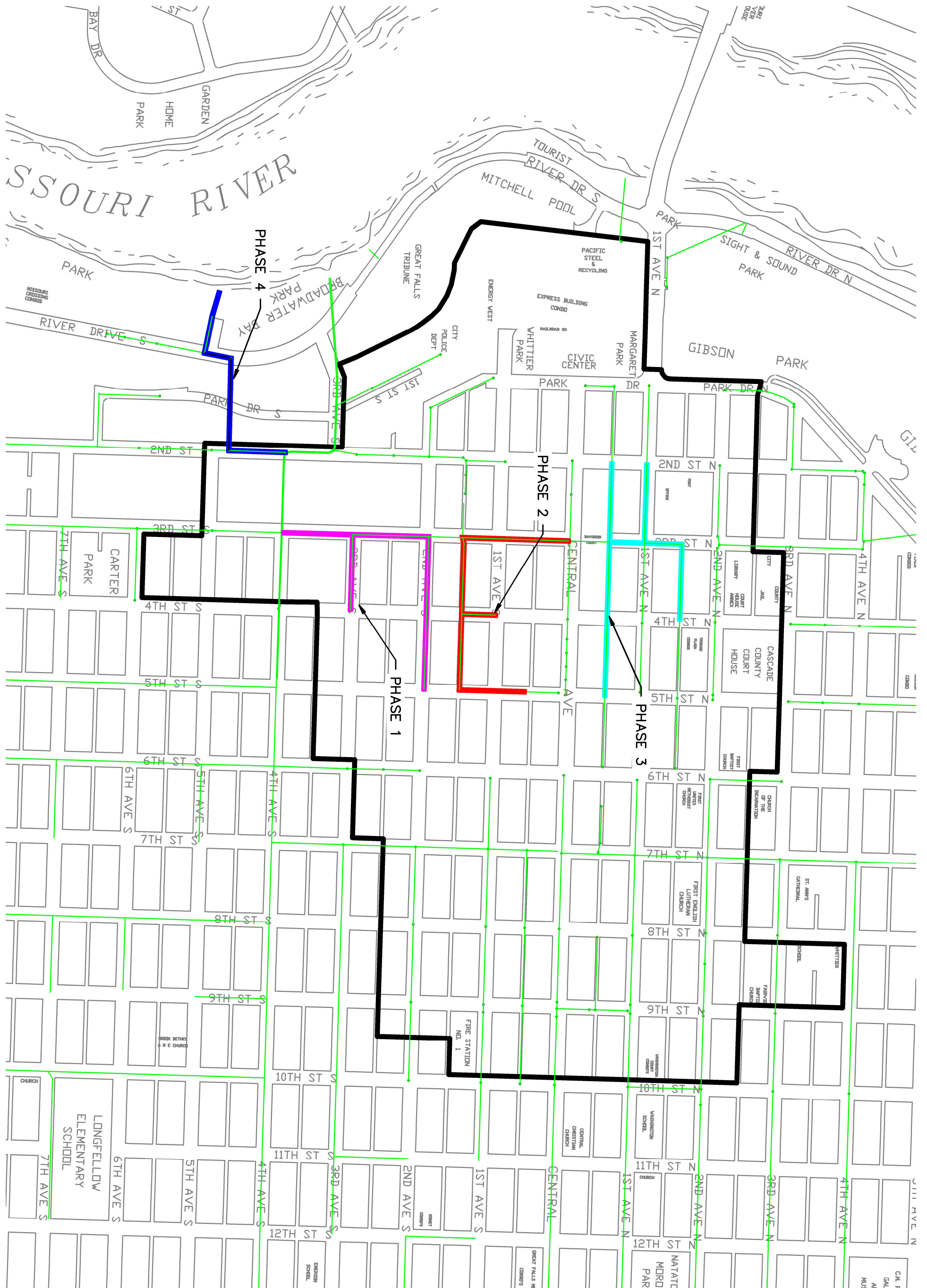
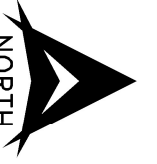


FIGURE 2	CITY OF GREAT FALLS - PUBLIC WORKS DEPARTMENT OF 1779.0	DESIGNED BY: RJB	CHECKED BY: ###	SCALE: AS SHOWN	REVISED: ##-##-##
		DRAWN BY: RJB	APPROVED BY: ###	DATE: 04-05-2022	AS-BUILT



Commission Meeting Date: August 20, 2024
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Construction Contract Final Payment: Lower Northside Water Main Replacement - Phase 2, O. F. 1467.1

From: Engineering Division

Initiated By: Public Works Department

Presented By: Christoff Gaub, Public Works Director

Action Requested: Approve Final Pay Request

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (approve/not approve) Final Payment for the Lower Northside Water Main Replacement Phase 2 project, in the amount of \$93,631.17 to United Materials of Great Falls Inc. and \$945.77 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: The project consists of replacing approximately 8 blocks of aging ductile iron and cast iron water mains on the north side of downtown with new C900 PVC water mains.

Background: This project replaced water mains that have been failing with increasing frequency, causing damage to property and roadways, disrupting traffic and interrupting water services for local residents and businesses. The replaced water mains had 27 breaks in the last 30 years including 10 in the last 5 years. The water main breaks were primarily due to corrosive soils, age and the type of pipe material used. The water mains were installed in 1957, 1960, and 1989. This project also increased the diameter of some of these water mains as they were undersized to support City growth.

Significant Impacts: During construction local residents and businesses were placed on temporary water. Traffic was also detoured around the affected project locations.

Workload Impacts: City Engineering staff designed the project and performed construction inspection and contract administration duties.

Project Work Scope: This project replaced approximately 2,500 lineal feet of 6-inch cast iron water mains,

1,300 lineal feet of 8-inch ductile iron water mains, and 70 lineal feet of 12-inch cast iron water mains. These mains were replaced with 3,870 lineal feet of C900 PVC water mains, including both 8-inch and 12-inch diameter mains. This project also replaced 8 fire hydrants, 98 water service connections, 3,400 square yards of base course, and 1,430 square yards of asphalt pavement.

Project locations included:

- Park Dr. from 5th Ave North to 7th Ave North
- 7th Ave North from Park Dr. to 9th Street
- 3rd Ave North from Park Dr. to 3rd Street

This project started July 2023 and was completed April 2024.

Coordination with other projects: A separate full street reconstruction project was started nearby on April 1st, 2024. The street reconstruction project replaced streets in the following locations:

- 7th Ave North from Park Dr. to 9th Street
- 3rd Ave North from Park Dr. to 3rd Street

These locations had water mains replaced in 2023 as part of the water main replacement project. The trenches in these areas were left unpaved over the winter of 2023/2024 knowing that the street replacement project was scheduled for spring of 2024.

The water main project and the street project were able to be worked on simultaneously in the spring since the remaining water main work was on Park Drive North where no street work was contracted. The water main project was completed April 2024 while the street project was completed July 2024.

Evaluation and Selection Process: Two bids were received and opened on April 5th, 2023. The bids ranged from \$2,030,275.00 to \$2,498,149.60. The lowest responsive bid for this project was \$2,030,275.00, submitted by United Materials of Great Falls, Inc. The City Commission awarded the contract on April 18th, 2023.

Conclusion: City Staff recommends making the Final Payment of \$93,631.17 to United Materials of Great Falls Inc. and \$945.77 to the State Miscellaneous Tax Fund. City Staff verified that United Materials completed all work and punch list items in accordance with the plans and the contract. The two year warranty period started on April 24th 2024.

Fiscal Impact: This project has been programmed and prioritized as a needed capital improvement and is being funded through the Water Utility Enterprise Fund.

Alternatives: The City Commission could vote to deny Final Payment.

Attachments/Exhibits:

Final Pay Documents

Project Summary Sheet

Final Pay

PROJECT FUNDING/EXPENDITURE SUMMARY
 LOWER NORTHSHORE WATER MAIN REPLACEMENT - PHASE 2
 PREPARED BY THE CITY ENGINEERS OFFICE
 O.F. 1487/1
 Date: 7/22/24

PAYEE	FUND	CLAIM NUMBER / AMOUNT / DATE									FINAL	CONTRACT AMOUNT	EXPENDITURES TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9				
CONTRACTOR: United Materials of Great Falls, Inc	Water Department	\$411,823.23	\$477,980.36	\$319,138.82	\$4,702.50	\$4,702.50	\$4,702.50	\$4,702.50	\$4,702.50	\$4,702.50	\$43,277.76	\$2,009,972.25	\$1,872,623.46	\$137,348.80
	5210556-483100		\$477,980.36	\$319,138.82	\$4,702.50	\$4,702.50	\$4,702.50	\$4,702.50	\$4,702.50	\$4,702.50	\$43,277.76	\$2,009,972.25	\$1,872,623.46	\$137,348.80
	TOTAL	\$411,823.23	\$477,980.36	\$319,138.82	\$4,702.50	\$4,702.50	\$4,702.50	\$4,702.50	\$4,702.50	\$4,702.50	\$43,277.76	\$2,009,972.25	\$1,872,623.46	\$137,348.80
INVOICE DATE		8-Sep-23	28-Sep-23	26-Oct-23	30-Nov-23	20-Dec-23	6-Feb-24	6-Mar-24	2-Apr-24	3-Jul-24				
PAYEE	FUND	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9				
MT. DEPT. OF REV. 1% (United Materials of Great Falls, Inc.)	Water Department	\$4,220.44	\$4,626.10	\$3,223.63	\$47.50	\$47.50	\$626.17	\$47.50	\$47.50	\$4,681.20	\$945.77	\$20,302.75	\$18,916.40	\$1,387.35
	5210556-483100		\$4,626.10	\$3,223.63	\$47.50	\$47.50	\$626.17	\$47.50	\$47.50	\$4,681.20	\$945.77	\$20,302.75	\$18,916.40	\$1,387.35
	TOTAL	\$4,220.44	\$4,626.10	\$3,223.63	\$47.50	\$47.50	\$626.17	\$47.50	\$47.50	\$4,681.20	\$945.77	\$20,302.75	\$18,916.40	\$1,387.35
INVOICE DATE		7-Sep-23	28-Sep-23	26-Oct-23	30-Nov-23	20-Dec-23	6-Feb-24	6-Mar-24	2-Apr-24	3-Jul-24				
MISCELLANEOUS	Water Department	\$1,811.00	\$100.00	\$194.54	\$36.20							\$5,000.00	\$2,141.74	\$2,858.26
5210556-483100		\$1,811.00	\$100.00	\$194.54	\$36.20							\$5,000.00	\$2,141.74	\$2,858.26
TOTAL		\$1,811.00	\$100.00	\$194.54	\$36.20							\$5,000.00	\$2,141.74	\$2,858.26
INVOICE DATE		15-Feb-23	21-Feb-23	13-Mar-23	27-Mar-23									
VENDOR		DEC	MDT	Tribune	FedEx									
PROJECT #	ACCOUNT NUMBER	FUND DESIGNATION	FUNDING	EXPENDITURES	BALANCE									
PW 362304	5210556-483100	Water Department - Construction	\$2,020,275.00	\$1,991,538.65	\$128,736.35									
	5210556-483100	Water Department - Miscellaneous	\$5,000.00	\$2,141.74	\$2,858.26									
	TOTALS		\$2,025,275.00	\$1,993,680.39	\$141,594.61									

Project Bid Amount: \$2,020,275.00

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APPLICATION FOR PAYMENT NO. TEN FINAL

To: City of Great Falls (OWNER)
From: United Materials of Great Falls, Inc. (CONTRACTOR)
Contract: Lower North Side Water Main Replacement Phase 2
Project: Water Main Replacement
OWNER's Contract No. 1467.1 ENGINEER's Project No. PW362304
For Work accomplished through the date of: April 30, 2024

1.	Original Contract Price:	\$	<u>2,030,275.00</u>
2.	Net change by Change Orders and Written Amendments (+ or -):	\$	<u>0.00</u>
3.	Current Contract Price (1 plus 2):	\$	<u>2,030,275.00</u>
4.	Total completed <u>\$1,891,538.85</u> and stored () <u>\$0.00</u> to date:	\$	<u>1,891,538.85</u>
5.	Retainage (per Agreement):		
	<u>5</u> % of Completed Work: \$ <u>0.00</u>		
	<u>5</u> % of stored material: \$ <u>0.00</u>		
	Total Retainage:	\$	<u>0.00</u>
6.	Total completed and stored to date less retainage (4 minus 5):	\$	<u>1,891,538.85</u>
7.	Less previous Applications for Payments:	\$	<u>1,796,961.91</u>
8.	Gross Amount Due this application: (6 minus 7):	\$	<u>94,576.94</u>
9.	Less 1% State Gross Receipts Tax:	\$	<u>945.77</u>
10.	DUE THIS APPLICATION (8 MINUS 9):	\$	<u>93,631.17</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 NINE 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 7-3-2024 United Materials of Great Falls, Inc.
CONTRACTOR
By: *[Signature]*

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 07/03/2024 City of Great Falls
ENGINEER
By: *Matthew Proud*

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.**

Final Pay

PROJECT FUNDING/EXPENDITURE SUMMARY
 LOWER NORTHSIDE WATER MAIN REPLACEMENT - PHASE 2
 2nd Ave NE, 7th Ave S, and 9th St, N.
 PREPARED BY THE CITY ENGINEERS OFFICE
 O. F. 14871
 Date: 7/3/2024

PAYEE	FUND	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 8	NO. 7	NO. 8	NO. 9	FINAL	CONTRACT AMOUNT	EXPENDITURES TO DATE	BALANCE
CONTRACTOR: Under Materials of Great Falls, Inc.	Water Department	\$417,823.23	\$477,990.98	\$319,138.92	\$4,702.50	\$4,702.50	\$61,990.99	\$4,702.50	\$4,702.50	\$483,238.78	\$93,631.17	\$2,009,972.25	\$1,872,623.45	\$137,348.80
	5210556.493100		\$477,990.98	\$319,138.92	\$4,702.50	\$4,702.50	\$61,990.99	\$4,702.50	\$4,702.50	\$483,238.78	\$93,631.17	\$2,009,972.25	\$1,872,623.45	\$137,348.80
	TOTAL	\$417,823.23	\$477,990.98	\$319,138.92	\$4,702.50	\$4,702.50	\$61,990.99	\$4,702.50	\$4,702.50	\$483,238.78	\$93,631.17	\$2,009,972.25	\$1,872,623.45	\$137,348.80
	INVOICE DATE	8-5-23	28-Sep-23	28-Oct-23	30-Nov-23	20-Dec-23	6-Feb-24	6-Mar-24	2-Apr-24	3-Jul-24				
PAYEE MT. DEPT. OF REV. 1% (Under Materials of Great Falls, Inc.)	Water Department	\$4,229.64	\$4,828.10	\$3,223.63	\$47.50	\$47.50	\$626.17	\$47.50	\$47.50	\$4,889.90	\$946.77	\$20,302.75	\$18,915.40	\$1,387.35
	5210556.493100		\$4,828.10	\$3,223.63	\$47.50	\$47.50	\$626.17	\$47.50	\$47.50	\$4,889.90	\$946.77	\$20,302.75	\$18,915.40	\$1,387.35
	TOTAL	\$4,229.64	\$4,828.10	\$3,223.63	\$47.50	\$47.50	\$626.17	\$47.50	\$47.50	\$4,889.90	\$946.77	\$20,302.75	\$18,915.40	\$1,387.35
	INVOICE DATE	7-Sep-23	28-Sep-23	28-Oct-23	30-Nov-23	20-Dec-23	6-Feb-24	6-Mar-24	2-Apr-24	3-Jul-24				
MISCELLANEOUS	Water Department	\$1,411.00	\$100.00	\$194.54	\$38.20						\$0.00	\$5,000.00	\$2,141.74	\$2,858.26
	5210556.493100		\$100.00	\$194.54	\$38.20						\$0.00	\$5,000.00	\$2,141.74	\$2,858.26
	TOTAL	\$1,411.00	\$100.00	\$194.54	\$38.20						\$0.00	\$5,000.00	\$2,141.74	\$2,858.26
	INVOICE DATE	15-Feb-23	21-Feb-23	13-Mar-23	27-Mar-23									
	VENDOR	DEC	MDT	Tribuna	Fidelx									
	TOTALS	\$2,035,275.00	\$1,893,880.59	\$1,411,594.41										

PROJECT #	ACCOUNT NUMBER	FUND DESIGNATION	FUNDING	EXPENDITURES	BALANCE
PW 362304	5210556.493100	Water Department - Construction	\$2,030,275.00	\$1,891,539.85	\$138,735.15
	5210556.493100	Water Department - Miscellaneous	\$5,000.00	\$2,141.74	\$2,858.26
	TOTALS		\$2,035,275.00	\$1,893,680.59	\$141,593.41

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 GP

Project Bid Amount = \$2,030,275.00

APPLICATION FOR PAYMENT NO. TEN FINAL

To: City of Great Falls (OWNER)
From: United Materials of Great Falls, Inc. (CONTRACTOR)
Contract: Lower North Side Water Main Replacement Phase 2
Project: Water Main Replacement
OWNER's Contract No. 1467.1 ENGINEER's Project No. PW362304
For Work accomplished through the date of: April 30, 2024

1.	Original Contract Price:	\$	<u>2,030,275.00</u>
2.	Net change by Change Orders and Written Amendments (+ or -):	\$	<u>0.00</u>
3.	Current Contract Price (1 plus 2):	\$	<u>2,030,275.00</u>
4.	Total completed <u>\$1,891,538.85</u> and stored () <u>\$0.00</u> to date:	\$	<u>1,891,538.85</u>
5.	Retainage (per Agreement):		
	<u>5</u> % of Completed Work: \$ <u>0.00</u>		
	<u>5</u> % of stored material: \$ <u>0.00</u>		
	Total Retainage:	\$	<u>0.00</u>
6.	Total completed and stored to date less retainage (4 minus 5):	\$	<u>1,891,538.85</u>
7.	Less previous Applications for Payments:	\$	<u>1,796,961.91</u>
8.	Gross Amount Due this application: (6 minus 7):	\$	<u>94,576.94</u>
9.	Less 1% State Gross Receipts Tax:	\$	<u>945.77</u>
10.	DUE THIS APPLICATION (8 MINUS 9):	\$	<u>93,631.17</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 NINE 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 7-3-2024 United Materials of Great Falls, Inc.
CONTRACTOR
By: *[Signature]*

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 07/03/2024 City of Great Falls
ENGINEER
By: *Matthew Proud*

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.**

PROJECT SUMMARY SHEET:
LOWER NORTHSIDE WATER MAIN REPLACEMENT PHASE 2, O.F. 1467.1
FY 2024 Capital Improvement Plan
Current as of: July 3, 2024

Description: This project replaced 3,870 lineal feet of aging cast iron and ductile iron water mains with new 8 inch and 12 inch C900 PVC water mains. (8 blocks)

Justification: This project was necessary to replace water mains that were under sized and had been failing with increasing frequency, causing damage to property and roadways, while disrupting water service to local residents and businesses. The water main breaks are primarily due to corrosive soils, age, and the type of pipe material used. The water mains were originally installed in the 1957, 1960, and 1989.

Scope: This project included the installation of new 8-inch, and 12-inch mains; 8 fire hydrants; 98. water service connections; 6,000 square yards of gravel; and 6,800 square yards of asphalt pavement. Project locations included;

- Park Dr. from 5th Ave North to 7th Ave North
- 7th Ave North from Park Dr. to 9th Street
- 3rd Ave North from Park Dr. to 3rd Street

Added to CIP: 2nd half FY2023

CIP Timeline: Construction completed April 24, 2024. (Substantial Completion)

Cost:

- CIP programmed \$1,450,000/ 2nd half FY23
- Current Working Estimate: \$\$2,030,275.00
- Awarded Cost: \$2,030,275.00
- Final Cost: \$1,891,538.85

Funding Source(s): Water Utility Enterprise Fund

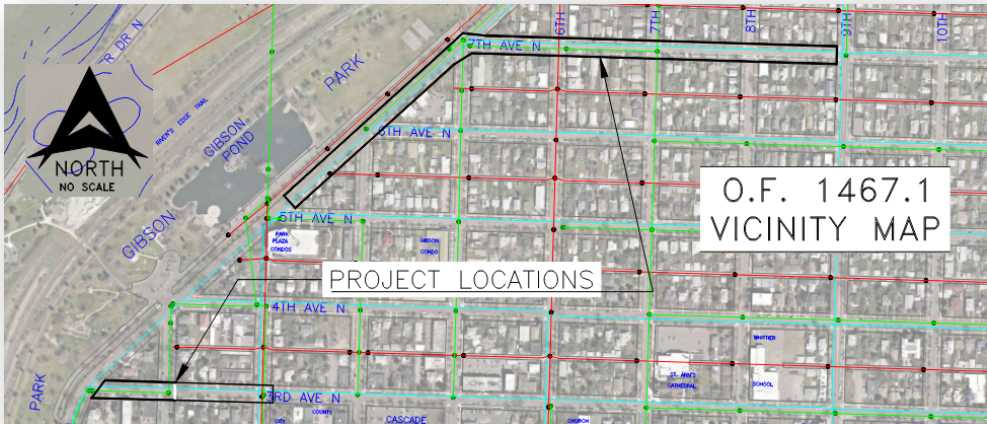
Planned Execution Method: Design-Bid-Build, Project Management

Planned Construction CY: Summer 2023 to Spring 2024

Current Project Stage (Estimated Completion Date): Planning (Summer 2021), Design (Fall 2021), Bidding (March 2023), Construction (Start July 2023), Substantial Completion (April 24, 2024), Warranty (April 24, 2026)

- Design Method: In House

Map & Site Pictures:





Commission Meeting Date: August 20, 2024
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Resolution 10556 to Levy and Assess the General Boulevard 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 conduct public hearing and adopt Resolution 10556 to Levy and Assess the General Boulevard District No. 3570

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 (adopt/deny) Resolution 10556.”
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10556.

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 division. 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. For Fiscal Year 2025, the boulevard assessment is increasing 6% or \$6.11 for the average

size lot to cover the increased costs of operations (i.e. personnel, tree planting, fuel, etc.). The last General Boulevard increase of 6% was approved in Fiscal Year 2024.

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 10556 will allow the City to finance the costs of work, improvements and maintenance conducted each year in the General Boulevard District.

The estimated assessment amount for the General Boulevard District for the next fiscal year is the amount reflected in the Fiscal Year 2025 Budget. This equates to an estimated assessment of \$0.014396 per square foot, for a total of \$510,788 and will result in an assessment of approximately \$107.97 for an average size lot of 7,500 square feet (7,500 sq. ft. x 0.014396 factor = \$107.97.)

Alternatives: The City Commission could choose to deny the adoption of Resolution 10556 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 10556
Map of the General Boulevard District

RESOLUTION NO. 10556

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, 2024 AND ENDING JUNE 30, 2025

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 16, 2024, the City Commission adopted Resolution 10551, Annual Budget Resolution, in which the estimated assessment for such maintenance within the General Boulevard Maintenance District No. 3570 was reflected as FIVE-HUNDRED TEN THOUSAND SEVEN HUNDRED EIGHTY-EIGHT DOLLARS (\$510,788); and

WHEREAS, in accordance with Mont. Code Ann. § 7-1-4127, notice was published setting forth that Resolution No. 10556 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 20, 2024.

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 \$510,788, be levied and assessed upon the properties in said district for the fiscal year ending June 30, 2025.

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, 2024 and May 31, 2025.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 20th day of August, 2024.

Cory Reeves, Mayor

ATTEST:

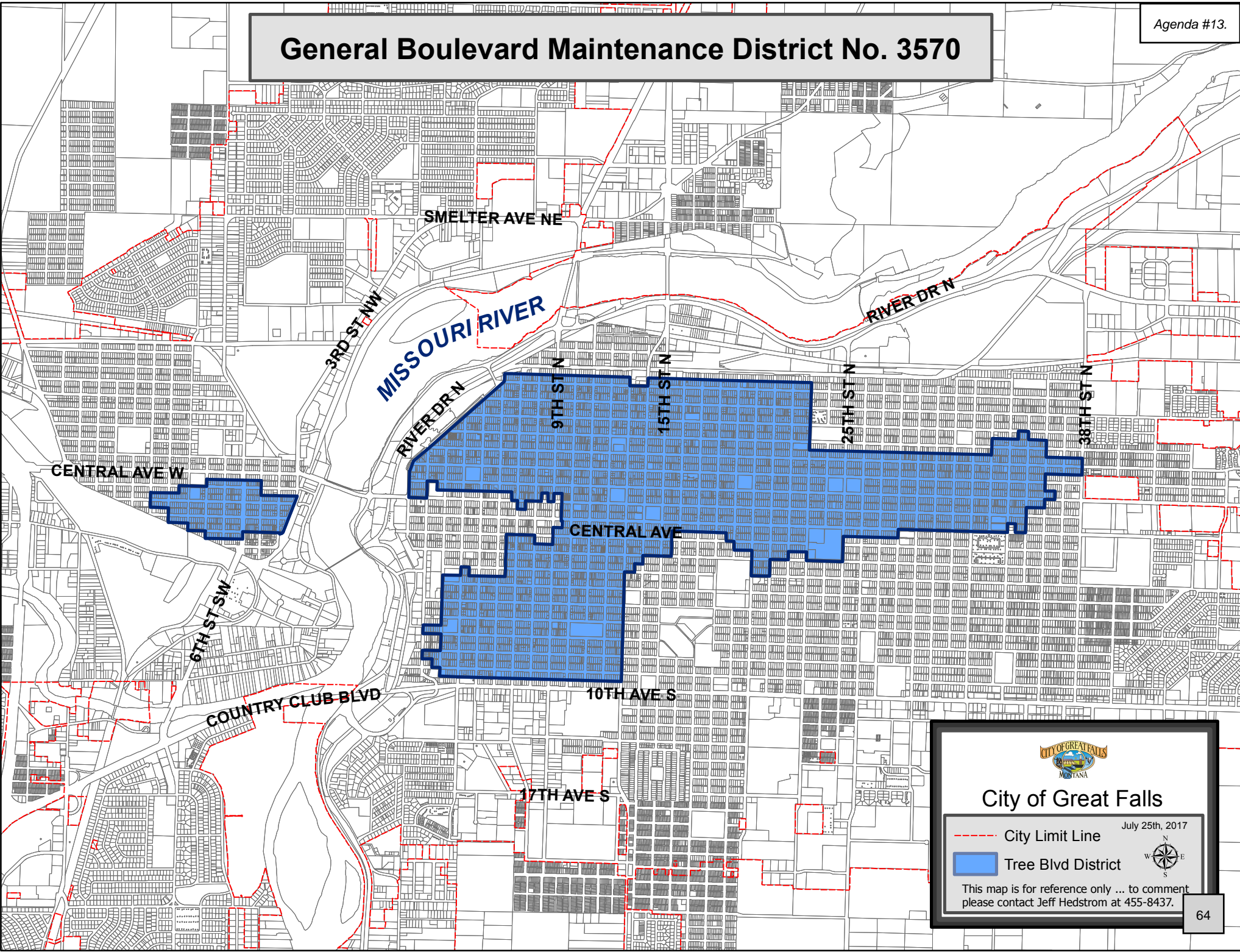
Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney

General Boulevard Maintenance District No. 3570




City of Great Falls
July 25th, 2017

--- City Limit Line
■ Tree Blvd District

This map is for reference only ... to comment please contact Jeff Hedstrom at 455-8437.





Commission Meeting Date: August 20, 2024
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Resolution 10557 to Levy and Assess Great Falls Park District No. 1

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission conduct public hearing and adopt Resolution 10557 to Levy and Assess Great Falls Park District No. 1

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 (adopt/deny) Resolution 10557.”
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10557.

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. Fiscal Year 2025 is year 7 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 August approximately. Therefore, based on 2023's valuations, the estimated annual assessment for a \$100,000 market value property would be \$19.04. For a \$200,000 market value property, the estimated annual assessment is \$38.08. For a \$300,000 market value property, the estimated annual assessment is \$57.12.

Alternatives: The City Commission could choose to deny Resolution 10557 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 10557

RESOLUTION NO. 10557

A RESOLUTION LEVYING AND ASSESSING THE COST OF IMPROVEMENTS AND MAINTENANCE IN THE GREAT FALLS PARK DISTRICT NUMBER 1 OF THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025

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, pursuant to Montana Code Annotated, Title 7, Chapter 11, Part 10 (the “Act”) and in accordance with the provisions of Title 7, Chapter 7, Part 44, the City is permitted to issue revenue bonds in one or more series (collectively, the “Bonds”) to fund costs of improvements in the District, and pursuant to Ordinance No. 3228 adopted on May 4, 2021, the City Commission established the authority of the City to levy assessments each year against the properties in the District in an amount necessary to pay debt service on any outstanding Bonds.

WHEREAS, on July 16, 2024, the City Commission adopted Resolution 10551, Annual Budget Resolution, in which the estimated assessment for such maintenance and improvements (including debt service on Bonds) 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. 10557 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 20, 2024.

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

Section 1 – Costs Assessed

The cost of maintenance and improvements (including debt service on Bonds) in the District, totaling \$1,500,000, be levied and assessed upon the properties in the District for the fiscal year ending June 30, 2025.

Section 2 –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, 2024 and May 31, 2025.

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 20th day of August, 2024.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney



Commission Meeting Date: August 20, 2024

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10558 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 conduct public hearing and adopt Resolution 10558 to Levy and Assess Properties within Special Improvement Lighting Districts

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 (adopt/deny) Resolution 10558.”
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10558.

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 10558 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 \$1,414,060. After review of the budget and the estimated assessment for Fiscal Year 2025, the total assessment amount reflects an aggregate 6.7% increase from the prior fiscal year. It is important to note that not all districts will have an increased assessment this year. Only those districts without a sufficient cash balance to cover the cost of operations will be increased (shown in Exhibit A). Many districts have been using their fund balance in recent years to offset assessment increases.

<u>BUDGETED</u>	
<u>TOTAL ASSESSMENT</u>	<u>FISCAL YEAR</u>
\$ 1,159,589	2017/2018 (27 Districts)
\$ 1,164,252	2018/2019 (27 Districts)
\$ 1,170,052	2019/2020 (27 Districts)
\$ 1,123,242	2020/2021 (27 Districts)
\$ 1,111,842	2021/2022 (27 Districts)
\$ 1,161,507	2022/2023 (27 Districts)
\$ 1,325,660	2023/2024 (27 Districts)
\$ 1,414,060	2024/2025 (27 Districts)

The Fiscal Year 2025 assessment per district is indicated on the Lighting Districts Maintenance Budget & Assessment Worksheet attached as Exhibit "A" and made a part of Resolution 10558.

Alternatives: The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 10558; however, there will either be a reduction in services or some districts may have a negative cash balance.

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 10558
Exhibit A

RESOLUTION NO. 10558

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, 2024 AND ENDING JUNE 30, 2025

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 16, 2024, the City Commission adopted Resolution 10551, 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 FOUR HUNDRED FOURTEEN THOUSAND SIXTY DOLLARS (\$1,414,060); and

WHEREAS, in accordance with § 7-1-4127, MCA, notice was published setting forth that Resolution No. 10558 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 20, 2024.

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 \$1,414,060 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, 2024 and May 31, 2025.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 20th day of August, 2024.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney

**FY2025 LIGHTING DISTRICTS BUDGET & ASSESSMENT WORKSHEET
RESOLUTION 10558 - EXHIBIT "A"**

DISTRICT	DISTRICT TYPE	FUND	FY 2025	FY 2025	FY 2025	FY 2025	TARGET	FY 2024	FY 2025	\$ DIFF	% DIFF
			PROJECTED BEGINNING CASH	REQUESTED TOTAL EXPENSES	ESTIMATED ASSESSMENT	ENDING CASH	CASH BALANCE	ASSESSMENT	ASSESSMENT	(+/-)	(+/-)
1	18 STREET	8402	\$ 3,612	\$ 2,816	\$ 2,700	\$ 3,496	\$ 1,408	\$ 2,700	\$ 2,700	\$ -	0%
2	650 PERIOD	8403	56,541	673	500	56,367	337	500	500	0	0%
3	651 STREET	8404	1,666	3,919	4,500	2,247	1,960	4,000	4,500	500	13%
4	912 STREET	8405	18,616	12,190	10,000	16,426	6,095	10,000	10,000	0	0%
5	973 STREET	8406	23,882	182	40	23,739	91	40	40	0	0%
6	1067A ALLEY	8407	3,787	5,495	5,000	3,292	2,748	5,000	5,000	0	0%
7	1105 STREET	8408	1,793	4,541	5,000	2,252	2,270	4,600	5,000	400	9%
8	1230 STREET	8409	516	207	170	479	104	170	170	0	0%
9	1255 STREET	8410	1,092	415	350	1,027	207	350	350	0	0%
10	1261 PERIOD	8411	18,632	11,170	8,500	15,961	5,585	8,500	8,500	0	0%
11	1269 PERIOD	8412	94,682	35,802	27,000	85,880	17,901	22,500	27,000	4,500	20%
12	1270 PERIOD	8413	16,191	18,908	13,500	10,783	9,454	11,000	13,500	2,500	23%
13	1289 STREET	8414	4,784	15,208	16,000	5,576	7,604	15,000	16,000	1,000	7%
14	1290 STREET	8415	959	1,290	1,200	869	645	1,100	1,200	100	9%
15	1294 SLDA	8416	80,947	169,331	170,000	81,616	84,665	150,000	170,000	20,000	13%
16	1298 SLDI	8417	(13,352)	25,900	30,000	(9,252)	12,950	26,000	30,000	4,000	15%
17	1295 SLDC	8418	77,165	62,714	54,000	68,452	31,357	54,000	54,000	0	0%
18	1296 SLDR	8419	801,187	1,101,303	1,000,000	699,883	550,652	950,000	1,000,000	50,000	5%
19	1297 SLDT	8420	(5,871)	55,620	60,000	(1,490)	27,810	55,000	60,000	5,000	9%
20	1302 ML3	8430	16,303	5,025	1,000	12,278	2,513	600	1,000	400	67%
21	1304 EC1	8432	11,315	1,426	1,200	11,089	713	1,200	1,200	0	0%
22	1306 ML4	8434	7,044	194	600	7,450	97	600	600	0	0%
23	1308 ECII & III	8436	11,067	1,651	1,000	10,415	826	1,000	1,000	0	0%
24	1310 ML5	8438	6,159	998	750	5,911	499	750	750	0	0%
25	1303 Stone Meadow 1	8440	11,152	419	350	11,083	210	350	350	0	0%
26	1305 Water Tower	8442	11,613	344	250	11,519	172	250	250	0	0%
27	1309 Stone Meadow 2	8444	4,606	467	450	4,588	234	450	450	0	0%
	ALL DIST Fund 217	8401	158,864	-	-	158,864	-	-	-	-	-
			\$ 1,424,952	\$ 1,538,209	\$ 1,414,060	\$ 1,300,804	\$ 769,104	\$ 1,325,660	\$ 1,414,060	\$ 88,400	6.7%

City-Owned Lighting Districts

Aggregate % of Increase (Decrease) 6.7%



Commission Meeting Date: August 20, 2024
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Resolution 10559 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 conduct public hearing and adopt Resolution 10559 to Levy and Assess the Portage Meadows Maintenance District No. 1195

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 (adopt/deny) Resolution 10559.”
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10559.

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. For Fiscal Year 2025, the Portage Meadows assessment is increasing 5%

or \$19.23 for the average size lot to cover the increased costs of operations (i.e. personnel, fuel, maintenance of the irrigation system, etc.). The last Portage Meadows Maintenance District increase of 5% was approved in Fiscal Year 2024.

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 10559 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 2025 Budget. This equates to an estimated assessment of \$0.089736 per square foot, a total of \$75,538 and will result in an annual assessment of approximately \$403.90 for an average lot of 4,501 square feet (4,501 sq. ft. x 0.089736 factor = \$403.90).

Alternatives: The City Commission could choose to deny Resolution 10559 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 10559

Map of Portage Meadows Boulevard District

RESOLUTION NO. 10559

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, 2024 AND ENDING JUNE 30, 2025

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 16, 2024, the City Commission adopted Resolution 10551, Annual Budget Resolution, in which the estimated costs for the assessment of such maintenance within Special Improvement Maintenance District No. 1195 was reflected as SEVENTY-FIVE THOUSAND FIVE HUNDRED THIRTY-EIGHT DOLLARS (\$75,538); and

WHEREAS, in accordance with § 7-1-4127, MCA, notice was published setting forth that Resolution No. 10559 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 20, 2024.

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 \$75,538, be levied and assessed upon the properties in said district for the fiscal year ending June 30, 2025.

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, 2024 and May 31, 2025.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 20th day of August, 2024.

Cory Reeves, Mayor

ATTEST:

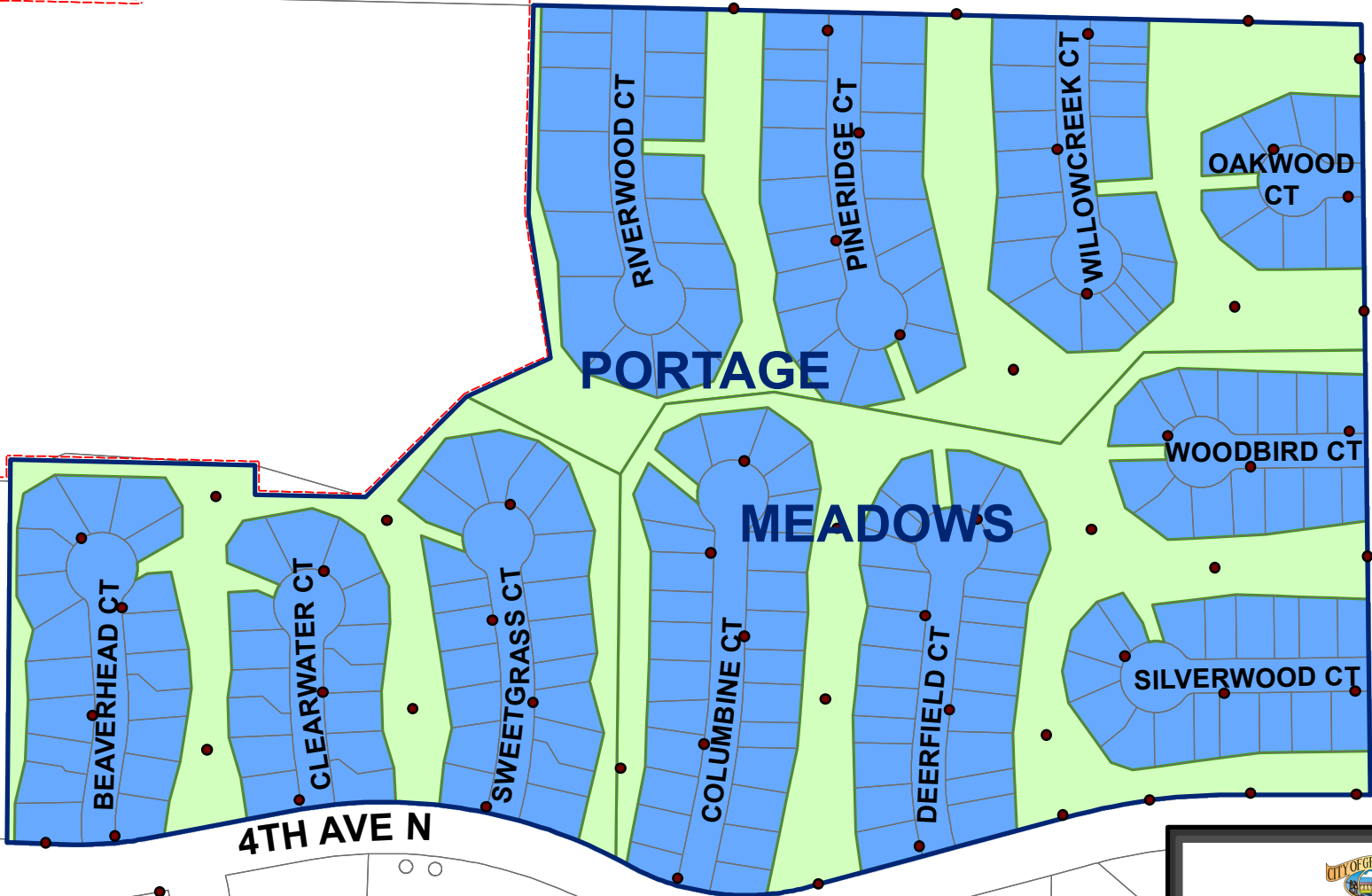
Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney


Portage Meadows Maintenance District No. 1195







52TH ST N


4TH AVE N

46TH 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.





Commission Meeting Date: August 20, 2024
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Resolution 10560 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 conduct public hearing and adopt Resolution 10560 to Levy and Assess the Street Maintenance District

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 (adopt/deny) Resolution 10560.”
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10560.

Background: The Street Division maintains approximately 393 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. The proposed 10% increase was used in preparing the FY 2025 annual budget. The last street maintenance increase of 10% was approved in FY 2024.

As part of the annual budget development and adoption procedures, the Street Maintenance Assessment Resolution must be submitted for separate 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. Four 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.

Fiscal Impact: Adoption of Resolution 10560 will allow the City to fund the cost of operations, improvements, and maintenance in the Street Maintenance District.

For Fiscal Year 2025, the street maintenance assessment will increase 10%. For an average-sized residential lot of 7,500 square feet, the estimated assessment factor is \$0.017759 per square foot, or approximately \$133.20 (7,500 sq. ft. x 0.017759 factor = \$133.20.). This is an estimated increase of \$12.11 or 10% for the averaged-sized residential lot. The estimated total assessment for the District is \$5,545,751.

Alternatives: The City Commission could choose to deny Resolution 10560 to Levy and Assess the Street Maintenance District; however, there would be a significant reduction in services for street maintenance.

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 10560

RESOLUTION NO. 10560

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, 2024 AND ENDING JUNE 30, 2025

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 16, 2024, the City Commission adopted Resolution 10551, Annual Budget Resolution, in which the estimated assessment for such maintenance not offset by other revenues within the Street Maintenance District was reflected as FIVE MILLION FIVE-HUNDRED FORTY-FIVE THOUSAND SEVEN-HUNDRED FIFTY-ONE DOLLARS (\$5,545,751); and

WHEREAS, in accordance with Mont. Code Ann. § 7-12-4426, notice was published setting forth that Resolution No. 10560 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 20, 2024.

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 FIVE MILLION FIVE-HUNDRED FORTY-FIVE THOUSAND SEVEN-HUNDRED FIFTY-ONE DOLLARS (\$5,545,751) be levied and assessed upon the property in said district for the fiscal year ending June 30, 2025. 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.

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, 2024 and May 31, 2025.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 20th day of August, 2024.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney



Commission Meeting Date: August 20, 2024

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10553 – Annual Tax Levy
From: Gregory T. Doyon, City Manager
Initiated By: Taxable Valuations from Montana Department of Revenue
Presented By: Melissa Kinzler, Finance Director
Action Requested: Adopt Resolution 10553

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10553.”

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

Summary: The City Commission is required to fix an annual tax levy by setting mills to generate property tax revenues that will balance the General Fund budget and other levy supported funds. The City received its taxable valuation from the Montana Department of Revenue (MTDOR) on August 5, 2024. With this valuation, the City can now compute and set its annual mill levy.

The total mill levy for Tax Year 2024 (FY 2025) is 210.35 mills totaling \$27,797,669. This includes mills for the general levy (previously and newly taxable property), the Permissive Medical Levy, and the Great Falls Public Library mill levy.

Background: The City’s total taxable value is \$137,509,226. The taxable value per mill increased slightly from \$131,816 in FY 2024 to \$132,152 in FY 2025, an increase of 0.25%. The MTDOR provides no specific project or development that attributes to this increase. Changes to the tax base (e.g. increases from development) are not distinguishable. Tax Year 2024 (FY 2025) was not a re-valuation year for residential properties, which are on a two-year cycle. The next revaluation year for residential properties will be next year, Tax Year 2025.

During the pandemic, the City did not utilize any available tax increases in FY 2021 or FY 2022. Since FY 2023, in an effort to stabilize the General Fund undesignated fund balance, the City has utilized all available increases for the inflationary factor and permissive medical levy. The FY 2025 budget was adopted by the City Commission using the full inflationary factor and permissive medical levy available. This tax levy resolution incorporates both.

This year’s newly taxable property reported by the MTDOR will generate additional revenue of \$710,064. During the FY 2025 budget adoption process, the Finance Department projected the City’s newly taxable property revenue would be \$400,000. The projection was based on a 23-year average of newly taxable property. No particular development project can be identified for this newly taxable property. This additional revenue of \$310,064 not included in the FY 2025 Adopted Budget will be used to offset any uncollected taxes throughout the year, offset any appeals or protests, and/or contribute to the General Fund unreserved fund balance. The fund balance policy is 22% and the Adopted Budget projected ending fund balance is 24.5%.

The City anticipates property assessment appeals/abatement requests which means the City will not definitively know how much of this new projected tax revenue will be available until those appeals/abatement requests are processed. The City has a large ongoing appeal outstanding that could have a material effect on the valuations once settled, according to the MTDOR. A mill levy recertification may be warranted if the appeal is completed timely, or the City will have to compensate for any decreased revenue as a result of the appeal determination.

Included in the total mill levy of 210.35 are the following:

Permissive Medical Levy

- 32.39 mills will generate \$4,279,889

This is an increase from last year of \$317,544 in additional revenue to cover health insurance costs in the General Fund. Under 15-10-420(9)(a)(vi), the City is allowed to take 32.39 total mills for the Permissive Medical Levy.

Great Falls Public Library Mill Levy

- 17.00 mills will generate \$2,246,584

On June 6th, 2023, a levy of up to 17.00 mills, an increase of 15.00 mills, was approved by voters for the operation, maintenance, and capital needs of the Great Falls Public Library.

Total Mill Levy Summary

Last year’s mill levy for Tax Year 2023 (FY 2024) certified revenue of \$26,457,995. The differences between the mill levy for Tax Year 2023 (what the City milled last year) and \$27,797,669 (what the City will mill this year) include the following:

General Levy

- \$710,064 for newly taxable property,
- \$562,520 for the inflationary adjustment,
- \$317,544 for the “Permissive Medical Levy”,
- (\$91,522) for tax loss from HB212,
- \$126 for previous taxable value adjustments

Voted Levy

- \$5,712 for the “Great Falls Public Library Levy”

Voted General Obligation Debt

- (\$164,770) for the general obligation soccer park debt paid in full as of July 1, 2024.

The total mill levy allowable under state law is 210.35.

Fiscal Impact: The total mill levy for Tax Year 2024 (FY 2025) is 210.35 mills totaling \$27,797,669. The newly taxable value revenue of \$710,064 may result in an increase of \$310,064 in undesignated fund balance for the General Fund in FY 2025 because it is more than the budgeted amount of \$400,000.

During the FY 2025 budget process, the City Commission adopted the budget utilizing the full inflationary factor available and the full permissive medical levy available. Based on the new certified mill value, the increase for the applicable property owner is below. Because of the small change in mill value from last year, the amounts below are very close to what was presented during the budget process using last year’s mill value.

	\$100,000 Market Value Home	\$200,000 Market Value Home	\$300,000 Market Value Home	\$600,000 Market Value Home
Inflationary Factor Increase	\$ 5.75	\$ 11.49	\$17.24	\$34.48
Permissive Medical Levy Increase	\$ 3.24	\$ 6.49	\$9.73	\$19.46
Total Annual Increase	\$ 8.99	\$ 17.98	\$26.97	\$53.94

Alternatives: State law requires that the City adopt a FY 2025 Budget which includes setting the annual mill levy amounts on or before the first Thursday after the first Tuesday in September or 30 days after receiving taxable valuation from the Montana Department of Revenue, whichever is later.

The City Commission could decrease the amount of its levies from the limit allowable by State law – either decrease the inflationary adjustment, the permissive medical levy, or the Library Levy. Doing so would cause the projected General Fund undesignated fund balance to be less than the 24.5% adopted. The Commission could also choose to cut expenditures.

Concurrences: The FY 2025 Budget was adopted July 16, 2024. Setting the mill levy for Tax Year 2024 (FY 2025) is the last step in the adoption of the FY 2025 City of Great Falls Budget.

- Attachments/Exhibits:**
 Tax Levy Resolution 10553
 Tax Levy Resolution 10553 Appendix A
 2024 Certified Taxable Valuations (from Montana Department of Revenue)
 Taxable Valuation History

RESOLUTION NO. 10553
RESOLUTION TO FIX ANNUAL TAX LEVY
A RESOLUTION PROVIDING FOR THE ANNUAL TAX
LEVY IN MILLS FOR THE FISCAL YEAR BEGINNING
JULY 1, 2024 AND ENDING JUNE 30, 2025

WHEREAS, Montana Code Annotated (MCA), 7-1-114, states "(1) A local government with self-governing powers is subject to ...(g) except as provided in subsection (3), any law regulating the budget, finance, or borrowing procedures and powers of local governments...(3) (b) The provisions of 15-10-420 apply to self-governing local government units."

WHEREAS, The City of Great Falls, Montana adopted a self-governing charter in 1986. Article I, Section 3 of the Charter of the City of Great Falls, Montana states: "The total mill levy shall not exceed that allowed to general powers cities of the first class by Montana Law."

WHEREAS, Section 7-6-4036, MCA, requires the City Commission to fix the tax levy for each taxing jurisdiction by the later of the first Thursday after the first Tuesday in September or within 30 calendar days after receiving certified taxable values. Certified taxable values were received August 5, 2024.

WHEREAS, Section 15-10-420, MCA provides:

(1)(a) Subject to the provisions of this section, a governmental entity that is authorized to impose mills may impose a mill levy sufficient to generate the amount of property taxes actually assessed in the prior year plus one-half of the average rate of inflation for the prior 3 years. The maximum number of mills that a governmental entity may impose is established by calculating the number of mills required to generate the amount of property tax actually assessed in the governmental unit in the prior year based on the current year taxable value, less the current year's value of newly taxable property plus one-half the average rate of inflation for the prior 3 years.

(2) ... plus any additional levies authorized by the voters ...

(9) (a) The provisions of subsection (1) do not prevent or restrict...(vi) the portion that is the amount in excess of the base contribution of a governmental entity's property tax levy for contributions for group benefits excluded under 2-9-212 or 2-18-703.

WHEREAS, Section 15-10-201, MCA, requires the City Commission to fix its tax levy in mills and tenths and hundredths of mills.

WHEREAS, The Department of Revenue's certified taxable value for the City of Great Falls is \$137,509,226 which equates to \$137,509 per mill; when the incremental value of the tax increment finance districts is removed the value is \$132,152 per mill. This includes \$4,411,433 or \$4,411 per mill, of newly taxable property.

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

Section 1. - Determination of Mill Levy Limit

- Appendix A shows the determination of the total mill levy limit of 160.96 mills.
- An additional 32.39 “Permissive Medical Levy” is allowed under 15-10-420(9)(a)(vi) for increased health insurance premiums not included in the Appendix A calculation.
- An additional 17.00 mills are allowed under 15-10-420(2) for additional voter supported mills. On June 6th, 2023, a levy of up to 17.00 mills, an increase of 15.00 mills, was approved by voters for the operation, maintenance, and capital needs of the Great Falls Public Library.

Section 2. - Tax Levy Amounts

A 210.35 mill levy will generate:

- a. \$ 20,561,132 from the \$127,741 certified value per mill for Previously Taxable Property;
- b. \$ 710,064 from the \$4,411 certified value per mill for Newly Taxable Property;
- c. \$ 4,279,889 from the \$132,152 certified value per mill for increased Health Insurance premiums “Permissive Medical Levy”,
- d. \$ 2,246,584 from the \$132,152 certified value per mill for the Great Falls Public Library.
- f. \$ 27,797,669 in total City tax for 2024 Tax Year from the \$132,152 total certified value per mill.

This does not reflect delinquent collections or tax increments withheld.

Section 3. - Tax Levy Required and Set

- a. 160.96 mill levy- The City Commission has determined a \$21,271,196 tax levy, requiring a 160.96 mill levy, is necessary to balance the General Fund Budget.
- b. 32.39 mill levy- The City Commission has determined a \$4,279,889 “Permissive Medical Levy”, requiring a 32.39 mill levy, is necessary for increased health premium costs to balance the General Fund Budget.
- c. 17.00 mill levy- The City Commission has determined a \$2,246,584 tax levy, requiring a 17.00 mill levy, is necessary for the Great Falls Public Library.
- d. Total 210.35 - The City Commission of the City of Great Falls, Montana, hereby fixes the tax levy for the fiscal year July 1, 2024 through June 30, 2025 at 210.35 mills.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,
August 20, 2024.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney

Determination of Tax Revenue and Mill Levy Limitations

Section 15-10-420, MCA
Resolution 10553 Appendix A

FYE June 30, 2025

Agenda #18.

Reference Line	Enter amounts in yellow cells	Auto-Calculation (If completing manually enter amounts as instructed)
(1)	Enter Ad valorem tax revenue ACTUALLY assessed in the prior year <i>Year's form Line 17</i> (from Prior	\$ 20,090,008
(2)	Add: Current year inflation adjustment @ 2.80%	\$ 562,520
(3)	Subtract: Ad valorem tax revenue ACTUALLY assessed in the prior year for Class 1 and 2 property, (net and gross proceeds) (from Prior Year's form Line 20) (enter as negative)	\$ -
(3.5)	Subtract: Department of Revenue FY2025 All Class 8 Business Property Tax Reimbursement (15-1-123 MCA) <i>*This is a new line for FY2025 only; see the Instructions tab for additional information. (enter as negative)</i>	\$ (91,522)
(4) = (1)+(2)+(3)+(3.5)	Adjusted ad valorem tax revenue	\$ 20,561,006
<u>ENTERING TAXABLE VALUES</u>		
(5)	Enter 'Total Taxable Value' - from Department of Revenue <i>Certified Taxable Valuation Information</i> form, line # 2	\$ 137,509,226
(6)	Subtract: 'Total Incremental Value' of all tax increment financing districts (TIF Districts) - from Department of Revenue <i>Certified Taxable Valuation Information</i> form, line # 6 (enter as negative)	\$ (5,357,161)
(7) = (5) + (6)	Taxable value per mill (after adjustment for removal of TIF per mill incremental district value)	\$ 132,152.065
(8)	Subtract: 'Total Value of Newly Taxable Property' - from Department of Revenue <i>Certified Taxable Valuation Information</i> form, line # 3 (enter as negative)	\$ (4,411,433)
(9)	Subtract: 'Taxable Value of Net and Gross Proceeds, (Class 1 & 2 properties)' - from Department of Revenue <i>Certified Taxable Valuation Information</i> form, line # 5 (enter as negative)	\$ -
(10) = (7) + (8) + (9)	Adjusted Taxable value per mill	\$ 127,740.632
(11) = (4) / (10)	CURRENT YEAR calculated mill levy	160.96
(12) = (7) x (11)	CURRENT YEAR calculated ad valorem tax revenue	\$ 21,271,196
<u>CURRENT YEAR AUTHORIZED LEVY/ASSESSMENT</u>		
(13)	Enter total number of carry forward mills from prior year (from Prior Year's form Line 22)	0.00
(14) = (11) + (13)	Total current year authorized mill levy, including Prior Years' carry forward mills	160.96
(15) = (7) x (14)	Total current year authorized ad valorem tax revenue assessment	\$ 21,271,196
<u>CURRENT YEAR ACTUALLY LEVIED/ASSESSED</u>		
(16)	Enter number of mills actually levied in current year (Number should equal total <u>non-voted</u> mills, which includes the number of carry forward mills, actually imposed per the final approved current year budget document. <u>Do Not</u> include voted or permissive mills imposed in the current year.)	160.96
(17) = (7) x (16)	Total ad valorem tax revenue actually assessed in current year	\$ 21,271,196
<u>RECAPITULATION OF ACTUAL:</u>		
(18) = (10) x (16)	Ad valorem tax revenue actually assessed	\$ 20,561,132
(19)	Ad valorem tax revenue actually assessed for newly taxable property	\$ 710,064
(20)	Ad valorem tax revenue actually assessed for Class 1 & 2 properties (net-gross proceeds)	\$ -
(21) = (18) + (19) + (20)	Total ad valorem tax revenue actually assessed in current year	\$ 21,271,196



2024 Certified Taxable Valuation Information

(15-10-202, MCA)

Cascade County

CITY OF GREAT FALLS

Certified values are now available online at property.mt.gov/cov

1. 2024 Total Market Value ¹	\$	8,337,690,370
2. 2024 Total Taxable Value ²	\$	137,509,226
3. 2024 Taxable Value of Newly Taxable Property.....	\$	4,411,433
4. 2024 Taxable Value less Incremental Taxable Value ³	\$	132,152,065
5. 2024 Taxable Value of Net and Gross Proceeds ⁴ (Class 1 and Class 2).....	\$	-
6. 2024 Tax Loss from HB212.....	\$	(91,522)
7. TIF Districts		

Tax Increment District Name	Current Taxable Value ²	Base Taxable Value	Incremental Value
INT'L MALTING PLANT	1,334,750	347,618	987,132
WEST BANK RENEWAL	1,807,585	292,536	1,515,049
GF INT'L AIRPORT	392,610	107,149	285,461
GF DOWNTOWN URBAN	5,618,028	3,643,698	1,974,330
EAST INDUSTRIAL PARK	597,511	2,322	595,189
		Total Incremental Value	\$ 5,357,161

Preparer Katie Kakalecik

Date 8/5/2024

¹Market value does not include class 1 and class 2 value

²Taxable value is calculated after abatements have been applied

³This value is the taxable value less total incremental value of all tax increment financing districts

⁴The taxable value of class 1 and class 2 is included in the taxable value totals

For Information Purposes Only

2024 taxable value of centrally assessed property having a market value of \$1 million or more, which has transferred to a different ownership in compliance with 15-10-202(2), MCA.

I. Value Included in "newly taxable" property	\$	-
II. Total value exclusive of "newly taxable" property	\$	-

Note

Special district resolutions must be delivered to the department by the first Thursday after the first Tuesday in September, 09/05/2024, or within 30 calendar days after the date on this form 7-11-1025(8), MCA.

The county clerk and recorder must provide mill levies for each taxing jurisdiction to the department by the second Monday in September, 09/9/2024, or within 30 calendar days after the date on this form 15-10-305(1)(a), MCA.

Taxable Valuation History

Tax Increment Districts												
Tax Levy Year	Fiscal Year	Total Taxable Value	Downtown	Pasta MT/ General Mills	International Malting Plant	West Bank Urban Renewal Plan	Great Falls Int'l Airport	East Industrial Park	Net Taxable Value	New Property Value	% Increase (Decrease) Prior Year Newly Taxable Property	Levy in Mills
2001	FY 2002	\$65,437,840	\$4,511,569	\$552,276	NA	NA	NA	NA	\$60,373,995	\$1,011,770	-47.8%	111.32
2002	FY 2003	\$65,117,051	\$4,364,549	\$595,357	NA	NA	NA	NA	\$60,157,145	\$1,302,597	28.7%	119.00
2003	FY 2004	\$65,328,553	\$4,102,725	\$700,009	NA	NA	NA	NA	\$60,525,819	\$1,041,336	-20.1%	124.33
2004	FY 2005	\$66,377,650	\$3,343,580	NA	NA	NA	NA	NA	\$63,034,070	\$2,030,124	95.0%	131.64
2005	FY 2006	\$68,609,562	\$3,402,127	NA	NA	NA	NA	NA	\$65,207,435	\$2,748,377	35.4%	138.27
2006	FY 2007	\$70,990,415	\$3,832,568	NA	\$141,345	NA	NA	NA	\$67,016,502	\$2,873,541	4.6%	140.94
2007	FY 2008	\$73,776,332	\$4,064,883	NA	\$225,476	NA	NA	NA	\$69,485,973	\$2,387,436	-16.9%	158.21
2008	FY 2009	\$76,405,690	\$4,107,804	NA	\$294,210	\$30,733	NA	NA	\$71,972,943	\$2,138,961	-10.4%	162.68
2009	FY 2010	\$76,862,700	NA	NA	\$309,168	\$205,857	NA	NA	\$76,347,675	\$6,947,574	224.8%	169.04
2010	FY 2011	\$78,275,702	NA	NA	\$195,477	\$574,725	\$728	NA	\$77,504,772	\$2,931,771	-57.8%	173.10
2011	FY 2012	\$78,709,035	NA	NA	\$176,312	\$553,480	\$6,659	NA	\$77,972,584	\$5,295,716	80.6%	183.24
2012	FY 2013	\$77,852,991	NA	NA	\$157,225	\$557,385	\$6,333	NA	\$77,132,048	\$1,278,348	-75.9%	193.57
2013	FY 2014	\$78,054,590	\$105	NA	\$155,000	\$560,136	\$11,171	NA	\$77,328,178	\$787,945	-38.4%	198.74
2014	FY 2015	\$76,098,354	\$41,765	NA	\$386,390	\$575,135	\$11,275	\$31,452	\$75,052,337	\$312,611	-60.3%	204.54
2015	FY 2016	\$88,577,771	\$444,316	NA	\$504,796	\$579,885	\$42,030	\$42,557	\$86,964,187	\$5,072,060	1522.5%	190.29
2016	FY 2017	\$91,113,880	\$0	NA	\$512,371	\$537,828	\$43,717	\$41,662	\$89,978,302	\$5,238,618	3.3%	198.24
2017	FY 2018	\$95,822,493	\$252,609	NA	\$383,849	\$654,253	\$47,867	\$319,573	\$94,164,342	\$2,643,701	-49.5%	194.78
2018	FY 2019	\$99,201,290	\$289,538	NA	\$440,041	\$772,903	\$48,317	\$465,364	\$97,185,127	\$4,606,852	74.3%	201.24
2019	FY 2020	\$104,780,322	\$1,054,084	NA	\$443,834	\$1,087,196	\$104,694	\$511,217	\$101,579,297	\$1,203,919	-73.9%	200.78
2020	FY 2021	\$101,651,616	\$1,060,260	NA	\$490,957	\$1,108,781	\$131,202	\$663,326	\$98,197,090	\$691,320	-42.6%	208.79
2021*	FY 2022	\$105,181,199	\$1,209,489	NA	\$488,202	\$1,174,733	\$136,607	\$506,325	\$101,665,843	\$2,191,822	217.0%	201.35
2022	FY 2023	\$107,111,238	\$1,295,541	NA	\$545,092	\$1,193,220	\$263,366	\$513,809	\$103,300,210	\$1,984,358	-9.5%	214.05
2023	FY 2024	\$137,382,080	\$2,207,025	NA	\$923,253	\$1,526,314	\$296,627	\$613,309	\$131,815,552	\$9,908,882	399.3%	200.72
2024	FY 2025	\$137,509,226	\$1,974,330	NA	\$987,132	\$1,515,049	\$285,461	\$595,189	\$132,152,065	\$4,411,433	-55.5%	210.35

All amounts as of time of certification.

* Tax year 2021 values were re-certified on 10/21/21 by the DOR. Revised values are shown. Tax year 2021 levies were based on original values.

- Notes:** Starting in 1999 mill levies were "floated" in order to achieve the statutorily limited tax revenues.
- Voters approved a 2 mill increase for the Library in November, 2000.
- Voters approved a \$2.5 million general obligation bond for a soccer park November 4, 2003.
- Voters approved a \$2.27 million general obligation bond for repair and improvement of city pool facilities November 7, 2006.
- Voters approved a 15 mill increase for the Library in June, 2023