



**City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
May 21, 2019
7:00 PM**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

PROCLAMATIONS

1. National Garden Week, NeighborWorks Week and Homeownership Month

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 address for the record.)

2. Miscellaneous reports and announcements.

NEIGHBORHOOD COUNCILS

3. Miscellaneous reports and announcements from Neighborhood Councils.

BOARDS AND COMMISSIONS

4. Appointment/reappointment to the Advisory Commission on International Relationships.
5. Miscellaneous reports and announcements from Boards and Commissions.

CITY MANAGER

6. Miscellaneous reports and announcements from City Manager.

CONSENT AGENDA

The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.

7. Minutes, May 7, 2019, Commission Meeting.
8. Contracts List.
9. Total Expenditures of \$2,625,217 for the period of April 16, 2019 through May 8, 2019, to include claims over \$5000, in the amount of \$2,346,847.
10. Approve the purchase of one new 2019 John Deere 672G motor grader from RDO Equipment of Great Falls through Sourcewell, formerly known as NJPA, for \$274,230.

11. Approve the bid award for asphaltic concrete material to Great Falls Sand & Gravel, Inc., of Great Falls for \$792,800.
12. Award a contract in the amount of \$98,720.00 to Capcon, LLC. for the 30-inch by 24-inch Water Main Connection Project, and authorize the City Manager to execute the construction contract documents.
13. Award a contract in the amount of \$433,950.00 to Ed Boland Construction, Inc. for the Septage Receiving Station Project, and authorize the City Manager to execute the construction contract documents.
14. Award a contract in the amount of \$111,225.00 to Missouri River Trucking and Excavation Incorporated (MRTE) for the ADA Handicap Ramps Giant Springs School Phase II, and authorize the City Manager to execute the construction contract documents.

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

PUBLIC HEARINGS

15. Resolution 10292, Establishing the Rates, Fees and Penalties Associated With Title 10 of the Official Code of the City of Great Falls (OCCGF) Pertaining to the City's Parking System.
Action: Conduct a public hearing and adopt or deny Res. 10292. (Presented by Craig Raymond)

OLD BUSINESS

NEW BUSINESS

ORDINANCES / RESOLUTIONS

CITY COMMISSION

16. Miscellaneous reports and announcements from the City Commission.
17. Commission Initiatives.

ADJOURNMENT

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

Commission meetings are televised on cable channel 190. If a video recording is available it will be posted on the City's website at <https://greatfallsmt.net> after the meeting. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.



Item: Appointment/reappointment to the Advisory Commission on International Relationships.

From: City Manager’s Office

Initiated By: City Commission

Presented By: City Commission

Action Requested: Appoint/reappoint members to the Advisory Commission on International Relationships

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission appoint _____ and reappoint _____ to the Advisory Commission on International Relationships for three-year terms through March 31, 2022.”

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

Staff Recommendation: It is recommended that the City Commission reappoint Max Mauch and appoint one new member to the Advisory Commission on International Relationships (ACIR) for three-year terms through March 31, 2022.

Background: There are currently several vacancies on ACIR. The terms for Michael Kraft, Camile Reovan, Max Mauch and Sandra Erickson expired on March 31, 2019. Max Mauch has served a partial term and is interested in staying on the Commission. Camile Reovan is not interested in another term and Michael Kraft resigned in 2018. Sandra Erickson has completed two full terms but is willing to remain on the Commission until all other vacancies are filled. At this time, one application has been received from Jeanne S. Myers. Ms. Myers attended an ACIR meeting on March 26, 2019 and was recommended by the ACIR Commission for appointment.

Advertising for the vacant positions is ongoing through the local media and on the City’s website.

Purpose

International programs are growing for many reasons. Rapid changes in communications technology, globalization of the marketplace, and political changes in the last decade have all contributed to an increasing awareness these trends will accelerate in the future. Communities, as well as individuals, businesses, and institutions will need to learn to participate in the “global village,” or be left behind economically or in other ways. In order for the City to take a leadership role in nurturing and

coordinating some of the international efforts, the Advisory Commission on International Relationships was created by Ordinance 2788 on November 8, 2000, and amended by Ordinance 2863 on October 21, 2003. The Commission provides support, coordination, and exchange of information for international programs in the community. The Commission consists of nine to eleven members.

Evaluation and Selection Process

Advertising has been done through the local media and on the City’s website.

Continuing members are:

Katheryn Craig	11/19/2014 – 3/31/2021
Lana Kadoshnikov	4/18/2017 – 3/31/2020
Charity Jacobson	4/18/2017 – 3/31/2020
Sandra Erickson	4/16/2013 – 3/31/2019
Anna Schendel	12/19/2017 – 3/31/2020
Veranika Marozava	4/18/2017 – 3/31/2020
Brian Nosich	4/18/2017 – 3/31/2020

Member interested in another term:

Max Mauch

Members not interested in another term:

Michael Kraft

Camile Reovan

Citizen interested in serving:

Jeanne S. Myers

Concurrences: At its March 26, 2019, meeting, the Advisory Commission on International Relationships recommended the appointment of Jeanne S. Myers.

Attachments: Application - Jeanne S. Myers



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

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

Board/Commission Applying For:		Date of Application:
Advisory Commission on International Relationships		4-15-19
Name:		
Jeanne S Myers		
Home Address:		Email address:
3304 11 th St NE, Great Falls, MT 59404		colemuffin_96@yahoo.com
Home Phone:	Work Phone:	Cell Phone:
406-781-8000	406-781-8000	same
Occupation:		Employer:
owner / marketing manager		Flawless Auto Body, Inc.
Would your work schedule conflict with meeting dates?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)
NO		
Related experiences or background:		
See attached		
Educational Background:		
See attached		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities:		
See attached		
Previous and current public experience (elective or appointive):		
Membership in other community organizations:		

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

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

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

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

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

See attached

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

See attached

Additional comments:

Signature

Date:

[Redacted Signature]

4-15-19

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

Return this form to:

City Manager's Office
P.O. Box 5021
Great Falls, MT 59403

Fax:
(406) 727-0005

Email:
kartis@greatfallsmt.net

Related experiences or background:

I have a son who attends the University of Providence on a soccer scholarship. His team includes many foreign teammates. The University recruits a lot from the European countries. Many of the new recruits are not use to American customs and traditions. My family has always welcomed them with open arms. My family and I assist the University soccer team as much as possible with making the team feel welcomed. In the summer time, we have hosted the team at Holter lake several times. This allows the team to bond, relax and enjoy the lake for the day. We have also hosted a lot of dinners during the holidays for his teammates. I have been blessed with many new friendships and relationships with a lot of my son's teammates that still continue today.

Educational Background:

Charles M. Russell High School Graduate – Class of 1992

University of Great Falls – 1992-1994

Legal Secretary –

Mara, Wenz, Johnson and Evenson – 1994-1996

Federal Defenders of Montana – 1996 - 2001

Office Manager for Flawless Auto Body – 2001 – 2009

Paralegal – 2010 – 2018

Owner / Marketing Manager for Flawless Auto Body – 2018 – current

Previous and Current Service Activities:

I worked with a lot of indigent people while working with the Federal Defenders. I helped a lot of clients receive legal support within the federal system.

I coached the Charles M. Russell dance team – Wranglers – 2010-2017

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

I enjoy working with others and programs that actively seek to improve someone else's life. I am a very sociable person. My husband and I enjoy helping others learn about the community and opportunities that Great Falls has to offer.

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

As mentioned in other answers, I have worked with many foreign people, both young and older. I am a very positive and outgoing person and enjoy including my opinions and experiences to help others and programs that I may be involved in at the moment. I have worked with a lot of the Great Falls community youths. I am a very responsible and driven person who enjoys challenges and new opportunities.

Coaching the dance team at CMR has allowed me to develop communication skills and abilities to think outside the box. I have had to do a lot of fundraising and teach others that anything is possible when we work together.

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Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Owen Robinson, Bill Bronson, and Mary Sheehy Moe. Commissioner Tracy Houck was excused. Also present were the City Manager Greg Doyon; City Clerk Lisa Kunz; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Budget Analyst Kirsten Myre; Assistant City Attorney Joe Cik; and, Police Chief Dave Bowen.

AGENDA APPROVAL: There were no changes proposed by the City Manager. Commissioner Robinson requested that Agenda Item 11 be removed from the Consent Agenda. There were no objections. The agenda, as amended, was approved.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

1.

PROCLAMATIONS

Mayor Kelly read a proclamation for Endangered Species Day - May 17, 2019.

PETITIONS AND COMMUNICATIONS

2. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Fred Burow, 1926 21st Avenue South, cautioned the Commission about again giving consideration about partnering with Maclean Animal Adoption Center, noting that public donations were raised for that private organization and partnering with Maclean would make their financial records public information. He concluded that both buildings are needed, the City shouldn't consider taking over that building, and he hoped that Maclean would work with the City to get animals to adopt out.

Susie Stephenson-Love, 300 Southridge Court, commented that, as a citizen and taxpayer of the city, she would like the Commission to explore whether or not having a working relationship with the Maclean Cameron Animal Adoption Center would result in a fiscal benefit to the City and be of benefit to the animals.

Pam Hendrickson, 1321 5th Avenue North, commented that Maclean Animal Adoption Center has a history of a lack of transparency. That facility was built as a private, non-profit facility, and the City has told them in the past that it does not want to run their facility. She had inquiries about conflicts of interest and transparency of the Animals First meetings, noting that Commissioner Robinson and City Attorney Sara Sexe were former Maclean Animal Foundation board members, and suggesting that City staff and citizens be added to Animals First if meetings are going to continue.

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Mayor Kelly explained that Commissioner Robinson's and Commissioner Moe's discussions with Maclean are at an early, exploratory phase, and they will bring to the attention of the public and the Commission at a later date the possibilities or lack of possibilities for any potential that is there at a public meeting.

He further explained processes and suggested that Ms. Hendrickson submit a formal request to the City Manager and City Attorney to get answers to her inquiries in writing. This portion of the agenda is for public comment.

Jeni Dodd, 3245 8th Avenue North, inquired why Commissioners Robinson and Moe did not reveal their communications with the Animal Foundation under the Ex Parte Communications portion of the agenda.

Mayor Kelly responded that they would get back to her on that question, or she could bring it up again when it is an item on the agenda.

Christian McClelland, 1122 4th Avenue NW, commented that the issue remains the same since 2007 – the lack of transparency on the part of the Animal Foundation in regards to a partnership with the City. She has questions pertaining to a proposed merger, Maclean's operating budget, proposed savings to the City of Great Falls, plans for the \$462,000 donations for the cattery and plans for Maclean's funds and assets if the plans for the merger continues.

NEIGHBORHOOD COUNCILS

3. APPOINTMENT TO THE GREAT FALLS CITIZEN'S COUNCIL.

Mayor Kelly moved, seconded by Commissioner Bronson, that the City Commission appoint Commissioner Moe to serve as the Commission's representative at the Great Falls Citizen's Council, also known as Council of Councils, May 28, 2019, meeting.

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

Motion carried 3-0-1 (Commissioner Moe abstaining).

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Steve Grout, Neighborhood Council 8 Official Delegate, 2916 2nd Avenue North, read a prepared statement regarding the United States Postal Service (USPS) suspending mail delivery in an entire block of 4th Avenue North for five of the last 10 months due to an aggressive dog at large belonging to a renter in the 1500 block of 4th Avenue North. Mr. Grout also provided written suggestions for the City to consider regarding Animal Control and the USPS.

Katherine Caldwell, 1524 4th Avenue North, read a prepared timeline regarding suspension of mail delivery, the frustration and inconvenience, and her efforts for resolution. Ms. Caldwell is opposed to the USPS installing cluster mail boxes. She also provided Citizen Complaint forms

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signed by neighbors Steven and Katie Hurin, 1523 4th Avenue North, and a written letter from Beverly and Kerry Constan, 1525 4th Avenue North.

Duane Herigon, 1515 4th Avenue North, landlord of renter with aggressive dog, also explained the steps he has taken to try to resolve the problem, noting that when he has called Animal Control he has not been informed there was a problem at his rental property, and the USPS has not returned his phone calls in the last two weeks. He also does not want to see cluster mail boxes installed. Mr. Herigon shared his contact information with Neighborhood Council 8 Delegate Grout.

Manager Doyon commented that certain staff in attendance heard the comments and will help where they can.

Landlord Herigon commented that he has not seen the dog in five days.

Beverly Constan, 1525 4th Avenue North, commented that she saw the dog being walked today on a leash.

Planning and Community Development Director Craig Raymond commented that his staff will do a better job at helping citizens find the right contacts when it is not something that department handles.

Mayor Kelly added that he would help Neighborhood Council 8 with getting a meeting with the proper people at the USPS and will attend if needed.

BOARDS & COMMISSIONS

5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.

There were no miscellaneous reports and announcements from representatives of boards and commissions.

CITY MANAGER

6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported on the following:

- Talon Energy Services has purchased wind energy from two wind projects to satisfy the requirements for renewable energy credits on behalf of the City.
- The Park and Recreation Department's Summer Guide has been distributed and is available on-line.
- The pool program is up and running at the Mustang Center at the Montana School for the Deaf and Blind.
- He and Park and Recreation Director Steve Herrig met with CourseCo representatives this morning. He was encouraged by what he heard, including tournament processing and the Voyager's catering concessions for large events.

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- Great Falls Fire Rescue, Benefis, Great Falls Clinic, Great Falls Emergency Services, and Alluvion met to draft a joint procedure to handle multi-incident patient incidents.
- The Great Falls Public Library won the Excellence Library Service Award from the Montana Library Association. The Library was also approved to receive a \$5,000 grant for the Ready to Read Reachout Program. The Library is also seeking a trustee for a five year term beginning July 1, 2019. The application deadline is May 15th.
- The LED lighting project in both parking garages is substantially complete.
- Planning and Community Development, Public Works, and Great Falls Fire Rescue will begin rolling out new applications and a checklist for the development review process. More information on the development review process updates will be provided at the May 21st work session.
- The Great Falls Police Department received a letter of appreciation from the Toole County Sheriff's Office for the assistance received from the High Risk Unit.

CONSENT AGENDA.

7. Minutes, April 2, 2019, Commission meeting.
8. Minutes, April 30, 2019, Special Commission meeting.
9. Total expenditures of \$3,376,056 for the period of March 30, 2019 through April 24, 2019, to include claims over \$5,000, in the amount of \$3,035,064.
10. Contracts list.
11. *Set public hearing for Resolution 10292 Establishing the Rates, Fees and Penalties Associated With Title 10 of the Official Code of the City of Great Falls Pertaining to the City's Parking System for May 21, 2019. *Pulled for separate discussion and vote.

Commissioner Bronson moved, seconded by Commissioner Moe, that the City Commission approve the Consent Agenda as submitted, with the exception of Item 11 for separate discussion and vote.

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0.

11. **SET PUBLIC HEARING FOR RESOLUTION 10292 ESTABLISHING THE RATES, FEES AND PENALTIES ASSOCIATED WITH TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS PERTAINING TO THE CITY'S PARKING SYSTEM FOR MAY 21, 2019.**

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Commissioner Robinson explained that he requested that this item be pulled for additional discussion about the two year process of getting to this point.

Planning and Community Development Director Craig Raymond reported that the requested action is that the City Commission set a public hearing for May 21, 2019 for consideration of Resolution 10292 related to rates, fees and penalties associated with the parking system. The Parking Advisory Commission (PAC) has been working for a long time on a strategic framework for the entire parking program, including operations, expenditures, and revenues. There will be approximately \$17,000 in savings due to the LED lighting in the parking garages. After looking at the entire program, the PAC is recommending meter rate increases and fine schedule changes to overcome an annual operating deficit and to increase the budget to perform regular maintenance.

Commissioner Robinson moved, seconded by Commissioners Bronson and Moe, that the City Commission set a public hearing for May 21, 2019, on Resolution 10292 to establish the Rates, Fees and Penalties associated with Title 10 of the Official Code of the City of Great Falls.

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

Deb Scherrer, 725 7th Avenue South, did not oppose setting the public hearing, but suggested free parking at the Great Falls Public Library.

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

Commissioner Robinson requested that staff change the word “handicap” to “disabled” parking in Resolution 10292, and that language be updated as signage is being replaced.

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

Motion carried 4-0.

PUBLIC HEARINGS

12. **RESOLUTION 10289 TO ANNEX LOTS 8-21 OF THE REPLAT OF LINCOLN HEIGHTS AND THE ADJOINING RIGHT-OF-WAY OF 15TH ALLEY SOUTH; ORDINANCE 3204 TO ASSIGN R-5 MULT-FAMILY MEDIUM DENSITY ZONING; RESOLUTION 10291 TO VACATE 15TH ALLEY SOUTH WITHIN BLOCK 30 OF THE REPLAT OF LINCOLN HEIGHTS; AND NON-ADMINISTRATIVE PLAT TO AGGREGATE THE SUBJECT PROPERTIES.**

Planning and Community Development Director Craig Raymond reported that this public hearing is consideration of Resolution 10289 to annex certain property, Ordinance 3204 to assign R-5 Multi-Family Medium Density zoning, Resolution 10291 to vacate a portion of 15th Alley South, and to approve a non-administrative plat to aggregate the subject properties.

The applicant, K & V Family Properties LLC, is proposing to develop the properties with two buildings, 18 bedrooms each, to be used as BeeHive Homes assisted living facilities. The property is legally described as the Amended plat of Lots 8-21, Block 30 of the Replat of Lincoln Heights,

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located in the S¼ of Section 18, Township 20 North, Range 4 East, PMM, and consists of 1.028 acres. The proposed development is also located adjacent to a number of previously developed, similar uses.

The property under consideration is a portion of an un-incorporated enclave wholly surrounded by City limits on all four sides. Unfortunately, a portion of this enclave will still remain in the county as it is under separate ownership and developed as a mini-storage facility.

Given the properties status as a wholly surrounded enclave with great in-fill development potential, City staff supports this annexation. Additionally, given the context of the surrounding development, zoning and uses, R-5 zoning is appropriate.

City staff also requests that the City Commission approve of the Improvement Agreement that identify rights, requirements and responsibilities for various elements of a development project, that includes, in part: permit fees, connection and construction fees, storm drain fees, required public improvements, and financial reimbursement paid by, and to, the owner.

Adoption of Resolution 10291 will vacate a portion of 15th Alley South. Due to the proposed construction project design and adjoining existing development to the west of the project, the portion of alley under consideration is not needed as a city-owned and maintained right-of-way. The City will retain necessary utility easements.

The request to approve the non-administrative plat is due to the configuration of the existing property. The proposal requires an aggregation in order to accommodate building locations and proximity to property lines.

At its March 26, 2019, meeting, the Zoning Commission recommended the City Commission approve the establishment of zoning for the subject properties to R-5 Multi-Family Medium Density, subject to the fulfillment of the Conditions of Approval as specified in the agenda report.

Commissioner Bronson stepped out of the meeting at 7:59 p.m. and returned at 8:00 p.m.; Commissioner Robinson stepped out of the meeting at 8:01 p.m. and returned at 8:04 p.m.

Mayor Kelly declared the public hearing open.

No one spoke in opposition to Resolution 10289, Ordinance 3204, or Resolution 10291.

Speaking in support of Resolution 10289, Ordinance 3204, and Resolution 10291 was:

Jana Cooper, TD&H Engineering, 1800 River Drive North, representing the owner of the development, commented that this is a great in-fill development, a great location for the type of use, and she thanked City staff for their assistance on this project.

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

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Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission adopt Resolution 10289 to annex Lots 8-21, Block 30 of the Replat of Lincoln Heights and approve the accompanying Findings of Fact/Basis of Decision, and the Improvement Agreement; all subject to the Conditions of Approval being fulfilled by the applicant.

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

Commissioner Moe inquired if the letter to abutting property owners occurs before or after the Commission's vote.

Director Raymond responded prior to and, in this case, the applicant owns the surrounding property.

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

Motion carried 4-0.

Commissioner Moe moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3204 and the accompanying Findings of Fact/Basis of Decision.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0.

Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission adopt Resolution 10291 vacating 15th Alley South.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0.

Commissioner Moe moved, seconded by Commissioner Bronson, that the City Commission approve the amended plat aggregating the subject properties legally described as Lots 8-21, Block 30 of the Replat of Lincoln heights and the adjoining right-of-way of 15th Alley South, and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.

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

Hearing none, Mayor Kelly called for the vote.

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Motion carried 4-0.

OLD BUSINESS

13. FIRST AMENDMENT TO THE MARKETING AGREEMENT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC.

City Manager Greg Doyon reported that the City Commission approved a Marketing Agreement with Utility Service Partners Private Label, Inc. at its November 20, 2018, meeting. The Agreement allowed the company to provide the City's residential property owners the opportunity, but not the obligation, to purchase service line warranty and similar products related to water service lines and for interior plumbing and drainage warranties. The company has now been authorized by the State to offer these products for external sewer/septic lines from the main, and homeowners can purchase an extended coverage to the interior plumbing.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve the First Amendment to the Marketing Agreement with Utility Service Partners Private Label, Inc.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0.

14. GREAT FALLS ANIMAL SHELTER CATTERY ADDITION (OF 1673).

City Manager Greg Doyon reported that the Commission held a special meeting on April 30, 2019, and voted to rescind the Commission's April 2nd decision to postpone the bid award. The master plan process began with Nelson Architects in 2012. The plan that Nelson Architects started to develop included remodeling the existing building, a cattery addition, canine area expansion, interior office and reception area remodeling, exterior façade renovation, site work, and some landscaping. In October, 2013, Nelson Architects and staff presented that plan to the Commission at a work session that included PowerPoint slides that described the different components of the project, and some site plans and site work. The cattery was part of a phased approach.

At a retreat in 2017, the Commission gave Animal Shelter staff approval to pursue grant funds. Since then staff has been doing a lot of fund raising to generate enough revenue to cover some of the improvements. There was never the expectation that funds would be raised at one fell swoop to do the entire project. The focus was the cattery.

The City budgeted for the hydro-incinerator since 2017, and part of the renovation project includes an appropriate space for the hydro-incinerator.

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Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission award a contract to Detailed Construction in the amount of \$462,000 for the Great Falls Animal Shelter Cattery Addition and authorize the City Manager to execute the construction contract documents.

Mayor Kelly reminded everyone that this is a discussion about the cattery, not about merger talks or conflicts that will be addressed if it rises to an agenda item in the future. This item is just about whether or not to award a contract to build a cattery at the Great Falls Animal Shelter.

Mayor Kelly asked if there was any public comment on the motion that has been made.

Deb Scherrer, 725 7th Avenue South, commented that she has been a volunteer at the Great Falls Animal Shelter the past six years. She provided a handout of several success stories prepared by Animal Shelter staff. Ms. Scherrer commented that the volunteers have worked many hours for many years to help raise money for the Animal Shelter's expansion. The Animal Shelter staff and the volunteers are all ready to see the project come to fruition.

Erin Kolczak, 1612 2nd Avenue South, commented that over 100 cats were in the Animal Shelter's care today. Neither the Animal Shelter nor the Maclean Animal Adoption Center are set up to house over 100 cats. The average number of cats in the Animal Shelter's care in 2018 was 117. The cattery would provide badly needed space to house the cats. The new kennels would be more appropriately sized, and would reduce the potential to spread disease, decrease kennel stress, and will reduce staff time to clean and disinfect living spaces. Ms. Kolczak requested that the Commission do the right thing with the money the community has raised to make improvements on a building that would not otherwise be improved.

Pam Nicol, 2700 2nd Avenue South, commented that the new cattery would provide space for socializing, a separate space for their litter boxes and food, and an area away from the dogs, which she believes will lessen the amount of cats that get sick and will, therefore, get adopted faster. She concluded that the cattery is putting the animals first.

Lottie Hufford, 1715 7th Avenue North, concurred with prior speakers, and is in support of the cattery.

Pam Hendrickson, 1321 5th Avenue North, commented she is in favor of the cattery, noting that private funds were raised for that specific purpose. Ms. Hendrickson referred to the April 2, 2019, Commission meeting minutes and inquired if the meetings with Maclean were the reason the initial decision on the cattery contract was postponed.

Assistant City Attorney Joe Cik responded that, although it was not an official vote on an agenda item, it was clear there was a consensus of the Commission that those conversations with Maclean should begin. It is his understanding that the April 2nd decision was based on those discussions and it was advised by the legal department that the Commission not postpone the awarding of the bid past the 60 day limit. As far as the legal department is concerned, the Commission acted appropriately in calling a special meeting, receiving public input, and now putting the matter back

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on the agenda, while still allowing those informational, more investigative procedures by the Commissioners to move forward.

Mayor Kelly likened the two Commissioners' discussions with Maclean to similar situations he or other Commission members have been involved in around town to find out about homelessness, child abuse, or women against violence, to see if they can bring assistance to them from their positions or bring information back to the Commission. Those aren't public meetings where it is announced.

He, again, commented that the discussions tonight are whether the Commission moves forward with the bid on the cattery.

Ms. Hendrickson inquired about the appropriate time to ask questions.

Mayor Kelly explained the Commission members' ability to respond in this format can be limited to what is on the agenda. Referring to the discussions with Maclean, Mayor Kelly referred her to the City's legal department.

Jeni Dodd, 3245 8th Avenue North, commented that she supports the motion. The hydro-incinerator is important. She would hate to see this project postponed due to the other interests that bear no relevance on this decision.

Colyn Kilmer, 1407 11th Avenue South, commented that she has volunteered at large municipal shelters in California and Utah, and she is impressed with the good work the Great Falls Animal Shelter is doing with limited resources and space. She reiterated prior speakers' comments about why more space and the cattery are greatly needed. She support the motion.

Ryan Smith, 1328 Bear Grass Drive, Nelson Architects, spoke in support of the cattery project. He also noted that he was the project architect for a different firm when the Maclean Animal Adoption Center was being designed. At the time that building was designed, it was master planned for the City shelter function and animal control to take place within that facility should that ever happen.

Lois Engbrecht, 451 Flood Road, commented that she is impressed with the genuine care she has seen from volunteers and staff at the Great Falls Animal Shelter over the past six years. The lack of space at the Shelter is an issue. She spoke in support of the Commission awarding the bid with the funds that were donated specifically for a cattery.

Christian McClelland, 1122 4th Avenue NW, spoke in support of the cattery, and noted that she can personally attest to the lack of space for all of the cats that need cared for at the Shelter, and what open space can do for them in making their lives better while in shelter care.

Fred Burow, 1926 21st Avenue South, commented that the prior Commission approved of Animal Shelter staff proceeding with its fund raising efforts for the cattery. He spoke highly of staff for their accomplishments. He concluded that the Commission back peddling now sends a very bad

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message to any future things staff would do. He encouraged the Commission to proceed with this very needed cattery and for staff to continue its fundraising efforts.

Debbie Brewer, 91 Brandy Wine Lane, spoke in support of any improvements to be done at the Great Falls Animal Shelter. She adopted a dog two years ago and was impressed with the care and commitment exuded by the staff.

Written correspondence expressing opposition to the Commission's April 2, 2019 vote on this matter and in support of the award of the construction contract to proceed with the cattery addition was received from: Sharla Hinman (Citizen Ticket 122414be5), Linda Metzger (via email), Emily Westpfahl (Citizen Ticket 123014555), Jillian VanOverbeke (Citizen Ticket 12311b3b8), Bryce VanOverbeke (Citizen Ticket 12321603a), Linda Deering (Citizen Ticket 123319cae), Laura McElhinney (Citizen Ticket 123661121f), Pamela Nicol (Citizen Ticket 1238151d4), Erin Kolczak (Citizen Ticket 1241101b3), Karen Hockenberry (Citizen Ticket 123516269), Cheryl Walker (letter), Patrick F. Flaherty (letter), Lottie Hufford (Citizen Ticket 1248199c5), Ashly Graham (Citizen Ticket 12491e311), Jeni Dodd (Citizen Ticket 125313717).

Additional written correspondence expressing support of the construction contract to move forward with the cattery addition at the Great Falls Animal Shelter was received from: Debi Pace (Citizen Ticket 12891f410)

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

Commissioner Bronson commented that he came on the Commission after November, 2007, in the midst of a very pointed community debate on dealing with animals in this community. Both sides are very sincere in trying to find the best way to help animals in this community. He has found it sad and disappointing that both sides have not been able to find ways to work together over the past 12 years, but he recognizes and respects the different views and perspectives. To deal with the cat issue in this community the prior Commission recognized six years ago that it would be a good idea to look at the development of a cattery at the Animal Shelter. Approval of the cattery will provide for a much better environment for a larger number of these animals. It is heartening to him that the dedicated volunteers and a community that truly cares raised over \$460,000 to build a wonderful addition to the Animal Shelter. It's obvious that approval will also leverage the installation of the hydro-incinerator, a wonderful new piece of technology.

Commissioner Bronson continued that he does, however, think conversations should continue with Maclean Cameron Animal Adoption Center to see if there are areas of cooperation down the road. He encouraged the community to respect each other's differences of opinion regarding how to deal with this problem. Any type of agreement with Maclean will be made at a public meeting, with an opportunity for all members of the public to look at it beforehand, and then exercise independent judgment to decide whether or not those are good ideas for the Commission to pursue.

In conclusion, Commissioner Bronson encouraged everyone to confine their comments to the facts of the issue – what is best for the animals in this community.

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Commissioner Moe commented that she believes the larger issue is that it doesn't make sense for a community that is as tax sensitive as this community is to turn its back on the fact that we are duplicating services, that there are ways to work with the Foundation to meet the missions of both, and that the potential for cost savings is extraordinary. She further commented that if we can save money and provide an equal or better product, we have to let the grievances of the past go and to find a way to make it work. She believes the Commission owes that to all of the other departments within the City that are struggling to perform their missions.

Commissioner Moe believes the discussions with Maclean are important to have, and that her vote tonight does not indicate any kind of commitment to anything in the future with regard to the master plan. She urged citizens to given her and Commissioner Robinson a chance to see if they could save this community money and meet the needs of these animals.

Commissioner Robinson commented that he appreciates the comments of Commissioners Bronson and Moe. He will continue to look at ways, not only with animals, to be more efficient as a government entity to save money and spend it in areas that are important, such as fire and police.

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

Motion carried 4-0.

Mayor Kelly called a recess at 9:00 p.m., and he called the meeting back to order at 9:04 p.m.

NEW BUSINESS

ORDINANCES/RESOLUTIONS

15. **RESOLUTION 10295 TO AMEND RESOLUTION 10233 EXTENDING THE EFFECTIVE PERIOD TO COMPLETE THE NUISANCE ABATEMENT OF CERTAIN PROPERTY LOCATED AT 2311 4TH AVENUE SW FROM MAY 1, 2019 TO DECEMBER 31, 2019.**

Planning and Community Development Director Craig Raymond reported that this item is a request to adopt Resolution 10295 which will extend the effective period of Resolution 10233 so that the City or the current property owner may complete the abatement of the declared nuisance.

On May 1, 2018, the City Commission adopted Resolution 10233, declaring the property located at 2311 4th Avenue SW to be a nuisance pursuant to the Official Code of the City of Great Falls Title 8, Chapter 49. Resolution 10233 ordered the Nuisance to be abated and authorized staff to force abatement if necessary.

Subsequent to the passage of Resolution 10233, the City Commission approved Resolution 10273 on November 7, 2018 granting an extension to the current property, which is the mortgager, additional time to cure any remaining defects or violations. Based on the weather since November and the current owner's inability to complete the abatement, staff is requesting the Commission adopt this resolution to extend the effective period until December 21, 2019 for City staff to prepare bids and schedules for the remaining work to be completed.

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Commissioner Bronson moved, seconded by Commissioner Moe, that the City Commission adopt Resolution 10295.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0.

CITY COMMISSION

16. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Moe announced that BaseCamp Great Falls, formerly known as Future of the Falls, is hosting an event in the Mansfield Convention Center on May 18th from 12:00 – 6:00 p.m. It will be an innovative event that displays the community’s assets, not only recreation and entertainment, but volunteer and service opportunities. Judge Pinski is also on their schedule to discuss the impacts of the opioid addiction in Great Falls.

17. COMMISSION INITIATIVES.

Mayor Kelly commented that the City has been asked to sign on to an initiative titled “10-Minute Walk to a Park Campaign” to try to become a community, or subscribe to the value of, that it is good for a community to be within a 10 minute walk to a park.

Park and Recreation Director Steve Herrig reported that this campaign came from The Trust for Public Land, National Recreation and Park Association, and the Urban Land Institute, and began in October 2017. The Montana cities of Bozeman, Missoula, and Whitefish have signed on to this campaign. Great Falls is currently above the national average of 54%, with more than 44 parks and more than 648 acres, and sits at 88%. He hasn’t had a lot of time to look into it, and at this point is not sure how much staff time will be involved.

Mayor Kelly noted it is not a policy initiative, but he is asking staff to explore it. The Commission members concurred.

18. LEGISLATIVE INITIATIVES.

None.

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ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Mayor Kelly, to adjourn the regular meeting of May 7, 2019, at 9:13 p.m.**

Motion carried 4-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: May 21, 2019

DRAFT

COMMUNICATION TO THE CITY COMMISSION

DATE: May 21, 2019

ITEM: CONTRACTS LIST
 Itemizing contracts not otherwise approved or ratified by City Commission Action
 (Listed contracts are available for inspection in the City Clerk’s Office.)

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR’ S SIGNATURE: _____

CONTRACTS LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	AMOUNT	PURPOSE
A	Planning and Community Development	A.T. Klemens	05/07/2019-12/31/2019	\$12,937	Ratification of Agreement for all labor and materials required to furnish and install new Trane air conditioning unit at the Finance Department in the Civic Center
B	Great Falls Municipal Court	Collection Bureau Services, Inc. (CBS)	05/01/2019-05/01/2021	25% of account collected in the state of Montana; 50% of accounts collected outside the state of Montana	Ratification of Contract for Collection Services for bad debt accounts

C	Great Falls Municipal Court	Collection Bureau Services, Inc. (CBS)	05/01/2019 – 05/01/2021	\$15 initial set up fee; \$5 per month processing fee; \$20 late payment fee	Ratification of Contract for Time Pay Collection Services for the court's time pay accounts
D	Planning and Community Development	Montana Department of Transportation (MDT)	05/01/2019 – 04/30/2029	City responsible for maintenance of project	Ratification of City/State Memorandum of Agreement 10 th Avenue South/US 89 Landscaping & Irrigation Equipment (Ace Hardware location 3527 10 th Avenue South)
E	Park and Recreation	Great Falls Original Farmers' Market	06/01/2019 – 09/30/2019	\$250	Use Agreement to conduct Farmer's Market at Whittier Park (south side of Civic Center), Park Drive between Central Avenue and 1 st Avenue South, the City parking lot behind the Downtowner, and the 100 block of Central Avenue



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

PRESENTED BY: Finance Director

ACTION REQUESTED: Approval with Consent Agenda

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

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

ACCOUNTS PAYABLE CHECK RUNS FROM APRIL 25, 2019 - MAY 8, 2019	2,577,911.62
MUNICIPAL COURT ACCOUNT CHECK RUN FOR APRIL 16, 2019 - APRIL 30, 2019	47,305.00
TOTAL: \$	<u>2,625,216.62</u>

SPECIAL REVENUE FUND

POLICE SPECIAL REVENUE		
CASCADE COUNTY	REIMBURSEMENT FOR WATCH GUARD JAG FUNDS	20,675.00
STREET DISTRICT		
DUSTBUSTERS INC.	MAGNESIUM CHLORIDE	5,502.63
PARK DISTRICT		
WADSWORTH BUILDERS COMPANY INC	OF 1740.1 ECWP BATH HOUSE RESTORE (SPLIT AMONG FUNDS)	94,649.97
FEDERAL BLOCK GRANTS		
CENTER FOR MENTAL HEALTH	CDBG CONTRACT EXTERNAL REPAIRS PASSAGE GROUP HOME	10,000.00
WADSWORTH BUILDERS COMPANY INC	OF 1740.1 ECWP BATH HOUSE RESTORE (SPLIT AMONG FUNDS)	187,109.09
DOWNTOWN TID		
MCKINSTRY ESSENTION LLC	GREAT FALLS PARKING GARAGE LIGHTING RETROFIT	80,379.10
CENTRAL MONTANA AG TECH PARK TID		
TD&H ENGINEERING	OF 1658.1 CMATP TIF PHASE 3 STORM DRAIN	8,191.50

CAPITAL PROJECTS

GENERAL CAPITAL

NELSON ARCHITECTS LLC	ANIMAL SHELTER CATTERY REBID	6,680.00
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ENTERPRISE FUNDS

WATER

THATCHER CO OF MONTANA	CHEMICALS	14,395.68
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SEWER

HDR ENGINEERING INC	OF 1735.0 WWTP ENV REG COMPLIANCE	7,624.92
HDR ENGINEERING INC	OF 1731.1 SEPTAGE RECEIVING STATION & DEWATERING PUMP REPLACEMENT	11,529.54

SANITATION

SNYDER INDUSTRIES	300 GALLON REFUSE CONTAINERS	41,250.00
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ICE BREAKER RUN

STRIDE AWARDS	2019 ICE BREAKER RACE MEDALS	5,124.00
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CIVIC CENTER EVENTS

GREAT FALLS SYMPHONY ASSOCIATION INC	HARRY POTTER CASH OUT	51,346.82
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INTERNAL SERVICES FUND

HEALTH & BENEFITS

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	EMPLOYEE HEALTH INSURANCE PREMIUM	769,116.70
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INFORMATION TECHNOLOGY

VIALECT INC	NEW INTRANET SITE	11,250.00
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CENTRAL GARAGE

MOTOR POWER GREAT FALLS MOUNTAIN VIEW CO-OP	2019 KENWORTH DUMP TRUCK FUEL	121,605.00 35,811.44
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PUBLIC WORKS ADMINISTRATION

NELSON ARCHITECTS LLC	OF 1733 CENTRAL GARAGE IMPROV.	9,965.93
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TRUST AND AGENCY

COURT TRUST MUNICIPAL COURT

CITY OF GREAT FALLS FINES & FORFEITURES COLLECTIONS 31,768.00

PAYROLL CLEARING

STATE TREASURER	MONTANA TAXES	47,793.00
ICMA RETIREMENT TRUST	EMPLOYEE CONTRIBUTIONS	10,330.60
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	52,811.86
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	68,729.05
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	128,562.45
US BANK	FEDERAL TAXES, FICA & MEDICARE	202,262.84
AFLAC	EMPLOYEE CONTRIBUTIONS	9,562.11
LABORERS INTERNATIONAL UNION	EMPLOYEE CONTRIBUTIONS	24,142.14
WESTERN CONF OF TEAMSTERS	EMPLOYEE CONTRIBUTIONS	16,676.15
MONTANA OE - CI TRUST FUND	EMPLOYEE CONTRIBUTIONS	26,541.49
NATIONWIDE RETIREMENT SOLUTIONS	EMPLOYEE CONTRIBUTIONS	14,835.56
STATE OF MONTANA	1ST QUARTER UNEMPLOYMENT TAX	43,863.41

UTILITY BILLS

HIGH PLAINS LANDFILL	MARCH 2019 CHARGES	59,735.75
NORTHWESTERN ENERGY	MARCH 2019 WATER PLANT CHARGES	11,567.30
ENERGY WEST RESOURCES	MARCH 2019 CHARGES	27,433.22
NORTHWESTERN ENERGY	APRIL 2019 SLD CHARGES	78,024.77

CLAIMS OVER \$5000 TOTAL:

\$ 2,346,847.02



Item: One New 2019 Motor Grader
From: Doug Alm, Vehicle Maintenance Manager
Initiated By: Public Works Department
Presented By: Jim Rearden, Public Works Director
Action Requested: Approve Purchase

Suggested Motion

1. Commissioner moves:

“I move that the City Commission (approve/reject) the purchase of one new 2019 John Deere 672G motor grader from RDO Equipment of Great Falls through Sourcewell, formerly known as NJPA, for \$274,230.”

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

Staff Recommendation: Staff recommends that the City Commission approve the purchase of one new 2019 John Deere 672G motor grader from RDO Equipment of Great Falls for a total of \$274,230.

Background:

Purpose

This unit will be used in the Street Division for street and alley maintenance, including snow and ice control.

Evaluation and Selection Process

The City of Great Falls has a membership with Sourcewell to view their competitive bid contracts. As a Sourcewell member, the City of Great Falls can interact directly with awarded vendors to facilitate a purchase. This also allows the City of Great Falls to work with the Sourcewell contract manager to verify pricing, answer contract questions or any other questions that may arise.

Staff had the opportunity to demo both the John Deere and the Caterpillar graders through local dealers and the preferred piece of equipment was the John Deere. John Deere is a better fit for the scope of work done by City crews. The following differences between the John Deere and Caterpillar are:

- City operator preference after demos.

- MMIA adjuster recommendation regarding the John Deere grader being more alike in quality to existing equipment owned by the City.
- Diagnostics software accessibility. The software is integrated into the machine and can be accessed by City staff, giving the City the ability to maintain in-house rather than requiring the dealer perform the servicing.
- Greater moldboard (plow) thickness on the blade: Deere 1”, CAT 7/8.”

Conclusion

The bid specifications from Sourcewell meet specifications for the motor grader.

Fiscal Impact: Funds for this unscheduled purchase will come from an MMIA indemnity claim. The existing 1993 Champion 710A, Unit #852, VIN #23608 was damaged beyond repair in a structure fire at the Public Works Complex on February 26, 2019. This new unit will replace unit #852.

The indemnity payment from MMIA is \$242,600. The \$25,000 deductible and the difference in cost of \$6,630 will be covered by the ERS (Equipment Revolving Schedule) in Central Garage. The \$6,630 covers additional items: a dedicated control valve for the snow gate, a spare 17.5 snow plus tire with rim, and to have rear fenders installed.

Alternatives: The City Commission could vote to reject the purchase of one new 2019 motor grader.

Attachments/Exhibits:

Sourcewell Acceptance & Award – John Deere

Sourcewell Form G

RDO Retail Purchase Order

MMIA payment information

**Contract Award
RFP 032515 #**

FORM D



Formal Offering of Proposal
(To be completed Only by Proposer)

HEAVY CONSTRUCTION EQUIPMENT WITH RELATED ACCESSORIES, ATTACHMENTS, AND SUPPLIES
In compliance with the Request for Proposal (RFP) for HEAVY CONSTRUCTION EQUIPMENT WITH RELATED ACCESSORIES, ATTACHMENTS, AND SUPPLIES the undersigned warrants that I/we have examined this RFP and, being familiar with all of the instructions, terms and conditions, general specifications, expectations, technical specifications, service expectations and any special terms, do hereby propose, fully commit and agree to furnish the defined equipment/products and related services in full compliance with all terms, conditions of this RFP, any applicable amendments of this RFP, and all Proposer's Response documentation. Proposer further understands they accept the full responsibility as the sole source of responsibility of the proposed response herein and that the performance of any sub-contractors employed by the Proposer in fulfillment of this proposal is the sole responsibility of the Proposer.

Company Name: John Deere Construction Retail Sales Date: March 18, 2015

Company Address: 1515 Fifth Avenue

City: Moline State: IL Zip: 61265

Contact Person: Mark R. Deakyne Title: Contract Manager

Authorized Signature (ink only):



Mark R. Deakyne
(Name printed or typed)



Contract Acceptance and Award

(To be completed only by NJPA)

NJPA 032515 HEAVY CONSTRUCTION EQUIPMENT WITH RELATED ACCESSORIES, ATTACHMENTS, AND SUPPLIES

John Deere Construction Retail Sales
Proposer's full legal name

Your proposal is hereby accepted and awarded. As an awarded Proposer, you are now bound to provide the defined product/equipment and services contained in your proposal offering according to all terms, conditions, and pricing set forth in this RFP, any amendments to this RFP, your Response, and any exceptions accepted or rejected by NJPA on Form C.

The effective start date of the Contract will be May 19th, 20 15 and continue for four years from the board award date. This contract has the consideration of a fifth year renewal option at the discretion of NJPA.

National Joint Powers Alliance® (NJPA)

NJPA Authorized signature:

[Redacted signature]

NJPA Executive Director

Dr. Chad Coquette

(Name printed or typed)

Awarded this 19th day of May, 20 15 NJPA Contract Number 032515-JDC

NJPA Authorized signature:

[Redacted signature]

NJPA Board Member

Scott Veronen

(Name printed or typed)

Executed this 19th day of May, 20 15 NJPA Contract Number 032515-JDC

Proposer hereby accepts contract award including all accepted exceptions and NJPA clarifications identified on FORM C.

Vendor Name John Deere Construction Retail Sales a division of John Deere Shared Services, Inc.

Vendor Authorized signature:

[Redacted signature]

Mark R. Deakyne

(Name printed or typed)

Title: Contract Manager

Executed this Twenty-First day of May, 20 15 NJPA Contract Number 032515-JDC

Form G

HEAVY CONSTRUCTION EQUIPMENT WITH RELATED ACCESSORIES, ATTACHMENTS, AND SUPPLIES

	Possible Points	Atlas Copa	Bergkamp Inc	BOMAG Americas Inc	Caterpillar Inc	CNH Industrial America LLC	Grove US LLC dba Manitowoc	John Deere Construction Retail Sales	Volvo Construction Equipment North America LLC	Wirtgin America Inc
Conformance to Terms/ Conditions to Include Documentation	50	38.00	38.00	39.25	43.75	43.25	36.25	39.25	41.75	35.50
Pricing	400	306.25	280.00	301.25	311.25	301.25	287.50	300.00	296.25	296.25
Financial, Industry and Marketplace Successes	75	58.25	53.75	57.50	68.00	68.50	63.75	67.25	65.50	60.75
Bidder's Ability to Sell/ Service Contract Nationally	100	80.00	56.25	71.25	89.25	88.75	77.50	87.25	83.25	76.75
Bidder's Marketing Plan	50	37.50	37.50	37.50	43.75	42.50	37.50	41.00	42.50	37.00
Value Added Attributes	75	58.75	52.50	52.50	63.25	63.75	53.75	64.00	62.50	58.75
Warranty Coverages and Information	50	39.25	38.75	40.00	41.25	40.75	39.00	39.75	39.25	38.75
Selection and Variety of Products and Services Offered	200	160.00	150.00	160.00	177.50	171.25	148.75	168.75	162.50	143.75
Total Points	1,000	778.00	706.75	759.25	838.00	820.00	744.00	807.25	793.50	747.50

4/24/2015
Ginger Line, CPPB, NJPA

4/24/2015
Tracy Plinske, NJPA

4/24/2015
Jonathan Yahn, JD, NJPA

4/24/2015
Keith Hanson, CPA, NJPA

4/24/2015
Gregg Meierhofer, CPPO, NJPA



Retail Purchase Order

RDO Equipment Co.
 4900 Tri Hill Road
 Great Falls MT , 59404
 Phone: (406) 452-8521 - Fax: (406) 454-1814

Bill To:
 CITY OF GREAT FALLS
 FISCAL SERVICES DEPT
 PO BOX 5021
 GREAT FALLS, MT, 594035021
 CASCADE ()
 (406) 771-1401

Purchase Order Date: 5/7/2019
Purchase Order #: 1192938
Purchaser Account #: 1401017
Customer Sales Tax Exempt #: None

Customer Purchaser Type: Governmental - City/Town/Village
Customer Market Use: Building - Residential
Location of First Working Use: GREAT FALLS, MT, 594035021
Dealer Account Number: 178727
Sales Professional: Clemon Jones
Phone: (406) 452-8521
Fax: (406) 454-1814
Email: cjones@rdoequipment.com

Comments

NJPA-SOURCE-WELL CONTRACT NUMBER: 032515-JDC

Equipment Information

Quantity	Serial Number Stock Number	Hours (approx.)	Status / Year / Make / Model Additional Items	Cash Price
1	TBD TBD	0	New 2019 JOHN DEERE 672G Other books Warranty -John Deere Comprehensive-36 Months, 2000 Hours,Deductible: 200, Exp Date: 3/11/2022	\$270,130.00 \$0.00
1	TBD TBD	0	New 2019 JOHN DEERE EXTENSIONS LH+RH	\$4,100.00
1	TBD TBD	0	New 2019 JOHN DEERE Snow Gait Adjustable Reliefs	\$0.00
Equipment Subtotal:				\$274,230.00

Purchase Order Totals

Balance:	\$274,230.00
Tax Rate 3: (MTST 0%)	\$0.00
Sales Tax Total:	\$0.00
Sub Total:	\$274,230.00
Cash with Order:	\$0.00
Balance Due:	\$274,230.00

Legal Information

For the Construction Product(s)

ACKNOWLEDGMENTS - Purchaser offers to sell, transfer, and convey the item(s) listed as "Trade In" to the Dealer at or prior to the time of delivery of the above Product(s), as a "trade-in" to be applied against the cash price. Purchaser represents that each "trade-in" item shall be free and clear of all security interests, liens, and encumbrances at the time of transfer to the Dealer except to the extent shown below. The price to be allowed for each "trade-in" item is listed on this document. The Purchaser promises to pay the balance due shown hereon in cash, or to execute a Time Sale Agreement (Retail Installment Contract), or a Loan Agreement for the purchase price of the Product(s), plus additional charges shown thereon, or to execute a Lease Agreement, on or before delivery of the Product(s) ordered herein. Despite delivery of the Product(s) to the Purchaser, title shall remain with the Seller until one of the foregoing is accomplished. Except as provided herein and as necessary to protect RDO Equipment from the claims of a bankruptcy trustee or a buyer in the ordinary course of business, the Purchaser and the Dealer agree that this Purchase Order is not a security agreement and that delivery of the Product(s) to the Purchaser pursuant to this Purchase Order will not constitute possession of the Product(s) by the Purchaser, as a debtor, for the purposes of the purchase money security provisions in any statutes relating to personal property security or its equivalent. Purchaser understands that its rights in connection with this purchase are limited as set forth in this Purchase Order. I (we) hereby grant a security interest to RDO Equipment in the Product.

DISCLOSURE OF REGULATION APPLICABILITY - When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-Road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants. More information is available on the California Air Resources Board website at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.

IMPORTANT WARRANTY NOTICE - The Standard Warranty for new John Deere construction and forestry products is set forth in a separate document provided by the dealer. Please read the Standard Warranty carefully before signing. No express warranty is made unless specified in the Warranty Statement. PURCHASER'S RIGHTS AND REMEDIES PERTAINING TO THIS PURCHASE ARE LIMITED AS INDICATED IN THE STANDARD WARRANTY AND PURCHASE ORDER. WHERE PERMITTED BY LAW, NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS IS MADE.

TERMS & CONDITIONS VERIFICATION STATEMENT Use of John Deere Data Services ("Services"), if applicable, and all rights and obligations of John Deere and the Purchaser (or "Customer" as identified in the applicable agreement), are governed by the terms and conditions outlined in the Warranty Statement and the applicable John Deere Construction & Forestry Company Subscriptions & Data Services Dealer Agreement and/or Customer Data Services agreements available at www.JohnDeere.com/Agreements. Purchaser agrees to be bound by these terms and conditions if Purchaser activates or otherwise uses any of the Data Services. If Purchaser does not agree to these terms and conditions, Purchaser must not activate or otherwise use the Data Services.

The undersigned purchaser(s) (the "Purchaser") hereby orders the product (the "Product") described above from the Dealer. The Dealer shall not be liable for failure to provide the Product or for any delay in delivery if such failure or delay is due to the Dealer's inability to obtain such Product from the manufacturer or supplier or other cause beyond the Dealer's control. The cash price shown above is subject to the Dealer receiving the Product from the manufacturer or supplier prior to any change in price by the manufacturer or supplier and is also subject to any new or increased taxes being imposed upon the sale of the Product after the date of this Purchase Order.

Upon signature of delivery acknowledgment, customer is accepting the equipment, including attachments, in "AS IS" condition, agreeing to notify RDO Equipment Co. within 24 hours of any damages or discrepancies found upon receipt of equipment.

Signature Area

Purchase Order Accepted By:

(Customer's Signature)

(Date Accepted)

(Authorized Signature of Dealer)

(Date Accepted)

Delivery of Equipment Acknowledgement:

(Customer's Signature)

_____/_____/_____
Date Accepted

Standard Warranty Acknowledgement:

(Delivered On)

(Warranty Begins)

Extended Warranty Oil Sampling Acknowledgement:

(Customer's Initials)

((deal owner's title)'s Initials)

Equipment Options

Qty	Serial Number	Year / Make / Model	Description
1	TBD	2019 JOHN DEERE 672G	8450T 672G MOTOR GRADER 1010 STANDARD HYDRAULIC CONTROLS 1140 9.0L ENG,EPA FINAL TIER IV 1240 ALTERNATOR 200 AMP 1310 QUICK SERVICE GROUP 1420 SEV DUTY FUEL FILTER/LINES 1610 HYDRAULIC PUMP DISCONNECT 170C JDLINK ULT 5 YEAR SERVICE 1830 BLACK EXHAUST STACK 1910 BLADE IMPACT ABSORPTION SYST 2030 12' X 27" X 1" MB (8" CE) 2575 NOT TOPCON READY 2605 ENGLISH LABELS & DECALS 2775 NO TOPCON RADIO INSTALLATION 2840 DUAL INPUT W/ SLIP CLUTCH 4636 17.5R25 G2/L2 1*SNO MICH 3PC 5035 LOW CAB W/ LAMINATED GLASS 5510 AUTOSHIFT TRANSMISSION 5710 TRANS VALVE SOLENOID GUARD 5815 HYDRAU-GREASE,OIL,FUEL,COOLN 6030 NO CAB PRECLEANER 6130 PREM POST/CONT FABRIC AIRSUS 6525 RH MIDMOUNT SCAR 5 FNC CV 6620 LH 5 FUNC CONTROL VALVE 6730 MIDMOUNT SCARIFIER 6820 REAR COUNTERWEIGHT 7180 DLX LIGHTING PKG W/LED +8XTR 7820 NO FRONT FENDERS 8120 CONVERTER, 25 AMP 24V TO 12V 8220 MIRRORS, EXTERNAL HEATED 8310 LOWER FRONT INT WIPER/WASHER 8410 RADIO AM/FM/WB 8510 A/C - CHARGE 8730 NO SOUND ABSORPTION PKG 8810 REAR CAMERA 9005 REAR FENDERS NARROW 9220 FIRE EXTINGUISHER 9273 RT SIDE ENGINE WORK LIGHT 9280 SMV SIGN WITH BRACKET 9298 BEACON STROBE RIGHT 9360 HEATER ENG COOLANT 9370 ETHER AID - LESS CANISTER 9380 AIR CLEARNER 9L 14IN 9395 AJUSTING ROTARY EJECTOR PRCL 9620 HYDRAULIC VALVE COVERS 9636 17.5R25 SNOW SPARE TIRE
1	TBD	2019 JOHN DEERE EXTENSIONS LH+RH	AT307732 27" MOLDBOARD EXT LH AT307733 27" MOLDBOARD EXT RH
1	TBD	2019 JOHN DEERE Snow Gait Adjustable Reliefs	Snow Gait hose/Reliefs Snow Gait hose/Reliefs Snow Gait Reliefs Snow Gait Reliefs

**STANDARD WARRANTY FOR NEW JOHN DEERE
CONSTRUCTION, UTILITY, AND FORESTRY PRODUCTS - US & Canada**

- **Construction, Forestry & Commercial Worksite Products***: 12 months Full Machine Standard Warranty
- ***Commercial Worksite Products** Delivered and settled on or after 01 June 2018: 24 months or 2000 hours (whichever comes first) Full Machine Standard Warranty
- **C&E Series Pull-Type Scrapers**: 6 months Full Machine Standard Warranty
- **DC & DE Series Pull-Type Scrapers**: 12 months of Full Machine Standard Warranty
- **Scraper Tractors**: 24 Months or 2000 Hours (whichever occurs first) Full Machine Standard Warranty
- **Forestry Attachments**: 12 Months or 2000 Hours (whichever occurs first) Full Machine Standard Warranty
- **Frontier Equipment**: 6 months Full Machine Standard Warranty (90 days in rental applications)

The "Standard Warranty" is part of the warranty protection package available from John Deere Construction & Forestry Company (John Deere Limited in Canada) ("John Deere") to purchasers of new John Deere products ("product"):

STANDARD Warranty is John Deere's standard new product warranty, described in this document, provided at no additional charge to the purchaser.

EXTENDED Warranty is a separate repair contract made available by John Deere for purchasers who wish to complement their Standard Warranty coverage. Complete Extended Warranty details, including coverage options and limitations, are set forth in the Application for Extended Warranty, which is available from authorized John Deere dealers.

STRUCTURAL Warranty applies to certain structural components as listed below and as described in this document.

FACTORY-INSTALLED UNDERCARRIAGE Warranty applies to certain undercarriage components as listed below and as described in this document.

A. STANDARD WARRANTY - GENERAL PROVISIONS

John Deere will repair or replace, at its option, any parts (except those specified below) of a new John Deere product that, as delivered to the original retail purchaser(s), are defective in material or workmanship. Performance of this warranty will be free of charge for parts and labor/labour, except as otherwise stated below. Standard Warranty applies only to purchases from John Deere and authorized John Deere dealers and, except as otherwise provided in the next sentence and section L below, is extended only to the original retail purchaser of the product. Remaining Standard Warranty applicable to a used John Deere product is transferred to a subsequent purchaser of the product only if the subsequent purchaser requests a transfer from an authorized John Deere dealer before the product's Standard Warranty expires. Coverage begins on the date of delivery of the product to the original retail purchaser. For purposes of this warranty, a product that has been rented, used for demonstration purposes for 150 or more hours, or otherwise used prior to its original retail purchase has been "used" for the total duration of such use. Warranty statements required by law covering engine emissions-related parts and components are found on a separate written warranty certificate provided to the purchaser at the time of the original retail purchase.

B. WHAT IS COVERED BY STANDARD WARRANTY -

All parts of a new John Deere product (except those noted in Sections D and E below) are covered during the Standard Warranty period set out above.

C. EXCLUSIVE REMEDY -

The repair or replacement of covered parts or components that are defective, as provided in Sections A, B, D.2 and D.3 herein, shall be the purchaser's exclusive remedy for any defect in the product. However, if after repeated attempts such repair or replacement fails to correct the performance problem caused by the defect, the purchaser's sole remedy shall be a refund of the amount paid for the product (in exchange for a return of the product), excluding any transportation charges, license fees, taxes and insurance premiums, and less a reasonable allowance for use of the product prior to its return. In no event will the dealer, John Deere or any company affiliated with John Deere be liable for any incidental or consequential damages, including but not limited to loss of profits, rental of substitute equipment or other commercial loss. Correction of defects in the manner provided above shall constitute fulfillment of all liabilities of the Dealer, John Deere, or any company affiliated with John Deere to the purchaser or any other person, whether based upon contract, tort, strict liability, or otherwise. This limitation does not apply to claims for personal injury.

D. ITEMS COVERED SEPARATELY -

1. Standard Warranty does not apply to batteries, radios, tires, cameras, or to Cummins, MTU or Detroit Diesel Engines installed in John Deere products, which are covered by separate written warranties.

2. Factory-Installed Undercarriage Warranty covers all non-rubberized factory-installed undercarriage wear components for 3 years or 4,000 hours from the date of delivery to the original retail purchaser, whichever occurs first (unless terminated earlier under Section F, below). For purposes of this warranty, a product that has been rented, used for demonstration purposes for 150 or more hours, or otherwise used prior to its original retail purchase has been "used" for the total duration of such use. In addition to the items listed in section E below, Factory-Installed Undercarriage Warranty does not cover: failures due to wear, machine application, maintenance practices, or improper machine configuration; removal and installation labor/labour; transportation or hauling costs; unapproved parts; non-wear items; and rubberized undercarriage components such as rubber tracks. Warranty claims will be pro-rated based upon wear of the failed component and whether track shoe width is approved by John Deere. Factory-Installed Undercarriage Warranty does not apply to Scraper Tractors.

3. StructurALL Warranty for new John Deere Products (except Compact Excavators & Loaders, Skid-Steer Loaders, Compact Track Loaders, Scraper Tractors, Pull-Type Scrapers, and Forestry Attachments, which are not eligible for StructurALL Warranty) begins at the date of delivery to the original retail purchaser and ends (unless terminated earlier under Section F, below) after three (3) years, or 10,000 hours (whichever occurs first). For purposes of this warranty, a product that has been rented, used for demonstration purposes for 150 or more hours, or otherwise used prior to its original retail purchase has been "used" for the total duration of such use. **StructurALL Warranty applies only to the following structural components listed below as installed on the product at the time of original manufacture.** If a particular component is not listed below it is not covered by StructurALL Warranty.

Arm; Articulation Joint (incl. pins & bushings); Bin Frame; Boom; Carbody; C-Frame*; Circle Frame; Coupler (John Deere built ONLY); Dipperstick; Draft Frame; Engine Frame; Equipment Frame; Grapple Arch and Grapple Boom; Loader Arm; Loader Frame; Mainframe; Moldboard Lift Arm; NeverGrease™ Pin Joints [Includes steering pin and bushing joints (standard equipment), roller elements (roller bearings) in bucket to boom joints and sliding elements (bushing) for boom and linkage joints (optional equipment)]; Rollover Protection Structure (ROPS); Side Frame; Swing Frame; Track Frame; Undercarriage Frame; X-Frame; Z-bar loader linkage (including bell crank and bucket driver link); Specialty booms and arms marketed as "heavy duty" by John Deere.

Items Covered by StructurALL for Cut-to-Length Forestry Machines: Front frame (welded assembly); Rear frame (welded assembly); Crane king post with basement; Middle joint frame; Cabin swing frame; Main Boom

StructurALL Warranty does not apply to:

1. Any product used primarily in extreme duty or severe duty applications such as but not limited to: demolition and wrecking, chemical plant (including fertilizer plants), salt mines, steel mill, land fill and transfer stations, scrap handling, scarifying and other applications that are similarly destructive or similarly heavy duty except specialty booms and arms as stated in Section D.3 above.
2. C-Frames on H-Series & J-Series Crawlers equipped with root rakes or used in forestry applications unless equipped with an "extreme duty" reinforcement package.
3. Cut-to-Length Forestry Heads and Slash Bundler Units.
4. Crawlers equipped with optional side booms.
5. Cut-to-Length Forestry, Excavator, and Log Loader swing bearings.
6. Motor Graders equipped with front- or rear-mounted snowwings.

E. ITEMS NOT COVERED -

John Deere is NOT responsible for the following:

1. Freight
2. Adjustments to compensate for wear, for periodic maintenance or adjustments that result from normal wear and tear.
3. Damage caused by unapproved adjustments (electronic or mechanical) to machine or machine components outside of published specifications including but not limited to engine, hydraulic components and relief valves.
4. Program updates, calibrations, and pressure adjustments.
5. Diagnostic Time
6. Additional Labor/Labour Time - Above SPG/Labor/Labour Rate
7. Additional Cleaning - Above SPG/Labor/Labour Rate
8. Rental Fees
9. Depreciation or damage caused by normal wear or application, lack of reasonable and proper maintenance, failure to follow operating instructions, misuse, negligence, collision or other accidents.
10. Premiums charged for Overtime Labor/Labour
11. Transportation to and from the dealership.
12. Travel time, mileage or service calls by the dealer.

13. Non-John Deere components or modifications, Rotobec grapples, and attachments installed aftermarket.
14. Shop supplies and maintenance items such as, but not limited to: filters, fuels, oil, hydraulic fluid, lubricants, coolants, conditioners, shop towels, cleaners and degreasers. Note: Reimbursement for refills of oils/coolants lost due to a warrantable failure is covered when a system failure occurs outside the boundaries of a normal oil change (within 25% of specified change interval as provided in the Operator's Manual).
15. Torn, cut, or worn hoses.
16. Wear items, such as, but not limited to: body liner, belts, blades, bulbs, lubricated joints (including pins and bushings), dry brakes, brake linings, dry clutch linings, saw blades, chains, skidder grapple shocks, color marking nozzles, and articulation bumpers.
17. Items such as cutting edge parts, delimiting knives, bucket teeth and rubber track are not warranted for depreciation or damage caused by normal wear, lack of proper maintenance, misuse, failure to follow operating instructions, the elements or accident.
18. Any defect in a non-covered component, or damage to or failure of a covered component caused by a defect in a non-covered component.
19. Secondary damage which occurs from continued operation of a product after recognition of the occurrence of a failure.
20. Parts supplied or modifications done by third party suppliers.
21. Topping off fluids when fluid levels fall in the range between low and full
22. Parts/Kits not ordered on machine and installed aftermarket. These parts will be covered by any applicable parts warranty.
23. Attachments installed aftermarket - i.e. Winch not installed at factory.
24. Custom options installed outside the factory - i.e. G.R. Manufacturing option packages.
25. Used Products (except as otherwise provided in section L below).

F. TERMINATION OF WARRANTY

John Deere is relieved of its obligations under Standard Warranty, StructurALL Warranty, Factory-Installed Undercarriage Warranty and/or Extended Warranty if:

1. Service (other than normal maintenance and replacement of service items) is performed by someone other than an authorized John Deere dealer; or
2. The product is modified or altered in ways not approved by John Deere; or
3. Any unapproved or improperly sized attachment is installed on the product. Approval and attachment size shall be at John Deere's sole discretion. (Consult dealer prior to installing attachments or product modification).
4. The product is moved outside the US and/or Canada.

G. PARTS REPLACED UNDER WARRANTY -

Only new or remanufactured parts or components furnished or approved by John Deere, will be used if John Deere elects to repair the product. If any such part or component is defective in material or workmanship when installed in the product, John Deere will repair or replace, as it elects, such defective part or component, provided the defect is reported to an authorized John Deere dealer within 90 days of installation or before expiration of the applicable Standard Warranty, Factory-Installed Undercarriage Warranty and/or StructurALL Warranty whichever is later.

H. TELEMATICS

NOTICE: Products may be equipped with telematics hardware and software ("Telematics") that transmit data to John Deere/ Dealer. Purchaser may deactivate Telematics at www.jdlink.com.

Notwithstanding Purchaser's right, title or interest in the Products, Purchaser agrees that John Deere and Dealer (their affiliates, successors and assigns), without further notice to Purchaser have the right to:

1. Access, use, collect and disclose any data generated by, collected by, or stored in, Products or any hardware or devices interfacing with Products ("Machine Data");
2. Access Machine Data directly through data reporting devices integrated within, or attached to, Products, including Telematics ("Data Reporting Systems"); and
3. Update the Data Reporting Systems software from time to time. Machine Data will only be used in accordance with John Deere's Machine Data Policy, located at www.JohnDeere.com/MachineDataPolicy.

I. OBTAINING WARRANTY SERVICE -

To obtain warranty service, the purchaser must request warranty service from a John Deere dealer authorized to sell the product to be serviced. When making such a request, the purchaser must present evidence of the product's delivery date, make the product available at the dealer's place of business, and inform the dealer in what way the purchaser believes the

product to be defective. Standard Warranty, Factory-Installed Undercarriage Warranty and/or StructurALL Warranty repairs may be made in the field if the purchaser and servicing dealer so desire. However, John Deere will not be responsible for any charges (such as dealer travel time, mileage or extra labor/labour) that would not have been incurred had the product been repaired at the dealer's place of business.

J. NO IMPLIED WARRANTY, CONDITIONS OR OTHER REPRESENTATION -

Where permitted by law, neither John Deere nor any company affiliated with it makes any warranties, representations, conditions or promises, express or implied, as to the quality, performance, or freedom from defect of its products, other than those set forth in this document and **NO IMPLIED WARRANTY OF MERCHANTABILITY, CONDITIONS OR FITNESS IS MADE.**

K. NO DEALER WARRANTY -

The selling dealer makes no warranty of its own on any item covered by this warranty, and makes no warranty on other items unless the dealer delivers to the purchaser a separate written warranty certificate specifically warranting the item. **The dealer has no authority to make any representation or promise on behalf of John Deere, or to modify the terms or limitations of this warranty in any way.**

L. USED JOHN DEERE PRODUCTS ONLY -

John Deere will transfer remaining Standard Warranty, Factory-Installed Undercarriage Warranty and/or StructurALL Warranty to the purchaser of a used John Deere construction and/or forestry product that has been used for less than the full warranty period provided at the product's original retail purchase. This transfer is not effective until change of ownership is registered by a John Deere dealer. **ALL THE TERMS, INCLUDING LIMITATIONS AND EXCLUSIONS, OF THE JOHN DEERE STANDARD WARRANTY, FACTORY-INSTALLED UNDERCARRIAGE WARRANTY, AND/OR STRUCTURALL WARRANTY ORIGINALLY PROVIDED FOR THE PRODUCT REMAIN IN EFFECT AND APPLICABLE.**

Debbie Kimball

From: Mark Gauthier <mgauthier@mmia.net>
Sent: Wednesday, May 8, 2019 11:39 AM
To: Doug Alm
Cc: Debbie Kimball; Ken Jorgensen; Angela Swingley
Subject: RE: Deductible

Doug,

I've reviewed the I.A. Quote and the quote submitted by the City. Go ahead and execute a purchase order and provide me with a copy of it. Settlement will be based off the I.A. quote for LKQ upon receipt of the purchase order as follows:

Replacement LKQ - \$267,600
Less Deductible - \$ 25,000.00
Balance owed - \$242,600.

Please let me know if you have any questions.

Mark Gauthier, AIC
Senior Liability/Property Claims Adjuster
Montana Municipal Interlocal Authority
P.O. Box 6669
Helena, MT 59604
(800) 635-3089, Ext. 117

MONTANA MUNICIPAL INTERLOCAL AUTHORITY
"The Insurance Alternative"

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Item: Asphaltic Concrete Material
From: Kenny Jorgensen, Street Manager
Initiated By: Public Works Department
Presented By: Jim Rearden, Public Works Director
Action Requested: Award Bid

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) the bid award for asphaltic concrete material to Great Falls Sand & Gravel, Inc., of Great Falls for \$792,800.”

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

Staff Recommendation: Staff recommends that the City Commission approve the bid award for asphaltic concrete material to Great Falls Sand & Gravel, Inc., of Great Falls for \$792,800.

Background:

Purpose

The asphaltic concrete material requested will be used by the Street Division to conduct street repair and maintenance projects, including overlays and street opening patches.

Evaluation and Selection Process

The specifications were advertised two times in the Great Falls Tribune; mailed to three prospective bidders and advertised on the City of Great Falls website. The bids were opened on May 8, 2019. There were three responsive bids and one non-responsive bid.

Along with price per ton numbers staff calculates a mileage factor: calculations are figured using the miles from the City Shop to the manufacturer source. MRTE is 1.8 miles, Great Falls Sand & Gravel is 3.3 miles and United Materials is 7.3 miles. Great Falls Sand & Gravel submitted the low bid.

See table below:

Mileage Factor: 14,000 tons \$.21 per ton = \$2,940 x ___ miles

Bidder	Type B	Type C	Mileage Factor	Total Bid
Great Falls Sand and Gravel	\$618,200	\$174,600	\$ 9,702	\$802,502
MRTE, Inc.	\$629,750	\$177,750	\$ 5,292	\$812,792
United Materials	\$621,500	\$177,000	\$21,642	\$820,142

Conclusion

The materials bid by Great Falls Sand & Gravel, Inc., meets specifications for the asphaltic concrete material.

Fiscal Impact: The current bid price from Great Falls Sand & Gravel is \$56.20 per ton for MPWSS Type B and \$58.20 per ton for MPWSS Type C. The contracted price for asphaltic concrete in FY 2018 was \$50.50 per ton for MPWSS Type B and \$51.25 per ton for MPWSS Type C. The total bid price difference from last year is an increase of \$83,550 or 11.78%. Funding for this year’s purchase of asphaltic concrete is in the proposed FY 2020 Street Maintenance Budget.

Alternatives: The City Commission could vote not to approve the bid award for asphaltic concrete material.

Attachments/Exhibits: Bid List, Bid Tab

ASPHALTIC CONCRETE MATERIAL BID LIST

1. GREAT FALLS SAND & GRAVEL
P.O. BOX 1989
GREAT FALLS, MT 59403

2. UNITED MATERIALS
P.O. BOX 1690
GREAT FALLS, MT 59403

3. MRTE, Inc.
3115 RAINBOW DAM RD
GREAT FALLS, MT 59405

ASPHALTIC CONCRETE MATERIAL

NAME & ADDRESS OF BIDDER	Bid Security	Affidavit of Non- Collusion	MPWSS Type B Cost per Ton	MPWSS Type C Cost per Ton	Total Bid	Site of Manuf. Source	Miles to City Shop
			Total-11,000 Tons	Total-3,000 Tons			
Great Falls Sand & Gravel, Inc.	√	√	\$56.20 \$618,200	\$58.20 \$174,600	\$792,800	GF Sand & Gravel	3.3 miles
United Materials of Great Falls, Inc.	√	√	\$56.50 \$621,500	\$59.00 \$177,000	\$798,500	McIver Ranch Pit	7.3 miles
MRTE, Inc.	√	√	\$57.25 \$629,750	\$59.25 \$177,750	\$807,500	MRTE, Inc.	1.8 miles
2 nd Bid MRTE, Inc.			Non-Responsive	Non-Responsive	Non-Responsive		



Item: Construction Contract Award: 30-inch by 24-inch Water Main Connection, O. F. 1494.8

From: Engineering Division

Initiated By: Public Works Department

Presented By: Jim Rearden, Public Works Director

Action Requested: Consider Bids and Approve Contract

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (award/not award) a contract in the amount of \$98,720.00 to Capcon, LLC. for the 30-inch by 24-inch Water Main Connection Project, and authorize the City Manager to execute the construction contract documents.”

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

Staff Recommendation: Approve construction contract award.

Summary:

This project will replace approximately 60 lineal feet of 30-inch ductile iron and 40 lineal feet of 12-inch PVC; and install 40 lineal feet of new 24-inch PVC, 20 lineal feet of 6-inch PVC for a fire hydrant lead, and a new fire hydrant.

Background:

This project is being completed in cooperation with the Montana Department of Environmental Quality (DEQ).

City Engineering staff designed the project and will perform construction inspection and contract administration duties.

This project is located at the intersection of Upper River Road and Blanchard Road and is the first phase of the City’s river crossing project. The crossings are scheduled for construction later this summer (2019). The City of Great Falls is working with TD&H Engineering on the design for water main crossings under the Upper Missouri River and Sun River. This project requires the 30-inch water main

to be out of service for approximately three weeks in order to install a 30-inch by 24-inch tee for future connection. The timing of this project is crucial and needs to be done early in the season before the water demand for irrigation increases.

This project is scheduled to begin no later than May 28, 2019.

Four bids were received and opened for this project on May 8, 2019. The bids for this project ranged from \$98,720.00 to \$172,934.00. Capcon submitted the low bid.

City staff recommends awarding the contract to Capcon in the amount of \$98,720.00. Capcon has executed all the necessary documents.

Fiscal Impact:

This project is being funded through the Water Capital Improvement fund.

Alternatives:

The City Commission could vote to deny award of the construction contract and re-bid the project at a later date, although that would put us past the lower pumping season.

Concurrences:

DEQ has reviewed and approved the plans and specifications for this project.

Attachments/Exhibits:

1. Bid tabulation is attached
2. Vicinity Map

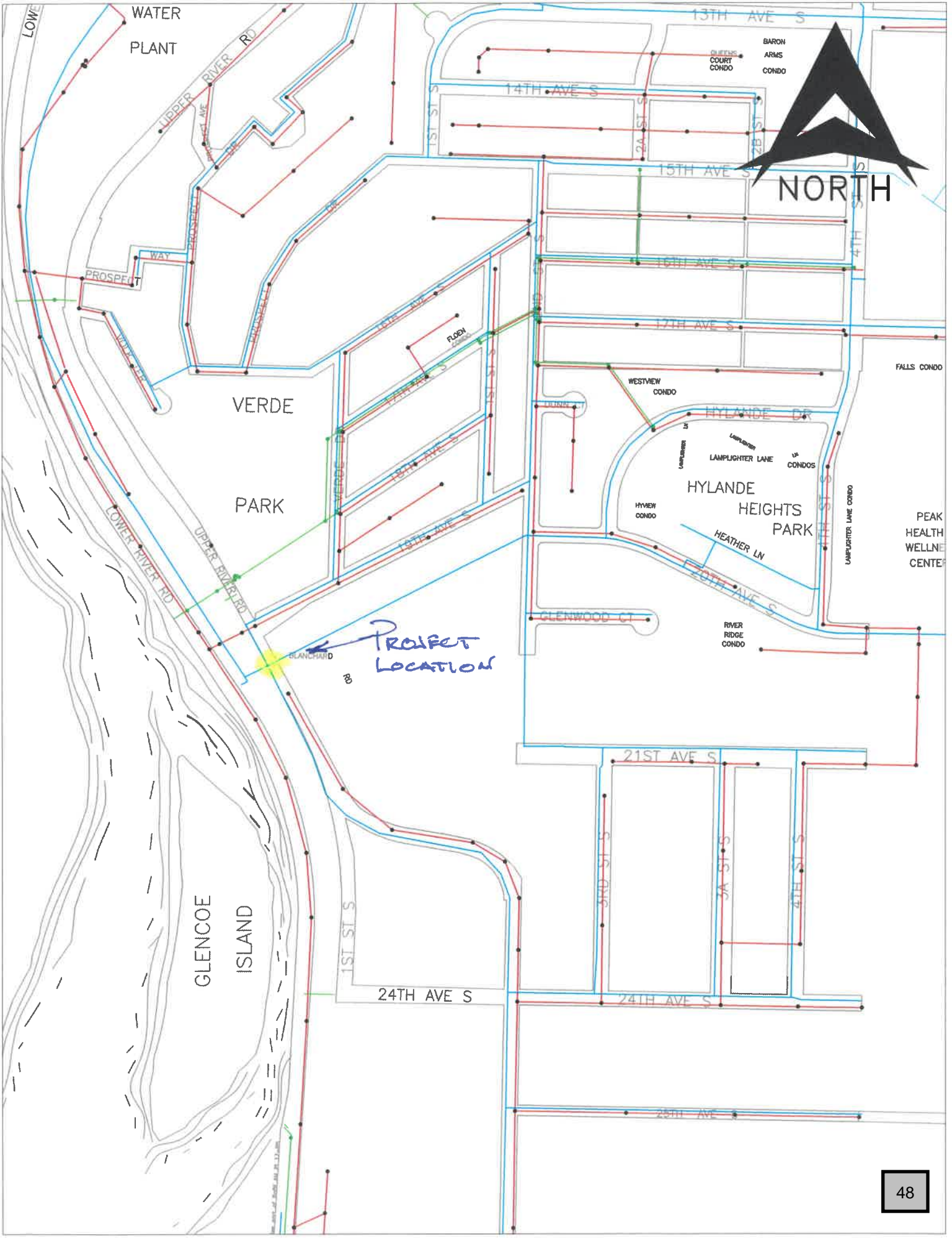
CITY OF GREAT FALLS
 P.O. BOX 5021
 GREAT FALLS, MT 59403

BID TABULATION SUMMARY

30 x 24" Water Main Connection
 O.F. 1494.8

Project Number _____
 Bids Taken at Civic Center
 Date: May 8, 2019
 Tabulated By: Rick Johnson

	Name & Address of Bidder	Acknowledge Addendum #1	Acknowledge Addendum #2	10% Bid Security	Affidavit of Non-Collusion	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req.	Total Bid
1	Geranios Enterprises	Yes		Yes		Yes	Yes	\$172,934.00
2	Central Excavating	Yes		Yes		Yes	Yes	\$124,213.00
3	United Materials	Yes		Yes		Yes	Yes	\$107,575.00
4	Capcon	Yes		Yes		Yes	Yes	\$98,720.00
5								
6								
7								
8								
9								
10	Engineer's Estimate							





Item: Construction Contract Award: Septage Receiving Station, O. F. 1731.1
From: Engineering Division
Initiated By: Public Works Department
Presented By: Jim Rearden, Public Works Director
Action Requested: Consider Bids and Approve Contract

Suggested Motion:

1. Commissioner moves:

"I move the City Commission (award/not award) a contract in the amount of \$433,950.00 to Ed Boland Construction, Inc. for the Septage Receiving Station Project, and authorize the City Manager to execute the construction contract documents."

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

Staff Recommendation: Approve construction contract award.

Summary:

This project will construct a facility so that the local Trucked and Hauled Waste (THW) Sector (such as: Carps Drain Cleaning and Septic Services, Baker Commodities, and others) can dispose of the waste in a more secure and sanitary manner.

Background:

The Environmental Protection Agency's (EPA) 2015 audit of the City's industrial pretreatment program indicated the Trucked and Hauled Waste (THW) Sector Control Program needed additional development in order to protect the City's Waste Water Treatment Plant (WWTP).

Currently septic haulers are responsible for providing samples to WWTP personnel to determine the contents of each load. The load is then disposed of directly into a sewer manhole located along the roadway within the WWTP property.

A feasibility study was conducted to determine the best method to receive this waste product and the best site location to construct a facility. It was determined that a receiving station was the best option with the capability to receive Fat, Oil, and Grease (FOG) waste at a later time.

The City hired HDR Engineering to design a septage receiving station that will comply with both the EPA and Montana Department of Environmental Quality (MDEQ) regulations. This project will provide:

- ❖ A safer, more secure way to unload waste, minimizing the risk of spills and contamination to the surrounding area.
- ❖ Required card reader in order to know the identity of each hauler using the station.
- ❖ Automated sampling to determine contents of each load of waste.
- ❖ A magnetic flow meter to give an accurate quantity of each load.
- ❖ HVAC and electric heat for year round operation.
- ❖ Internal and external plumbing to provide wash water to clean both inside and outside of the building and surrounding area.
- ❖ Spill containment area for added protection.

This project is needed to comply with both EPA and MDEQ regulations, to provide a safer and more accurate way to handle waste delivered by septic haulers.

Three bids were received and opened for this project on May 8, 2019. The bids ranged from \$433,950.00 to \$775,200.00. Ed Boland Construction submitted the low bid. Ed Boland Construction is an established responsible contractor and has done projects within the City.

City Environmental Division and Engineering Staff have performed contract administration duties throughout the project. HDR, Engineering Staff, and Community Development will perform inspection duties during construction.

City staff recommends awarding the contract to Ed Boland Construction in the amount of \$433,950.00. Ed Boland Construction has executed all the necessary documents.

Fiscal Impact:

This project is being funded through the Sanitary Sewer Fund.
The attached bid tabulation summarizes bids that were received.

Alternatives:

The City Commission could vote to deny award of the construction contract and re-bid the project at a later date or cancel the project.

Concurrences:

DEQ has reviewed and approved the plans and specifications for this project.

Attachments/Exhibits:

1. Bid tabulation is attached.
2. Vicinity Map.

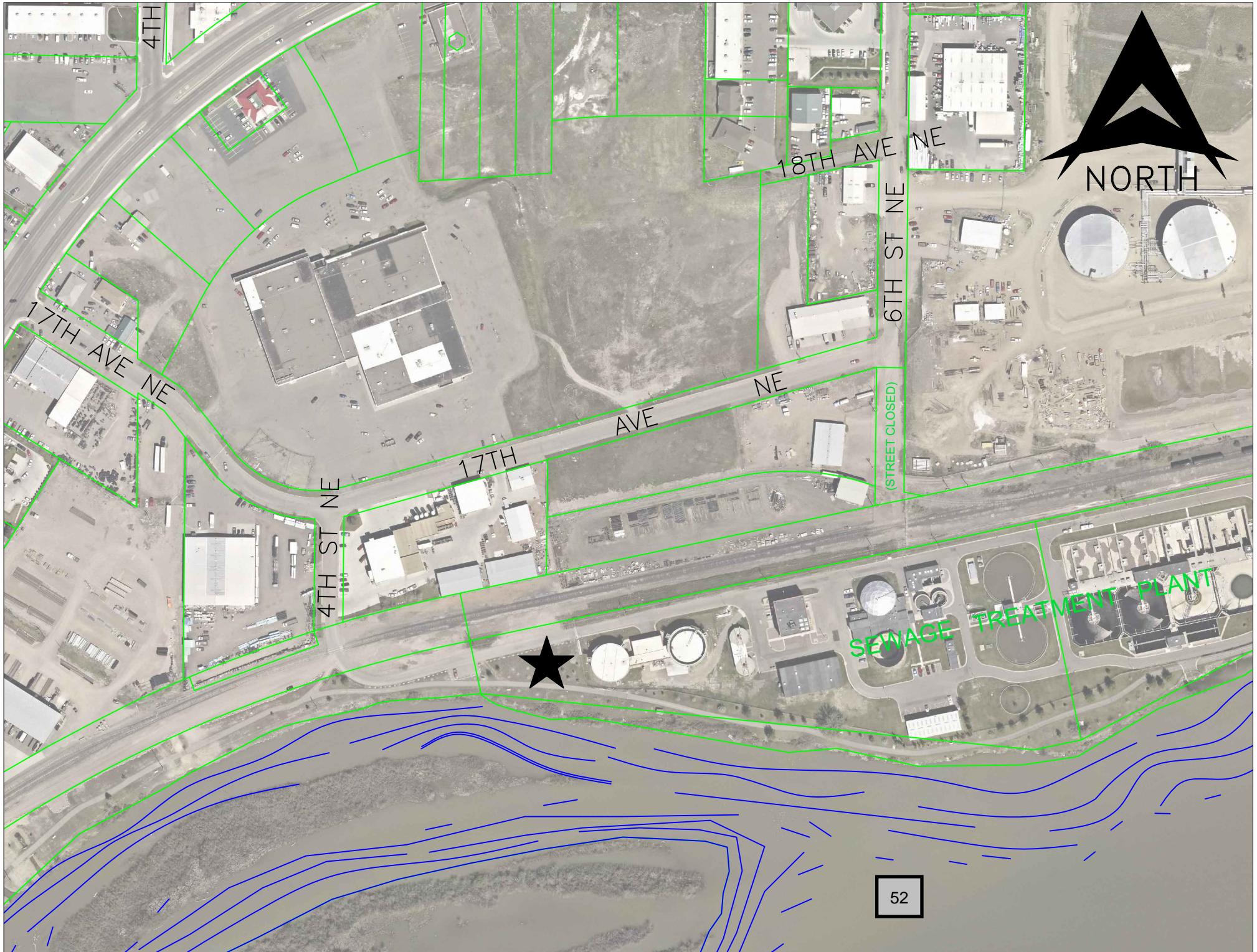
CITY OF GREAT FALLS
 P.O. BOX 5021
 GREAT FALLS, MT 59403

BID TABULATION SUMMARY

City of Great Falls Septage Receiving Station
 O.F. 1731.1

Project Number _____
 Bid Received at Civic Center
 Date: May 8, 2019
 Tabulated By: Rick Johnson

	Name & Address of Bidder	Acknowledge Addendum #1	Acknowledge Addendum #2	Acknowledge Addendum #3	Acknowledge Addendum #4	10% Bid Security	Affidavit of Non-Collusion	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req.	Total Bid
1	Sletten 1000 25th St N Great Falls MT 59401	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$775,200.00
2	Ed Boland 4701 M Star Blvd Great Falls MT 59405	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$433,950.00
3	Geranior Enterprises PO Box 2543 Great Falls MT 5943	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$652,014.59
4										
5										
6										
7										
8										
9										
10	Engineer's Estimate									



SEWAGE TREATMENT PLANT





Item: ADA Accessible Ramps Giant Springs School Phase II, O.F. 1730.8
From: Engineering Division
Initiated By: Public Works Department
Presented By: Jim Rearden, Public Works Director
Action Requested: Consider Bids and Approve Contract

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (award/not award) the construction contract in the amount of \$111,225.00 to Missouri River Trucking and Excavation Incorporated (MRTE) for the ADA Accessible Ramps Giant Springs School Phase II, and authorize the City Manager to execute the construction contract documents.”

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

Summary:

This project was initiated to provide safe routes to the new Giant Springs School that meet the requirements of the Americans with Disabilities Act of 1990 (ADA). Existing non-compliant curb ramps will be replaced and one non-existing curb ramp will be installed to provide safe, accessibility to all students and the general public around the school perimeter.

Background:

Citizen Participation:

The construction activity will require temporary closure of 31st Street North at the intersections of 5th and 6th Avenue North; 32nd Street North at 6th Avenue North; and 6th Alley North at 31st and 32nd Streets North. Construction activity will also require temporary closure of the sidewalks at the intersections under construction along 31st and 32nd Street North. Access to residences and the school adjacent to construction zones will be maintained. Great Falls Public Schools was kept informed regarding this project.

Workload Impacts:

Design phase engineering and plans and specifications were completed by the City Engineering staff. City Engineering staff will provide construction phase engineering services and project inspection.

Purpose:

The primary objective of this project is to install sidewalk curb ramps at three intersections around Giant Springs School to provide safe, ADA compliant access. The project will also improve street drainage and asphalt surface conditions in the intersections adjacent to the school.

Project Work Scope:

This project consists of replacing approximately 650 lineal feet of integral concrete curb and gutter, 2,200 square feet of four (4) inch concrete sidewalk, 2,500 square feet of six (6) inch concrete sidewalk and valley gutter, 18 truncated domes, and 2,500 square feet of sod. The project is scheduled for substantial completion in 35 calendar days directly following the completion of the 2019 school year. Patching of the street asphalt is planned to be completed following ramp and drainage improvements by the City Street Division.

Evaluation and Selection Process:

Five (5) bids were received on May 8, 2019 with the bid prices ranging from \$111,225.00 to \$198,000.00. Missouri River Trucking and Excavation Incorporated submitted the low bid and has been a responsible contractor in past City contracts.

Conclusion:

City staff recommends awarding the contract to Missouri River Trucking and Excavation in the amount of \$111,225.00.

Fiscal Impact:

The attached bid tabulation summarizes bids that were received. City street repair and maintenance funds are programmed to fund this project.

Alternatives:

The City Commission could vote to deny award of the construction contract and re-bid or cancel the project.

Attachments/Exhibits:

OF 1730.8 Bid Tab

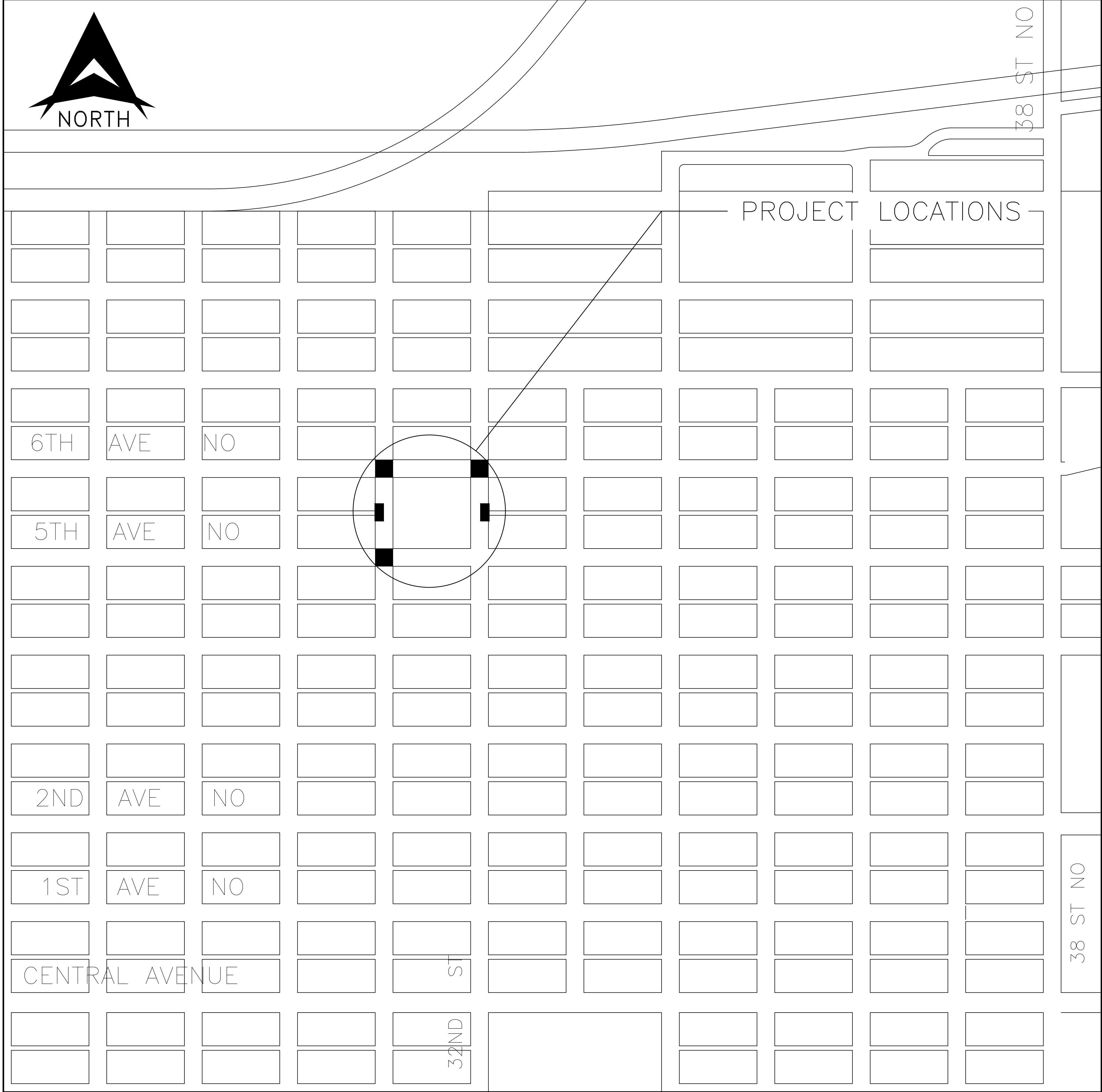
OF 1730.8 ADA Handicap Ramps Giant Springs School

Long Form Bid Tab

Project Engineer: Mikaela Schultz

Item #	Discription of Pay Items	Bid Quantity	Unit	Engineers Estimate		Horn Construction, LLC		James Talcott Const. Inc.		MRTE, Inc.		United Materials		Kuglin	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
101	Concrete Curb and Gutter R&R, Integral	650	LF	\$42.00	\$27,300.00	\$48.00	\$31,200.00	\$81.00	\$52,650.00	\$40.00	\$26,000.00	\$50.00	\$32,500.00	\$40.00	\$26,000.00
102	4" Concrete Sidewalk R&R	2200	SF	\$9.00	\$19,800.00	\$8.75	\$19,250.00	\$12.00	\$26,400.00	\$7.25	\$15,950.00	\$6.25	\$13,750.00	\$7.90	\$17,380.00
103	6" Reinforced Concrete	2500	SF	\$11.00	\$27,500.00	\$10.75	\$26,875.00	\$19.50	\$48,750.00	\$9.25	\$23,125.00	\$9.00	\$22,500.00	\$10.35	\$25,875.00
104	Truncated Domes	18	EA	\$300.00	\$5,400.00	\$225.00	\$4,050.00	\$398.00	\$7,164.00	\$225.00	\$4,050.00	\$250.00	\$4,500.00	\$275.00	\$4,950.00
105	Irrigation Move and Reset	1	LS	\$1,000.00	\$1,000.00	\$1,600.00	\$1,600.00	\$3,676.00	\$3,676.00	\$1,500.00	\$1,500.00	\$2,400.00	\$2,400.00	\$700.00	\$700.00
106	Sod	2500	SF	\$2.00	\$5,000.00	\$2.00	\$5,000.00	\$1.62	\$4,050.00	\$2.00	\$5,000.00	\$2.75	\$6,875.00	\$2.00	\$5,000.00
107	Sub-Base Course	50	CY	\$40.00	\$2,000.00	\$27.00	\$1,350.00	\$57.00	\$2,850.00	\$50.00	\$2,500.00	\$49.00	\$2,450.00	\$60.00	\$3,000.00
108	Traffic Control	1	LS	\$2,000.00	\$2,000.00	\$4,900.00	\$4,900.00	\$11,018.00	\$11,018.00	\$4,000.00	\$4,000.00	\$7,515.00	\$7,515.00	\$2,000.00	\$2,000.00
109	Type1 Curb Inlet with Concrete Apron	3	EA	\$3,500.00	\$10,500.00	\$4,000.00	\$12,000.00	\$4,342.00	\$13,026.00	\$3,300.00	\$9,900.00	\$4,000.00	\$12,000.00	\$3,600.00	\$10,800.00
110	12" Pipe, SDR 35 PVC	40	LF	\$65.00	\$2,600.00	\$110.00	\$4,400.00	\$233.00	\$9,320.00	\$90.00	\$3,600.00	\$55.00	\$2,200.00	\$85.00	\$3,400.00
111	Flowable Fill	40	CY	\$140.00	\$5,600.00	\$89.00	\$3,560.00	\$120.00	\$4,800.00	\$100.00	\$4,000.00	\$110.00	\$4,400.00	\$150.00	\$6,000.00
112	Miscellaneous Work 2%	10000	Unit	\$1.00	\$10,000.00	\$1.00	\$10,000.00	\$1.00	\$10,000.00	\$1.00	\$10,000.00	\$1.00	\$10,000.00	\$1.00	\$10,000.00
113	Remove and Replace Trees	2	EA	\$1,200.00	\$2,400.00	\$1,100.00	\$2,200.00	\$2,148.00	\$4,296.00	\$800.00	\$1,600.00	\$1,200.00	\$2,400.00	\$600.00	\$1,200.00
	Total Base Bid Amount				\$121,100.00		\$126,385.00		\$198,000.00		\$111,225.00		\$123,490.00		\$116,305.00

VICINITY MAP



SHEET 1 of 1	CITY OF GREAT FALLS PUBLIC WORKS DEPARTMENT				DESIGN BY : MLS	CHECKED BY : RJB	SCALE AS SHOWN	REVISED : 04/12/2019
	OF 1730.8 ADA HANDICAP RAMPS GIANT SPRINGS SCHOOL				DRAWN BY : TND	APPROVED BY : RJB	DATE : 5/9/19	AS-BUILT :



Item: Public Hearing for Resolution 10292, Establishing the Rates, Fees and Penalties Associated With Title 10 of the Official Code of the City of Great Falls (OCCGF) Pertaining to the City’s Parking System.

From: Craig Raymond, Director, Planning and Community Development

Initiated By: Great Falls Parking Advisory Commission

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: City Commission Adopt Resolution 10292

Public Hearing:

1. Mayor conducts public hearing, following the procedure set forth in OCCGF 17.16.6.030.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/not adopt) Resolution 10292 to establish the Rates, Fees and Penalties Associated with Title 10 of the Official Code of the City of Great Falls pertaining to the City’s Parking System.”

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

Summary: The Parking Advisory Commission has found that the current parking rates, fees and fines associated with the downtown parking program do not provide sufficient revenue to fund critical deferred maintenance projects, budget for future maintenance requirements on an on-going basis, or implement desired energy efficiency and security improvements. Resolution 10292 provides for the recommended revenue collection strategy to achieve these goals.

Background: In 2017, the City Commission directed City staff and the Parking Advisory Commission (PAC) to perform a thorough evaluation of the downtown parking program. The goal of the evaluation was to identify recommended operational and facility improvements and long term financial strategies designed to stabilize the parking system. In July 2017, the City Commission approved a contract with SP+, who is the City’s parking operations contractor, to help guide staff and the PAC through the evaluation process, facilitate public engagement and provide long term budgeting recommendations.

The initial focus of the effort was on a “strategic framework” which included a SWOT analysis, mission/vision development, program outcomes and objectives development, key performance metrics and near, mid and long term action steps. A financial plan was also a significant element of the evaluation. In order to develop a sound financial plan, the PAC performed the following tasks:

1. Based on program outcomes and objectives, evaluate current resources
2. Identify resource gaps
3. Identify budget impacts to address gaps
4. Identify capital needs
5. Complete financial model projects- revenues and expenses

While the PAC continues to work through additional program goals such as continually monitoring operational effectiveness, improving public relations and developing a marketing and communications plan, staff and the PAC have identified critical facility improvement projects that should be implemented immediately. Staff and the PAC created a list of capital facility needs and prioritized them based on most immediate need, cost and customer feedback. Identified near and mid-term priorities include:

Immediate

- Lighting replacement
- New surveillance system installation
- Concrete renovation and preservation
- Crack and joint sealant replacement
- Repair roof drainage systems
- Repair water damaged building elements
- Replace rusted doors and door hardware
- Replace broken and aged entrance and revenue control systems

Mid-Term

- Additional equipment replacement- On-street parking meters and surface lot revenue control systems
- On-going routine maintenance in garages
- Surface lot asphalt repair/renovation
- Elevator repair/replacement

In order to successfully complete these projects and provide for long term program viability, revenue strategies needed to be developed. Resolution 10292 provides for the additional revenue that is needed to achieve basic maintenance requirements, fund energy efficiency and security improvements, as well as budget long term for on-going future maintenance schedules.

The proposal to increase the Downtown Parking Program revenue stream consist of three specific recommendations:

- Meter rate increase from \$.50/hr to \$1.00/hr
- Elimination of the “courtesy ticket” for first violations of meter time violations each calendar year in favor of one “courtesy ticket” per license plate per lifetime
- Elimination of the \$15 fine in the existing graduated fine schedule for time violations. New graduated fine schedule for time violations would be as follows:
 - Courtesy Ticket (one per license plate per lifetime)

- Second violation \$5.00
- Third violation \$10.00
- Fourth and each subsequent violation in any given calendar year \$20.00

Note: Time violations are defined as violations for parking in excess of the two-hour maximum allowable in each space and/or parking in excess of the amount time purchased at a meter.

After the May 7, 2109 Commission meeting, changes to the Resolution were made to substitute references to “disabled” versus “handicapped” and the removal of reference to Resolution 10083.

Fiscal Impact: Estimated additional revenue as a result of recommended meter rate increases and fine schedule changes are estimated to generate an additional \$260,000 annually based on current parking activity and citation and collection rates.

Alternatives: The City Commission could choose to not adopt Resolution 10292. Consequences of this action would be a delay of critical repair and maintenance of the parking garages as well as important security improvements.

Concurrences: The Downtown Development Partnership voted to approve a \$470,000 Downtown TIF request to help fund stated improvements provided that future maintenance needs would not be continually funded by additional TIF funding requests. The City Commission also approved this request by adopting Resolution 10288 during the April 16, 2019 Commission Meeting.

Attachments/Exhibits:

1. Resolution 10292
2. Official Parking Management District Map

RESOLUTION NO. 10292

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, ESTABLISHING THE RATES, FEES AND PENALTIES ASSOCIATED WITH TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO THE CITY'S PARKING SYSTEM.

WHEREAS, Title 10 of the OCCGF provides for various parking system related rates, fees and penalties to be established by Resolution; and

WHEREAS, a financially sound parking system and properly maintained parking facilities are essential to the continuing redevelopment of downtown Great Falls and to the many citizens and visitors who use those facilities; and

WHEREAS, the revenues earned by the parking system at this time are inadequate to provide for continuing operation without subsidies from other sources; and

WHEREAS, engineering studies and operating experience have identified substantial deferred and new maintenance that cannot be met without additional revenue; and

WHEREAS, the Parking Advisory Commission has studied this matter and set forth the recommendations herein.

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

(1) Metered Parking.

A. Metered parking rate. The rate for metered parking shall be \$1.00 per hour.

B. Courtesy ticket. The first violation by a particular vehicle, as identified by license plate number, for failure to pay for parking as required by OCCGF Title 10, Chapter 9, or for an expired meter or overtime parking as provided by OCCGF Title 10, Chapter 9, shall result in the issuance of a courtesy ticket. Said courtesy ticket thanks the driver for visiting downtown Great Falls and reminds him or her of the parking regulations. Courtesy tickets will not be issued for any of the other violations listed in OCCGF Title 10. A courtesy ticket will not be issued to the occupant of a vehicle that is associated with unpaid fees and/or penalties.

C. Accelerated penalties per year for failure to pay, expired meter, and overtime violations. The penalty for the second violation for failure to pay for metered parking as set forth in OCCGF Title 10, Chapter 21, or violation of expired meter or overtime parking as set forth in OCCGF Title 10, Chapter 21, shall be \$5. The penalty for the third violation shall be \$10; and, all subsequent violations by a particular vehicle within one year shall be \$20 for each violation.

D. Other parking penalties. Penalties for all other violations listed in Title 10, of the OCCGF shall be \$20, except the fine for violations in disabled parking zones shall be \$100.

E. Miscellaneous parking fees.

i. A \$10 administrative fee shall be added to all penalties that are not paid within thirty (30) days after the date of the citation.

ii. Pursuant to OCCGF Title 10, Chapter 10, the immobilization or “boot” fee shall be \$150.

iii. Pursuant to OCCGF Title 10, Chapter 9, the daily charge for a meter bag shall be \$5.

iv. Pursuant to OCCGF Title 10, Chapter 9, the monthly metered parking permits shall be \$25.

v. Pursuant to OCCGF Title 10, Chapter 9, a nonrefundable \$100 fee must accompany an application to establish a freight or passenger loading zone, which is in addition to the actual costs of marking and/or signing the zone if the application is approved. The fee shall be waived for passenger loading zones at public schools.

vii. Pursuant to OCCGF Title 10, Chapter 9, a \$75 combined application and installation fee shall be charged for disabled parking zones.

(2) **Courtesy parking.** Pursuant to OCCGF 10, Chapter 9, the cost of a courtesy parking space shall be \$400 per year for each parking space on Central Avenue, and \$300 per year for each parking space that is within the Downtown Parking Management District, but not on Central Avenue. This annual fee is in addition to the actual cost of installing the courtesy parking sign(s).

(3) **Pedlet Space Lease.** The cost for leasing each on-street parking space for the construction and occupancy of a Pedlet shall be the same cost as is established for a "Courtesy Parking Spot" prorated by month for the duration that the Pedlet consumes each on-street parking spot.

(4) **City parking facilities.** Pursuant to OCCGF Title 10, Chapter 9, the City Manager shall, on recommendation of the Parking Advisory Commission, establish the hourly, daily and monthly lease rates charged for parking in City owned or operated off street lots or garages.

A. **Parking Ramps/Garages.** The monthly lease rates for the City's parking ramps/garages located at Second Avenue South/Third Street and First Avenue North/Fourth Street North shall be \$51 monthly. The City Manager may negotiate and authorize special incentive rates for bulk parking leases for customers who either lease numerous garage spaces and/or pre-pay leases for a period of one year or more. All fees for leases shall be non-refundable.

B. **City parking lots.** The lease rates for parking lots 2, 4, 6, 7 & 8, shall be \$0.50 per hour/\$5 per day/\$35 monthly. The City Manager may negotiate and authorize special incentive rates for bulk parking leases for customers who either lease numerous surface lot spaces and/or pre-pay leases for a period of one year or more. All fees for leases shall be non-refundable.

(5) **Parking management district map.** The "Official Parking Management District Map of the City of Great Falls, Montana," is adopted as appended to this Resolution.

BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that the effective date of Resolution No. 10292 shall be July 1, 2019.

BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that Resolution No. 10083 [*sic* Resolution No. 10205] pertaining to the rates, fees and penalties associated with Title 10 of the Official Code of the City of Great Falls (OCCGF) pertaining to the city's parking system is hereby repealed.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, May 21, 2019.

Bob Kelly, Mayor

ATTEST:

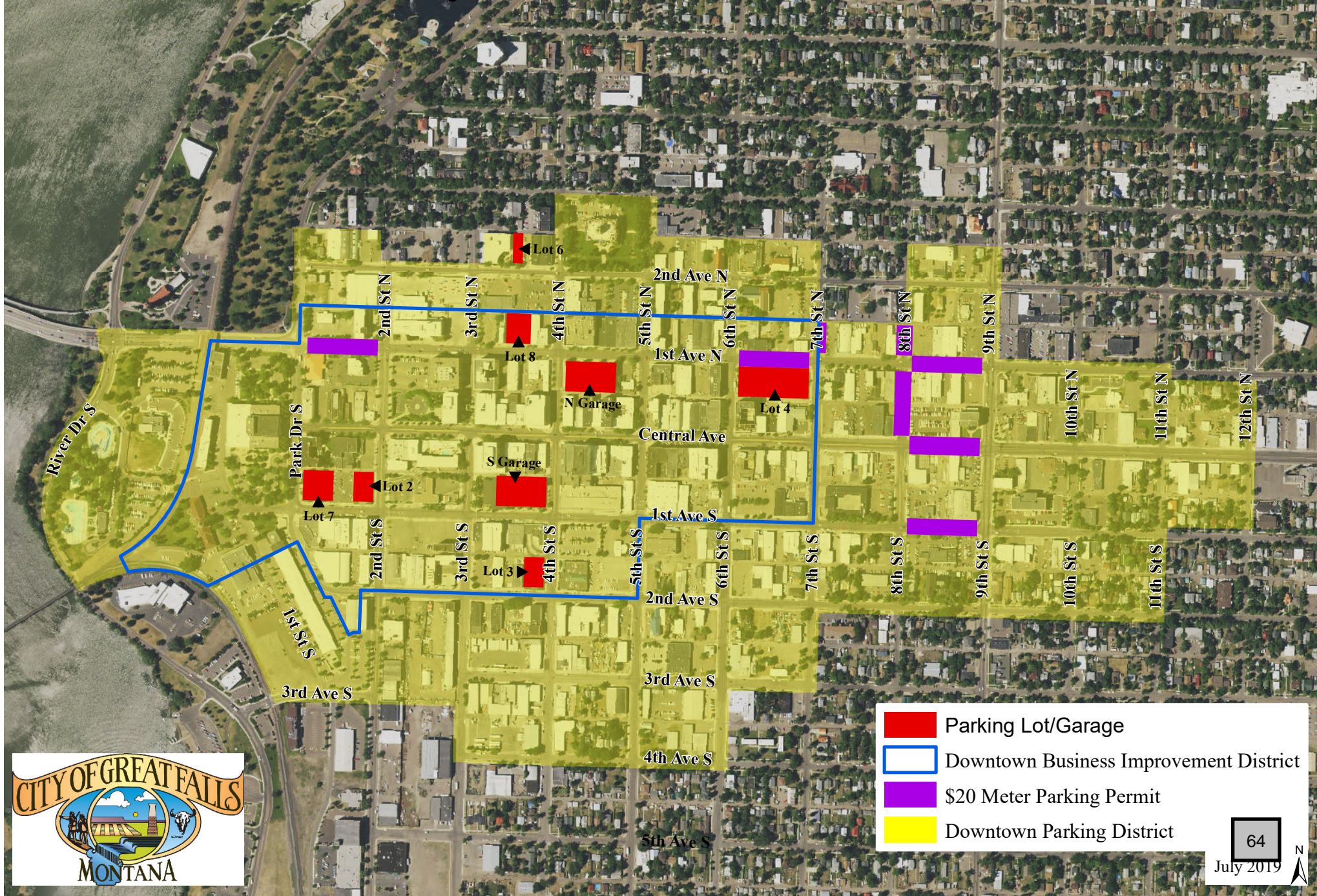
Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

The Official Parking Management District Map of the City of Great Falls, Montana



- Parking Lot/Garage
- Downtown Business Improvement District
- \$20 Meter Parking Permit
- Downtown Parking District