



**City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
March 01, 2022
7:00 PM**

The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The Public may view and listen to the meeting on government access channel City-190, cable channel 190; or online at <https://greatfallsmt.net/livestream>.

Public participation is welcome in the following ways:

- Attend in person. Please refrain from attending in person if you are not feeling well.
- Provide public comments in writing by 12:00 PM the day of the meeting: Mail to City Clerk, PO Box 5021, Great Falls, MT 59403, or via email to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.
- Call-in. Call in during specific public comment periods at 406-761-4786. Please note that the call in option may not be the most ideal option as there is a time delay between what is being aired/streamed and the live meeting, and there may be significant waiting times depending on how many calls are in the queue. Public would need to watch the meeting through the viewing methods listed above and call in when prompted by the Mayor. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

PROCLAMATIONS

Community Week of Compassion and Fast.

MILITARY UPDATES

1. Miscellaneous Reports and announcements from Malmstrom Air Force Base.

PETITIONS AND COMMUNICATIONS

2. Miscellaneous reports and announcements.

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

NEIGHBORHOOD COUNCILS

3. Miscellaneous reports and announcements from Neighborhood Councils.

BOARDS AND COMMISSIONS

4. Reappointments to the Parking Advisory Commission.
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, February 15, 2022, City Commission Meeting.
8. Total Expenditures of \$2,436,560 for the period of February 1, 2022 through February 16, 2022, to include claims over \$25,000, in the amount of \$1,978,484.
9. Contracts List.
10. Approve a Professional Services Agreement in the amount not to exceed \$244,463 to Advanced Engineering and Environmental Services, Inc. (AE2S), for design phase services on the Wastewater Treatment Plant Secondary Clarifier Rehabilitation and Return Activated Sludge Bypass Piping project, and authorize the City Manager to execute the agreement documents.
11. Vacate a public hearing on Resolution 10437, for a Conditional Use Permit for a “Two-family residence” land use upon the property addressed as 1700 1st Avenue North and reset the public hearing for March 15, 2022.
12. Set public hearing for March 15, 2022 on Resolution 10445, Budget Amendment Resolution.
13. Set a public hearing for March 15, 2022 on Resolution 10450, Establishing the Rates, Fees and Penalties Associated with Title 10 Pertaining to the City’s Parking System.” [Establishing a fine structure for violations of OCCGF 10.9.310 prohibiting the long-term parking and/or storage of recreational vehicles, utility trailers or vessels in residential districts, and superseding Resolution 10420.]

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

PUBLIC HEARINGS

14. Great Falls Public School District request to rezone properties and vacate City Right of Ways in the vicinity of Great Falls High School and Kranz Park.
 - I. Resolution 10442, To vacate 17th Street South between 3rd Avenue South and 4th Avenue South, as well as the portion of 4th Alley South abutting Lots 5-10, Block 736. *Action: Conduct a joint public hearing and adopt or deny Res. 10442. (Presented by Craig Raymond)*
 - II. Ordinance 3241, To rezone the properties legally described as Lots 5-10, Block 736, of the Tenth Addition to Great Falls Townsite, including those portions of the vacated 17th

Street South and 4th Alley South right of way from Parks and Open Space to Public Lands and Institutional; additionally, a non-administrative amended plat aggregating the vacated portions of right-of-way and the various parcels. *Action: Adopt or deny Ordinance 3241.*

15. Resolution 10443 Golf Fees. *Action: Conduct a public hearing and adopt or deny Res. 10443. (Presented by Steve Herrig)*

16. Resolution 10444, Revising Fee Schedule for Great Falls Fire Rescue Superseding Resolution 10436.[Establishing Fees for Patient Transport Cost Recovery]. *Action: Conduct a public hearing and adopt or deny Res. 10444. (Presented by Jeremy Jones)*

OLD BUSINESS

17. Change Order No. 1 to Swank Enterprises for the Indoor Aquatics and Recreation Center. *Action: Approve or not approve the Change Order for a deduction of a \$244,655 and authorize or not authorize the City Manager to execute the change order documents. (Presented by Steve Herrig)*

NEW BUSINESS

18. Sponsorship/Fundraising Services for the Indoor Aquatics and Recreation Facility. *Action: Approve or not approve a Professional Services Agreement with Bannack Group, LLC and authorize or not authorize the City Manager to execute the agreement. (Presented by Steve Herrig)*

19. Southside Water Main Replacements – Phase II. *Action: Award or not award a contract in the amount of \$1,991,450 to United Materials of Great Falls, Inc. and authorize or not authorize the City Manager to execute the contract documents. (Presented by Paul Skubinna)*

20. Great Falls International Airport Funding Commitment – Small Community Air Service Development Grant (SCASD). *Action: Allocate or not allocate \$150,000 of ARPA Funds to the Great Falls International Airport Low Cost Airfare Initiative SCASD grant. (Presented by Mayor Kelly)*

ORDINANCES / RESOLUTIONS

21. Resolution 10449, Requesting support and resources from Montana’s Congressional Delegation to address recommendations and action items from the 2021 Great Falls Crime Task Force. *Action: Adopt or deny Resolution 10449. Presented by Greg Doyon)*

CITY COMMISSION

22. Miscellaneous reports and announcements from the City Commission.

23. Commission Initiatives.

ADJOURNMENT

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

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

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



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Reappointments to the Parking Advisory Commission

From: City Manager's Office

Initiated By: City Commission

Presented By: City Commission

Action Requested: Reappoint three members to the Parking Advisory Commission

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (reappoint/not reappoint) Barbara Nutter, Kellie Pierce and Katie Hanning to the Parking Advisory Commission for a three-year term through April 30, 2025."

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

Commission/Board Recommendation:

The Parking Advisory Commission met on February 17, 2022 and recommended reappointing Ms. Nutter, Ms. Pierce and Ms. Hanning for additional three-year terms through April 30, 2025.

Summary:

Ms. Nutter was appointed to the Parking Advisory Commission on May 4, 2021, Ms. Pierce was appointed on October 9, 2017 and Ms. Hanning was appointed on August 15, 2017. The term end date for all three members is April 30, 2022. They are all interested and eligible to serve another three-year term.

Background:

The Parking Advisory Commission is comprised of five members appointed by the City Commission. The Commission advises the City Commission, City Manager, and Planning and Community Development Staff on matters related to parking issues within the Parking Districts.

Current Members:

Becky Sullivan	3/17/2020 – 4/30/2023
Kellie Pierce	10/9/2017 – 4/30/2022
Katie Hanning	8/15/2017 – 4/30/2022
Katie Batterbee	8/4/2020 – 4/30/2023
Barbara Nutter	5/4/2021 – 4/30/2022

Alternatives:

Commission could ask staff to continue advertising for other citizen interest.

Attachments:

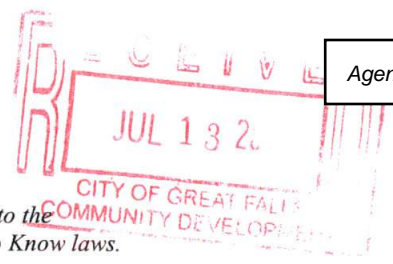
Applications



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

Agenda #4.

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: Parking Advisory Board/Commission		Date of Application: 7-13-17
Name: Katie Hanning		
Home Address: 3217 4th Ave. North.		Email address: Katiehanning406@gmail.com
Home Phone: 406-899-9112	Work Phone: 406-462-4663	Cell Phone: 406-899-9112
Occupation: HBA Director		Employer: Home Builders Association
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background: many years working with community and construction industry		
Educational Background: High school w/ some college -		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities:		
Previous and current public experience (elective or appointive): None		
Membership in other community organizations: LAOH, EIKs, Holy Spirit Church		

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

Agenda #4.

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?

Judy Berg - Finance - ?

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?

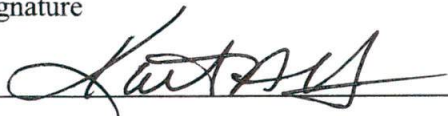
The city needs a person to help on this Board and I feel I can help.

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

I have spend many years working with the community and local businesses and think I would be able to fairly work on projects for this commission

Additional comments:

Signature



Date:

7-13-17

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

Return this form to:

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

Fax:
(406) 727-0005

Email:
kartis@greatfallsmt.net



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

Agenda #4.

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: Parking Advisory Commission		Date of Application: February 20, 2021	
Name: Barbara Nutter			
Home Address: 524 5 th Avenue South Great Falls, MT 59405		Email address: nbpbsc@cs.com	
Home Phone: 406-453-1068	Work Phone: 406-315-8083	Cell Phone: 406-231-8434	
Occupation: Museum Director		Employer: Karpeles Manuscript Library Museum	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)			
Related experiences or background: I worked for meter enforcement for 8 years.			
Educational Background: Associate of Applied Science in Accounting - May 2020 Associate of Arts - May 2021			
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:			
Previous and current service activities: 4-H Leader - The Salvation Army Emergency Services Rescue Mission			
Previous and current public experience (elective or appointive): none			
Membership in other community organizations: none			

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

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

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

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

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

I worked in meter enforcement & cashier in the parking garage for 8 years. I feel I have a good understanding of the parking issues in downtown.

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

See above please

Additional comments:

I feel I can be an asset to this board as I understand the issues they deal with.

Signature

Barbara Nutter

Date:

February 20, 2021

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

Agenda #4.

RECEIVED

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

SEP 12 2017

Board/Commission Applying For: <i>Parking Advisory Commission</i>		Date of Application: <i>9/12/17</i> CITY MANAGER	
Name: <i>Kellie Pierce</i>			
Home Address: <i>208 22nd Ave NW GF</i>		Email address: <i>info@downtowngreatfalls.net</i>	
Home Phone: <i>N/A</i>	Work Phone: <i>453-6151</i>	Cell Phone: <i>406 581-2979</i>	
Occupation: <i>Marketing/Non-profit</i>		Employer: <i>Downtown Great Falls Assoc.</i>	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)			
Related experiences or background: <i>As the director of operations for the DGFA I work directly with business owners in the downtown parking districts. Board experience as well.</i>			
Educational Background: <i>Bachelors Degree in Business Management</i>			
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:			
Previous and current service activities: <i>Vice Chair on the Downtown Development Partnership</i> <i>Board member of the Great Falls Community Foundation</i> <i>Boy Scout Den leader</i>			
Previous and current public experience (elective or appointive): <i>None</i>			
Membership in other community organizations: <i>Active leader of Downtown Chicks</i>			

Have you ever worked for or are you currently working for the City of Great Falls? Yes ☐ No ☒ If yes, where and when? Agenda #4.

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?

Previously listed (no City boards)

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

As an active member in the downtown business community I am frequently asked about the parking situation & I feel that I should be more informed & involved.

Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I currently work under the direction of a board, as well as serving on several boards (currently & past) I understand processes and procedures.

Additional comments:

Signature

Kelcee Rice

Date:

9/12/17

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

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JOURNAL OF COMMISSION PROCEEDINGS
February 15, 2022

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, Eric Hinebauch, Joe McKenney, Rick Tryon and Susan Wolff. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Public Works Director Paul Skubinna; Planning and Community Development Director Craig Raymond; Finance Director Melissa Kinzler; City Attorney Jeff Hindoi; Police Chief Jeff Newton; and, City Clerk Lisa Kunz.

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

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

PETITIONS AND COMMUNICATIONS

1. **Giordana Lahaderne**, City resident, read a prepared statement regarding the growing homeless encampment at the First United Methodist Church. In summary, he described living near the encampment as a nightmare. Neighborhood residents were never consulted about Rev. Wakeley's decision to provide for the encampment in their neighborhood. He questioned why the church does not open its doors to the homeless people instead of encouraging them to sleep on concrete in subzero weather. He noted it is obvious these people need help and suggested holding them accountable and pointing them to the many mental health, housing and additional recovery resources available, and not enabling their destructive behavior by giving them a consequence free zone that makes it easier for them to keep using. The encampment solves nothing, helps no one, and exacerbates problems. Such a disaster would not be allowed to operate in Fox Farm or Prospect Heights, and should not be allowed in their neighborhood just because their incomes are lower. He urged Rev. Wakeley or the City to shut down the encampment, start treating our brothers and sisters like human beings, and not exploiting their anguish and suffering as some kind of marketing campaign for their personal projects.

Rachel Lahaderne, City resident, commented that the encampment at the First United Methodist Church is directly harming our city and the community members, and it is not helping the people who are encamped there. The conditions in which Rev. Wakeley are allowing these people to live would not be tolerated at any homeless shelter, halfway home, or any other program across the entire developed world. A homeless shelter would be issued fines for non-compliance of public health standards and the infringement of individual rights. Neighbors to the encampment, herself included, do not feel safe walking with their children to the Perkins restaurant, the Library, or any place that passes near the encamped. The encampment does not provide lasting solutions, but rather directly harms our city. It does this by condoning and encouraging drug and alcohol addiction. She would like to see the City do as other cities have done and fine the First United

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Methodist Church a sum of \$12,000 or \$1,000 per day until they are in compliance with the basic humane standards of living required at every homeless shelter across the United States.

Michael Yegerlehner, 313 2nd Avenue North, commented that he attends the Methodist Church. Just an hour ago, he was having dinner with the people being talked about. He does not feel threatened when he walks downtown or when he goes to church with his wife. He has gotten to know some of the people. He is concerned about some of the very hurtful and mean comments being made. He would like to work for a solution and for everyone in the city to feel safe, but not at the expense of the most vulnerable and hurting people.

Daniel Hartzel, City resident, commented it is a very uncomfortable feeling walking by the homeless and that he has felt threatened. This matter needs to be addressed, cleaned up, and the laws enforced.

Rev. Stephen Underwood, City resident, Pastor of Central Christian Church, named several cities across the United States that all have something in common. All of the municipalities have defied the First Amendment and attempted to restrict the church's free exercise of religion in ministering to the unhoused and impoverished in their communities, whether through zoning laws, health code minutia or nuisance ordinances. All of them have lost that fight in the judicial system. Rather than paying out thousands of dollars in a settlement, he suggested collaborating with the people who are trying to make a difference. The situation at First Methodist Church is not ideal. He suggested coming to a solution that promotes the health and safety of the entire community. Rev. Underwood concluded that it is time for the City to recognize the homeless as human beings and as neighbors, not as a nuisance, and act accordingly.

Appearing telephonically was **David Saenz**, resident and pastor in the community, commented that the hospitality of the United Methodist Church should not be construed or confused as extending a helping hand from Jesus towards the encamped people. While the spirit and intent of the United Methodist Church of wanting to provide assistance to the unhomed is commendable, their method is harmful to others within our community. To continue to allow the unhomed people to be a nuisance, a safety concern and a threat to our community is irresponsible and will continue to be harmful. If the needs of the unhomed people are real and if they are sincere about wanting help, there are plenty of local organizations within the community that are willing to assist in such a way that would not be harmful to others in our community. He is not in favor of the City standing silent towards this issue or to prolong a response, but rather in favor of the City being proactive and taking swift action to help the community be safe before an incident or something worse takes place.

Rev. Jeff Wakeley, Pastor, First United Methodist Church, commented that the church has been serving the community for 144 years. What everyone has spoken about is true. He admits it is a messy thing. However, the church responded to the needs of this community and allowed the homeless to be on their property. It is not perfect but he has done his best to try to help these people. He is trying to make the situation better by cleaning up the property. The fact that the unhomed are on his property does not mean they are bad people, it is telling you that there are not enough beds in town.

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Shane Etzwiler, President and CEO of the Great Falls Area Chamber of Commerce, commented that the Chamber has been focused on workforce and workforce issues this past year. The Chamber hired an additional staff person to be its Workforce and Education Coalition Development Director. The Chamber partnered with the Montana Chamber of Commerce and recently hosted a workforce event that was well attended by business leaders and teachers. He discussed an exciting entrepreneurship program for high school students called Prospects, which is similar to Shark Tank. The Chamber and the Great Falls Development Authority have put up prize money for this Prospect event, and the Montana Chamber has raised about \$70,000 in prize money, toward these young entrepreneurs and some of the exciting ideas that they have.

Chamber representatives and a group of about 25 business leaders and individuals from Great Falls, including Commissioner Wolff, will be traveling to West Alabama to visit with the Chamber in Tuscaloosa to learn what they're doing to improve their workforce situation in their community.

Karl Spitzmacher, City resident, commented that he was homeless in Salt Lake City for a number of years. He suggested the Commission members go to the Methodist Church to observe, interact with the homeless, think about collaboration with the community and businesses, and come up with a dynamic solution of the possibility of a resource center.

Kenten Miller, 1525 3rd Avenue North, commented that in the last six months he has been involved with the homeless downtown. Through social media, he has collected blankets, sleeping bags, clothes, tents, tarps, and other items to keep them warm. When it is cold outside he encouraged people to bring the homeless people coffee or sit with them. He and his wife and kids have never felt threatened by them. He and his family are trying to help them out with what they can provide from their own pockets until there is a long-term solution.

Carley Tuss, City resident, commented that she has been working with the homeless since she retired from nursing a couple of years ago. Someone said the homeless is not a homogeneous population. The homogeneous population does not exist in this room either. One size will not fit all in terms of solutions. She works with Saint Vincent de Paul to get people housed and employed. In the last year, they have helped 17 people become employed. It is very difficult to come from the street and leave that tribal mentality where you understand the rules, and move into a more structured environment, where there is also a tribal mentality, but you do not understand the rules. That is a really hard transition. Another hard transition is saying "I have to leave my friends because I am learning new things and it is detrimental to me to go back." The whole continuum of learning keeps going. She commented that an out of state corporation bought up 16 apartment buildings, raised the rent, and now do not accept Section 8 housing vouchers. She is helping people get housing. Sometimes it happens in a matter of weeks and sometimes it is months. None of that continuum is quick, none of it is immediately successful, and it takes a lot of handholding.

Carl Donovan, City resident, commented that he has been working with the homeless for about a year and a half. He is not afraid of them. He and several others have been collecting their blankets to do the laundry for them. He hoped people would realize that the homeless people are the same as everyone else and they deserve dignity. To address some of the complaints, the First

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English Lutheran Church and the Methodist Church now have outside porta-potties for the homeless.

Carrie Parker, Director of Helping Hands Food Pantry at First English Lutheran Church, commented that Helping Hands has been helping struggling community members for almost 40 years. In the last couple of years, they have seen nothing like what they are seeing now with the homeless community. Rev. Wakeley is helping the homeless and that is what we are called to do to be caring and compassionate members of the community. She encouraged everyone to do what they can to stop the division, and to pull the citizenry and resources together to try to solve the problem. Great Falls has many resources.

There being no one further to address the Commission, Mayor Kelly commented that homelessness is not an easy topic. There is community concern. There is also community compassion. A Continuum of Care, that includes a group of 30 professional agencies, meet regularly. Tomorrow evening at Rev. Wakeley's church there will be a gathering of people who are trying to seek solutions to this topic. He recommended that people bring their resources, experience, education and positive comments to that meeting. This community does work effectively in housing people who need it. There is, in fact, emergency shelters that come with minimal barriers when it is cold outside. This kind of conversation tonight is very helpful because the Commission hears all the aspects that this situation creates. But, there are efforts being made in the community to help with these situations, and the efforts that everyone talked about tonight need to be coordinated with the Continuum of Care group and maybe have some new ideas. He concluded that the Commission hears both sides of this conversation. It is not easy and that is why it is a problem in many, many communities around the country.

NEIGHBORHOOD COUNCILS

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

BOARDS AND COMMISSIONS

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

CITY MANAGER

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported:

- On February 10 the City's primary internet provider experienced an outage. The City's service was uninterrupted due to the IT department previously securing a lower speed redundant connection.
- The January 26, 2022 Boards, Committees, Councils and Commission leadership training was recorded and is now available on the City's website under Boards and Commissions.

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Members that were unable to attend the training are asked to watch the video and return the training acknowledgement form to Krista in the City Manager's Office or Lanni in the Communications Specialist/Neighborhood Council Coordinator Office.

- Progress is being made on the Civic Center façade/roof project. He will provide an update for the Commission at a future session to show in closer fashion what is happening on the project.
- He participated in "Read across America" today and read to students at Longfellow Elementary School.

CONSENT AGENDA.

5. Minutes, February 1, 2022, City Commission Meeting.
6. Total Expenditures of \$2,421,248 for the period of January 20, 2022 through February 2, 2022, to include claims over \$25,000, in the amount of \$1,788,602.
7. Grants List.
8. Approve the cancellation of City of Great Falls checks that remain outstanding and unpaid for a period of one (1) year or longer.
9. Adopt Resolution 10435 and authorize the Public Works Director or his designee to request distribution of Bridge and Road Safety and Accountability Act (BaRSSA) program funds.
10. Set a public hearing on Resolution 10443, Establishing Golf Fees for March 1, 2022.
11. Set a public hearing on Resolution 10444, Revising Fee Schedule for Great Falls Fire Rescue Superseding Resolution 10436, for March 1, 2022.

Commissioner Tryon moved, seconded by Commissioner Wolff, that the City Commission accept the Consent Agenda as presented.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

PUBLIC HEARINGS

JOURNAL OF COMMISSION PROCEEDINGS**February 15, 2022****12. RESOLUTION 10439, ESTABLISHING FEES FOR THE CITY OF GREAT FALLS ENGINEERING DIVISION OF THE PUBLIC WORKS DEPARTMENT.**

Mayor Kelly declared the public hearing open and asked for presentation of the staff report.

Public Works Director Paul Skubinna reported that Resolution 10439 establishes an encroachment permit fee and right-of-way occupation fee for new linear underground private utilities that come in the form of fiber optic cable.

The City has charged right-of-way application and annual occupation fees for a long time. Those annual occupation fees have been characterized as rent for occupying the public right-of-way. This request, however, is not a new fee resulting in a revenue source for the City, but is a retooling of those existing fees so it is applicable to the different types of right-of-way occupations being proposed, and are intended to recover the City's cost. The City does not currently have an encroachment permit for underground linear projects. Staff is putting the final touches on what that permit and accompanying template agreement(s) will look like. The proposed resolution provides a one-time application fee of \$50 each to cover the administrative costs for issuing the permit. This is exactly like the one-time fee of \$50 for a surface encroachment permit.

Staff is also proposing an annual Linear Underground Utility fee of \$1.00 per inch diameter per foot installed. This fee is directly analogous to the existing right-of-way occupation fee of \$1.00 per square foot per year for surface encroachment. However, the annual fee proposed in this resolution is not rent for occupying the public right-of-way by private for-profit companies as is customary. The intent of this fee is to offset the City's costs to track, inventory, and maintain basic as-built information for projects approved to occupy the City right-of-way. This information will help the City manage where companies are allowed to place fiber in the right-of-way in the interest of dig once type policies. The goal is to manage the City's right-of-way such that it remains functional for both surface and below the surface for City infrastructure needs and other public utility access. The annual fee will help support these efforts.

The second element of this proposal is defining what types of projects will pay these fees. Currently, staff is working with three different types of entities proposing to install fiber optic in the right-of-way: (1) those regulated by the Federal Communications Commission as a telecomm, or those entities that provide cable television services and whereby are regulated under Federal statute allowing them access to the public right-of-way via a franchise agreement; (2) those regulated by the Public Service Commission as a Public Utility, such as a telecommunication company providing traditional telephone services; and, (3) private for-profit company providing internet and other services. These fees will apply to that third category, the private for-profit companies.

At this time, one project is on the docket for permitting in that third category. A private company will be installing dark fiber. Dark fiber is a private, dedicated network that may only be accessed by its owner or those entities the owner sells services to. At this time staff knows the company will be providing service to the Great Falls School District and staff expects they will also be selling services to other private entities once they have their infrastructure in the ground. Staff has been approached by other private fiber providers also proposing smaller projects for this next construction season.

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Staff believes the time is ripe to retool the City's right-of-way encroachment and occupation fees to accommodate the proposed projects.

Mayor Kelly asked if the Commission members had any questions.

Mayor Kelly inquired if other communities experiencing growth around Montana have a similar fee structure.

Director Skubinna responded in the affirmative, adding that the City of Billings revised its fee to \$2.00 per linear foot on the annual fee, and are also charging for a fraction of the appraised value of what is being installed above ground. That is not being considered at this time because some of the only options to get fiber to some places, specifically in the alleys, is overhead because the alleys are already crowded. Staff has also been working with a consultant to look at what is happening on a regional and national scale and to get some perspective as to what the industry norms are.

Commissioner Tryon received clarification that the proposed fee is \$1.00 per inch per linear foot. He inquired if the company that is going to begin the school project this spring was made aware that this fee was likely going to be coming down the pike before they signed the contract.

Director Skubinna responded that staff has been working with that company on an agreement for their ability to occupy the right-of-way and he believes fees were included.

Commissioner Tryon inquired the fee amount for the School District project.

Director Skubinna commented that the company's proposal is not final so he is not sure what the linear feet will be. One staff person, possibly two, will be dedicated to tracking the information and permitting.

Mayor Kelly asked if there were any comments from the public in favor of Resolution 10439. Hearing none, Mayor Kelly asked if there were any comments from the public in opposition to Resolution 10439.

Karl Spitzmacher, City resident, inquired what this fee would cost the people receiving the service.

Jenni Robertson, KDS Networks, 2901 15th Street SW, Black Eagle, commented that KDS is planning to do work in the City of Great Falls. However, KDS will not be doing work in the massive scale as others would propose. KDS does not welcome any additional fees, especially on a yearly schedule. She suggested that, because the fees are for underground work, it would push businesses into wanting to do aerial along the power lines. The community has worked hard on urban city beautification and the alleys are already cluttered with hanging cables.

Mayor Kelly asked Director Skubinna to respond to the inquiry about the cost being passed on to the consumer.

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Director Skubinna responded that he would imagine the for-profit companies would pass that cost on to the consumer.

Mayor Kelly asked, other than the fee relationship, was there a preference to go underground or aerial.

Director Skubinna explained that, part of the permitting processes is to determine the appropriate location within the right-of-way. Most poles are owned by NorthWestern Energy or other entities. Staff is not considering that fee at this time because of the complicated nature of who owns the poles.

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

Commissioner Wolff moved, seconded by Commissioner Hinebauch, that the City Commission adopt Resolution 10439.

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

Commissioner McKenney received clarification that at this point in time staff is seeing proposals for internet fiber optics.

Commissioner McKenney commented that he thought fiber optics were already out there. He inquired if the proposals are for new neighborhoods or a new fiber optic.

Director Skubinna responded that fiber optic technology has been around for quite some time and that it has been advanced significantly. There are proposals for new development, and fiber to homes by a company that would be covered under a franchise agreement, as well as businesses looking into their own fiber optic network to connect their facilities within town.

Commissioner McKenney requested examples of City right-of-way.

Director Skubinna responded that, generally, the right-of-way extends from just behind the sidewalk to just behind the sidewalk on the other side of the road. Depending on what type of street it is, there are varying widths of what that looks like. The fees are based on square footage of surface occupation. In looking back when the old resolution was considered and adopted, it was characterized in the discussion at that Commission meeting as being rent of the right-of-way to discourage private entities from putting semi-permanent or permanent structures within the right-of-way so that the City could maintain the right-of-way for the public utilities and public passage.

Commissioner McKenney commented this will be more of a workload for the division and he inquired if Director Skubinna would need more staff.

Director Skubinna responded this is definitely an increased workload for staff. He saw some of the writing on the wall with the situation in this last budget year and requested additional staff. Those personnel have been fully deployed developing what these programs are going to look like and what the fee structure would be to recover costs.

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Commissioner Tryon requested Director Skubinna address the issue raised about whether this fee will incentivize or cause companies to go above ground rather than below ground.

Director Skubinna responded that the City certainly does not want additional clutter in the alleys. But, when speaking with the companies they are working with, to get service to certain places the only option is going to be in the alley. There was not a specific thought process to try to incentivize or disincentivize, other than the thought process of trying to keep them out of the ground in the alley.

Commissioner Tryon inquired if there was any evidence that this fee will incentivize cable fiber companies to go above ground, rather than paying the \$1.00 per linear foot.

Director Skubinna responded that he did not have any evidence to that effect.

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

Motion carried 5-0.

13. RESOLUTION 10440, CONDITIONAL USE PERMIT TO ALLOW A “COMMUNITY CENTER” LAND USE IN THE R-3 SINGLE-FAMILY HIGH DENSITY ZONING DISTRICT FOR 4.25 ACRES ADDRESSED AS 3400 FLOOD ROAD.

Mayor Kelly declared the public hearing open and asked for presentation of the staff report.

Planning and Community Development Director Craig Raymond reported that Foothills Community Christian School submitted an application requesting a Conditional Use Permit (CUP) to allow a “Community Center” land use in the R-3 Single-Family High Density zoning district for the property located immediately south of an existing church at 3400 Flood Road. The municipal code has a fairly broad definition of activities that can take place as part of a community center use but can also include sporting or recreational uses.

The applicant proposes to develop a 16,100 square foot indoor athletic facility as well as an outdoor soccer field. Foothills intends to host sporting events that are school related, but also partner with other outside organizations for recreational play at various levels from youth to adult competition. Larger events, such as tournaments, are expected to be held two to four times a year. These events may have an attendance of around 500 spectators. The specific property that proposes to have the Community Center use is a 4.25-acre parcel that was originally part of the Valley Community Bible Church located to the north, which was annexed in 2008 and was assigned R-3 zoning. Last year, the subject parcel was created by way of a boundary line adjustment with the church property to the north. Concerning the surrounding properties, to the west of the subject property is the Burlington Northern Santa Fe Railroad, which is not within City limits. To the south is a vacant parcel within the County that has Suburban Residential zoning. To the east are existing single-family residences within the City limits across Flood Road. These residential lots are zoned R-3, Single-Family High Density. Because of the existing commercial use to the north, no existing residential use to the south and limited but distant residential uses to the west, staff finds that the proposal should be a reasonable fit for the existing development pattern.

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In this particular case, the first concern was related to parking adequacy. While staff did not necessarily feel that the applicant provided enough parking for max peak events, they were able to work out an acceptable shared parking agreement with the church to the north. Staff encourages and is a proponent of shared parking agreements where there can be effective and efficient use of existing facilities. It cuts costs for developers and promotes mutually beneficial agreements. Additionally, staff identified the need for a safe pedestrian connection into the existing neighborhood to the east of the subject property. This crossing should be located at the intersection of either Derby Drive or Dixie Lane and Flood Road to account for residents of the existing neighborhood who may want to access the facility.

During the processing of this CUP two citizens spoke of a concern related to traffic safety. Along these lines, staff notes that there were specific provisions for roadway improvements of Flood Road in the annexation agreement when the property was annexed in 2008. While staff does not necessarily think that this specific development will likely require the execution of those improvements at this time, staff does believe that the area needs to be monitored post-development.

Mayor Kelly asked if the Commission members had any questions.

Commissioner Wolff received clarification that the former Valley Church is now known as the Bridge Church.

Commissioner Tryon noted that Neighborhood Council 1 voted unanimously to recommend approval of the CUP.

Mayor Kelly asked if there were any comments from the public in support of or opposition to Resolution 10440.

Kelly Mimnaugh, City resident, submitted written comments via email inquiring about fencing, parking, ingress/egress to the property and operating hours of the facility.

Director Raymond responded that staff is not aware of any specific fencing that is going to be constructed. The applicant could choose to do so, but at this point staff does not feel that it should be a requirement. The applicant is developing some of their own parking, and they worked out a shared parking agreement with the church to the north.

Applicant, **David Culpepper**, Foothills Community Christian School, responded that they are expecting shared usage of both buildings with the church, and do not anticipate using it 7/24.

Director Raymond added that there will be one new entrance and one shared entrance with the church.

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

Commissioner Tryon moved, seconded by Commissioner Hinebauch, that the City Commission adopt Resolution 10440 for a Conditional Use Permit to allow a “Community Center” land use in the R-3 Single-Family High Density Zoning District upon the property

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addressed as 3400 Flood Road, and the accompanying Basis of Decision subject to the Conditions of Approval being fulfilled by the applicant.

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

Commissioner McKenney inquired if substantial work has not commenced within one year, could the applicant request an extension.

Director Raymond responded in the affirmative. Staff also sees what is going on behind the scenes, and can use discretion as to whether applicant is making substantial progress in that regard.

Commissioner McKenney inquired how the community residents heard about the project so that they could offer comments or concerns.

Director Raymond explained that staff advertises by putting signs on the property providing notice of a public hearing and where public comment can be made, sending out letters to neighboring properties, putting public hearing notices in the newspaper, and posting on the City's website and Facebook page.

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

Motion carried 5-0.

14. HOME-ARP PLAN AS AN AMENDMENT TO THE 2021 ANNUAL ACTION PLAN.

Mayor Kelly declared the public hearing open and asked for presentation of the staff report.

Planning and Community Development Director Craig Raymond reported that the American Rescue Plan Act of 2021 appropriated \$5 billion to provide housing, services, and shelter to individuals experiencing homelessness and other vulnerable populations, to be allocated by formula to jurisdictions that qualified for HOME Investment Partnerships Program allocations in Fiscal Year 2021. The City of Great Falls has been awarded \$1,026,477 of HOME-ARP funds. These HOME-ARP funds are in addition to the annual allocation of \$283,494 of HOME funding that the City received for the current fiscal year. HUD has outlined specific guidance on who and what qualifies for assistance as well as eligible activities, which is outlined in the agenda report.

HUD issued CPD Notice identifies qualifying populations as:

- a. Homeless (as defined by the McKinney-Vento Homeless Assistance Act)
- b. At risk of homelessness (as defined by the McKinney-Vento Homeless Assistance Act)
- c. Fleeing, or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking
- d. Part of other populations where providing supportive services or assistance would prevent a family's homelessness or would serve those with the greatest risk of housing instability
- e. Or, veterans and families that include a veteran family member that meet the criteria in one of the above

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The eligible activities for the use of HOME-ARP funding are limited to the following:

- a. Development and support of affordable rental housing
- b. Tenant based rental assistance
- c. Supportive services to qualifying individuals
- d. Acquisition and development of non-congregate shelter units

Even though there are pretty limited options for activities that can be funded, staff conducted a fairly extensive outreach effort to gain public input from not just the general public but also those groups or agencies that specifically work in these areas which the HOME-ARP funding is intended to target. The agenda report lists all those agencies or entities that were asked to provide input. Of the 17 solicited, nine responded. From the responses received, four main priorities rose to the top:

- 1) Development and support of affordable rental housing,
- 2) Supportive services to qualifying individuals, and
- 3) Tenant based rental assistance and acquisition and development of non-congregate shelter units

This message was consistent during the public needs hearing as well.

HUD rules, feedback and public testimony were all considered as this plan was developed. Staff is recommending that \$722,505.45 be allocated to development of affordable rental housing (more specifically permanent supportive housing), \$150,000 towards supportive services such as mental health services, substance abuse services, childcare assistance along with education, case management and other eligible outreach services. Finally, staff proposes to allocate 15% or \$153,971.55 towards administration. This is primarily due to the requirement to administer and monitor compliance of the projects for 15 years after the projects are complete.

Mayor Kelly asked if the Commission members had any questions.

Mayor Kelly reiterated that the Commission is not being asked to designate these dollars to any particular group or organization. The funds will be available for any entity that wants to apply.

Director Raymond added that the entities that apply for these funds have to be able to meet the qualifications. Particularly, if they are looking at building supportive housing, they have to be able to commit to maintaining that operation for at least 10 years.

Commissioner Tryon asked Director Raymond to explain “non-congregate.”

Director Raymond explained that it needs to be a similar setup as an apartment type dwelling, with units for individuals or family units, as opposed to a large room with a lot of beds or cots where everybody is together.

Commissioner Tryon inquired if shipping containers made into individual apartments would qualify, and was responded to in the affirmative.

Commissioner Tryon expressed concern that the acquisition and development of non-congregate shelters has a designation of zero dollars. The requested action tonight is to approve an

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amendment to the 2021 Annual Action Plan, and the money has to be spent by 2030. He inquired if the needs assessment changes in a year or two and it is discovered that the City would need the acquisition and development of non-congregate shelters, could the Commission make an amendment at a later time or is there a deadline or timetable to adhere to once this amendment is passed.

Director Raymond responded that another amendment process could be done should the Commission desire.

CDBG Administrator Tonya Shumaker explained that once the Commission approves the HOME-ARP plan as an amendment and it is submitted to the United States Department of Housing and Urban Development (HUD), HUD has 45 days to then respond. Once HUD responds, they typically remit an agreement to the City. Once the City signs that agreement, then the funds are released within the federal system to be used on projects.

Commissioner Tryon received clarification that there is no federal deadline to get a plan approved. The funds must be completely spent by 2030.

Commissioner Tryon commented that there does not seem to be an urgent time consideration for passing this amendment.

Director Raymond suggested that, given that this money is due to Covid, it's better to spend the money sooner because we're more impacted by the Covid situation now than we will be eight years from now.

Mayor Kelly asked if there were any comments from the public in support of the HOME-ARP Plan as an amendment to the 2021 Annual Action Plan.

Sherrie Arey, Executive Director of NeighborWorks Great Falls, commented that for 41 years NeighborWorks has been helping to provide affordable housing solutions to the community. In the last several years, NeighborWorks has been in the process of helping with multi-family and rentals because of the need for some in lower economics that are not ready for homeownership.

NeighborWorks supports staff's recommendation to pass the amendment to the Annual Action Plan for many reasons; the biggest one is due to the current housing crunch in Great Falls. She urged the Commission to pass this amendment and to get those dollars out to whomever may be able to provide affordable housing.

NeighborWorks has the Baatz project that is permanent, supportive housing and which has many of the elements that can help those that have suffered through homelessness or housing insecurity with wraparound services. NeighborWorks believes that is one solution to help with the current homelessness issues in our community. This is a one-time funding source. It costs three times as much to provide emergency shelters than it does for a permanent housing solution.

Rev. Jeff Wakeley, First United Methodist Church, commented that anything to help the homeless or dealing with housing issues is needed. He read an article that stated Great Falls is 1,200 units short. If we are going to have economic development in Great Falls, we need the

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housing. He wants the City and others to think about what to do in the meantime. That is one of the reasons he is talking about building a new homeless shelter. He encouraged the Commission to pass this amendment to get the money as soon as possible to help people.

Michael Yegerlehner, 313 2nd Avenue North, commented that his focus has been the people who are in the most desperate need. He thinks Great Falls needs another shelter. As a counselor, he works with many people who are struggling. They work full time jobs, but it is hard for them to make ends meet. He is in favor of the construction of housing that is actually affordable. His only concern is that he does not want his tax dollars going to landlords.

Karl Spitzmacher, City resident, suggested building a resource center with a graduated program where people have an opportunity to become more rewarding to society.

Appearing telephonically was **Sheila Rice**, 913 3rd Avenue North, commented that she could argue for a slight redistribution of the funds to include things like pallet shelters, but believes that this plan as proposed should be passed in particular. She urged the Commission to act quickly.

Written comments via email were received from:

Shyla Patera, North Central Independent Living Services (NCILS), urged funding support for food insecurity and healthy eating for low income residents, broadband and assistive technology. She suggested the hiring of a housing navigator to ensure all newly constructed and rehabilitated housing is affordable, accessible, and universally designed housing stock, as well as a promotional campaign in support of rental and homeowner assistance. NCILS also urges support of funding allocations for sustainable infrastructure for emergency transportation, and incorporating ADA accessibility and connectivity into a universal design.

Sandra Rice, Neighborhood Council 7 Secretary, requested consideration of the use of one-time Covid funds to include emergency shelter options. The Council believes that the churches involved in the encampment on the corner of 6th Street and 2nd Avenue North would be willing to work together to create and administer an emergency shelter if funds were available.

Mayor Kelly asked if there were any comments from the public in opposition to the HOME-ARP Plan as an amendment to the 2021 Annual Action Plan.

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

Commissioner Wolff moved, seconded by Commissioner Hinebauch, that the City Commission adopt the HOME ARP Plan as an Amendment to the 2021 Annual Action Plan.

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

Commissioner Tryon commented he would support the motion, but has a concern that there is no money in this allocation for emergency, non-congregate shelters. Even though it is not listed as a priority, it seems to be a concern in the community. He would be in favor of revisiting this at a later time and changing some of the allocation to provide money for emergency shelters if and

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when some of the folks that spoke up here tonight about the homelessness issues have a specific proposal that they could bring forward.

Mayor Kelly commented that it is important to recognize that the activity at the church that was discussed tonight is really at the beginning of a movement here. There is an opportunity for the community to collaborate around situations like this, and to come up with a solid proposal. There will be opportunities to apply for funding. The Commission has the ability to amend the plan if it chooses and if there are funds left.

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

Motion carried 5-0.

OLD BUSINESS**NEW BUSINESS**

15. ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AND AUDIT REPORT, FY 2020-2021.

Finance Director Melissa Kinzler reported that the City's Audit Committee met on January 26, 2022. Members of the Audit Committee received a copy of the Draft FY 2020-2021 ACFR, the Draft Independent Auditor's report, and the Required Client Communication Letter. The Required Client Communication Letter comments on any internal control recommendations related to the operations of the City that would have adversely affected the City's ability to record, process, summarize and report financial data. The auditors had no recommendations for FY 2020-21 and no prior year comments from FY 2019-20. The FY 2020-2021 ACFR and Required Client Communication Letter and Responses were approved by the audit committee.

Sarah Stanger, Anderson ZurMuehlen & Co., P.C., reported that the audit engagement has two parts: review of the City's financial statements and a separate agreed upon procedures engagement over the City's building code program.

Ms. Stanger reported that the ACFR is required to be submitted to the Government Finance Officers Association's (GFOA) Certificate of Achievement Program for review. The City has received the Certificate of Achievement for Excellence in Financial Reporting every year since 1994. She commended the City for its long track record of good reporting and work in putting the ACFR together.

She discussed the four sections of the ACFR, which included the Introductory, Financial, Statistical, and Single Audit. She noted that the major federal program that was selected for testing for the second year in a row was the Coronavirus Relief Funds and were no findings.

Ms. Stanger concluded that all audit opinions were clean and there were no findings, comments or recommendations made.

Commissioner Tryon moved, seconded by Commissioner Hinebauch, that the City Commission accept the FY 2020-2021 ACFR, the Required Client Communication Letter and the City's Response to the Required Client Communication Letter, and authorize staff

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to submit the related reports to other governmental agencies and financial institutions as necessary.

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

Commissioners McKenney and Wolff commended the finance department and Director Kinzler for a job well done, for their expertise, and for a well-written document.

Mayor Kelly also thanked the members of the Audit Committee.

Mayor Kelly called for the vote.

Motion carried 5-0.

16. CITY OF GREAT FALLS APPLICATION FOR THE MONTANA HISTORIC PRESERVATION GRANT.

Grant Administrator Tom Hazen reported that current employees and past members of the City Commission have repeatedly voiced the need to invest in the renewal of the Mansfield Theater. In particular, addressing damage to the ceiling and replacement of the original seating have been characterized as priorities. The ceiling received its last large scale overhaul in the 1940s and, due to the factors of age and water damage, has been stained and loose tiles in desperate need of replacement. The seating in the theater was installed in 1939 and has grown uncomfortable and noncompliant with modern standards (the seats are 5" slimmer than seats installed in modern theaters).

The Mansfield Center management team has worked diligently to research avenues of addressing the concerns above in a manner that will not alter the historic designations assigned to the Great Falls Civic Center and the Mansfield Theater. Materials and installation methods have been selected that will maintain the aesthetic character of the theater while adhering to historic factors. Estimates were requested with these factors in mind. Their findings have informed the attached application in describing an effective project that will not only restore the Mansfield Theater to previous standards but will also provide significant comfort to patrons and preventing interruption of services due to facility wear and tear.

The project scope of work includes restoring the Mansfield Theater Ceiling to a "new" condition that will improve the aesthetic character of the Theater and prevent damage or injury due to loose or falling tiles, and replacing the current seating (installed in 1939) with chairs adhering to modern standards. The work would be scheduled for summer months to minimize conflict with traditional Mansfield events. Ideally, the work would be scheduled to commence with completion of installation of Great Falls Civic Center HVAC installations.

The proposed budget of this project totals \$1,086,567.18. If selected, the City of Great Falls would receive \$500,000.00. The City of Great Falls would commit to providing the remaining \$586,567.18 to complete the project.

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Currently, the Mansfield ceiling and seating projects are being considered as potential uses of ARPA funding. Depending on the outcome of those considerations, these projects would likely be proposed in conjunction with other funding sources (such as CARES, TIF, or other sources). This grant program would, potentially, provide a substantial reduction to the financial burden of reinvigorating a fundamental element while also preserving COVID related resources for other governmental projects.

Commissioner Wolff moved, seconded by Commissioner Hinebauch, that the City Commission approve application for the Montana Historic Preservation Grant for funding a project to rejuvenate the Historic Mansfield Theater by making the necessary repairs to the ceiling and replacing the current seating with updated fixtures while maintaining the historic character of the facility.

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

It was clarified that the theatre seats are the original seats, and that the City's match is eligible for ARPA funding.

Mayor Kelly called for the vote.

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

CITY COMMISSION

17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

18. COMMISSION INITIATIVES.

Mayor Kelly discussed his efforts in looking into how to get the Commission's message out across all platforms, including hiring a media consultant or communications specialist, with management. Great Falls High School is known for its student publications and they have had to suspend publications recently because of lack of funds and teachers that have left. Great Falls High is interested in helping the City with putting together a layout for a newsletter. He has not committed anything but time and effort up to this point and, if the City could use the school district's expertise, the City would take care of the expenses. If there are no objections, he would continue to pursue those conversations and, if it looks like it is firming up, he would like to fold it into any other strategies the City has for communications.

Commissioners Wolff and McKenney expressed support. No one expressed opposition.

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ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Kelly, to adjourn the regular meeting of February 15, 2022, at 9:09 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: March 1, 2022



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

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

PRESENTED BY: Finance Director

ACTION REQUESTED: Approval with Consent Agenda

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

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

ACCOUNTS PAYABLE CHECK RUNS FROM NEW WORLD	FEB 2, 2022 - FEB 16, 2022	583,940.31
ACCOUNTS PAYABLE CHECK RUNS FROM MUNIS	FEB 3, 2022 - FEB 16, 2022	1,847,256.27
MUNICIPAL COURT ACCOUNT CHECK RUN FOR	FEB 1, 2022 - FEB 14, 2022	5,363.62
	TOTAL: \$	<u><u>2,436,560.20</u></u>

SPECIAL REVENUE FUND

STREET MAINTENANCE

DR LAWN	OF 1432.2 SW SIDE STR RECONSTRUCTION PAYMENT 3	27,814.98
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LIBRARY

CENTIMARK CORPORATION	LIBRARY REROOF PROJECT LB262101.613	233,955.96
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PLANNING & COMMUNITY DEVELOPMENT

GREAT FALLS TRANSIT DISTRICT	UPWP PASS THRU REIMBURSEMENT QTRS. 3 AND 4	46,356.50
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PARK DISTRICT

TRENCHLESS SOLUTIONS INC.	INDOOR AQUATIC & RECREATION CENTER WATER MAIN	106,599.24
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ENTERPRISE FUNDS

WATER

ADVANCED ENGINEERING & ENVIRONMENTAL SERVICES INC.	OF 1698.1 PRO ENG SERVICES WTP SOLIDS MITIGATION	31,765.47
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INTERNAL SERVICES FUND

HEALTH & BENEFITS

HEALTH CARE SERVICE CORP	BSBC HEALTH CARE	697,474.76
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HOME HEALTH OF MONTANA PRIVATE SERVICES LLC	IT STARTS WITH ME BIOMETRICS	102,454.00
SUN LIFE FINANCIAL	SUN LIFE DENTAL AND VISION	40,840.57
HUMAN RESOURCES		
PUBLIC SECTOR PERSONNEL CONSULTANTS INC.	COMPENSATION STUDY	25,000.00
INFORMATION TECHNOLOGY		
HIGHPOINT NETWORKS LLC	ANNUAL DUO ACCESS MFA MAINTENANCE	36,000.00
TRUST AND AGENCY		
PAYROLL CLEARING		
STATE TREASURER	MONTANA TAXES	45,881.00
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	52,227.47
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	68,698.32
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	127,003.19
US BANK	FEDERAL TAXES, FICA & MEDICARE	194,833.86
LABORERS INTERNATIONAL UNION	EMPLOYEE CONTRIBUTIONS	26,705.35
UTILITY BILLS		
ENERGY WEST RESOURCES	JAN 2022 CHARGES	40,308.15
HIGH PLAINS LANDFILL	SANITATION CHARGES FOR JAN 2022	74,565.60
CLAIMS OVER \$25000 TOTAL:		\$ <u>1,978,484.42</u>

CITY OF GREAT FALLS, MONTANA**COMMUNICATION TO THE CITY COMMISSION****DATE: March 1, 2022**

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

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR'S SIGNATURE: _____

CONTRACTS LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	AMOUNT	PURPOSE
A	Great Falls Police Department	Department of the Air Force Montana Air National Guard (MANG) Headquarters 120 th Airlift Wing	03/01/2022-01/01/2025	Each party responsible for all costs of its personnel	Ratification of Memorandum of Understanding for Law Enforcement Security/Support at Montana Air National Guard Base (CR: 041619.9C; 020618.9D)
B	Great Fall Public Library	Vision Net, Inc.	07/01/2022-06/30/2027	\$32,500 = one time construction fee (\$26,000 paid by Federal eRate/\$6,500 paid by Library) \$507 = monthly recurring charges (\$405.60 paid by Federal eRate/\$101.40 paid by Library)	Agreement for installation of a 100 Mbps X 100 Mbps Internet connection to the Great Falls Public Library, 301 2 nd Avenue South



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Professional Services Agreement: Wastewater Treatment Plant Secondary Clarifier Rehabilitation and Return Activated Sludge Bypass Piping, OF 1731.3

From: Engineering Division

Initiated By: Public Works Department

Presented By: Paul Skubinna, P.E., Public Works Director

Action Requested: Consider and approve a Professional Services Agreement.

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (approve/not approve) a Professional Services Agreement in the amount not to exceed \$244,463.00 to Advanced Engineering and Environmental Services, Inc. (AE2S), for design phase services for the Wastewater Treatment Plant Secondary Clarifier Rehabilitation and Return Activated Sludge Bypass Piping project, and authorize the City Manager to execute the agreement documents."

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

Staff Recommendation: Approve a Professional Services Agreement.

Summary:

The City proposes to retain AE2S for professional services to design, facilitate bidding, provide construction administration, and complete as-built drawings and certification documents for this project. This agreement is to proceed with design phase services for the project, a subsequent agreement will be provided for construction and post-construction phase professional services.

Background:

The Great Falls Wastewater Treatment Plant (WWTP) utilizes three Bioreactors and four Secondary Clarifiers within the treatment process. Secondary Clarifiers No. 1, 2, and 3 were constructed as part of the OEM 1977 plant design and construction, whereby, they are approaching 50 years old, and have exceeded their intended design-life. In late 2021, a regularly planned and scheduled maintenance inspection identified an issue with the standpipe support column of the rotating mechanism. The standpipe has a significant tilt to one angle, where under normal and safe operating conditions, it should be straight and plum. The tilt has resulted in precautionary measures of taking Secondary Clarifier No. 2 out of service prior to a catastrophic failure occurring. This has resulted in operational limitations at the WWTP.

On November 23, 2021, City Staff, AE2S, Veolia, and Loenbro evaluated the damage to the clarifier mechanism. On December 21, AE2S provided a technical memo identifying the issues at hand, and made the recommendation to replace the rotating clarifier mechanism. The memo specifically recommended not performing a temporary repair of the existing damage and placing it back in service. The stated reasons for this recommendation were that the integrity of the repair would not be guaranteed and this increases the potential risk of further damage or failure to the overall mechanism. Without leveling and stabilizing the Secondary Clarifier No. 2 standpipe structure, the same damage is expected to reoccur due to the imbalance. The technical memo recommended a complete rebuild of the clarifier mechanism in, including a full assessment of the floor and wall symmetry and vertical pipe/pier trueness. Upgrading the equipment to stainless steel and fiberglass, similar to Secondary Clarifier No. 4, would also provide operational benefits along with a longer expected equipment life. The proposed project includes a structural investigation and repair design of the concrete basin of Secondary Clarifier No. 2, as well as a potential replacement of the existing launders with fiberglass reinforced plastic launders.

The technical memo also recommended taking advantage of the economy of scale, and considering a replacement of the mechanisms of either or both Secondary Clarifiers No. 1 and 3, which are the same age as No. 2. Pursuant to their recommendation, the proposed design includes replacement of the mechanism of Secondary Clarifier No. 1 in addition to the replacement of the mechanism of No. 2. The additional replacement may be contingent upon receipt of a competitive ARPA grant, direct allocation ARPA funding, or subsequent federal sewer infrastructure grants.

The technical memo also identified limitations and made recommendations in regards to conveying Return Activated Sludge (RAS) from the Secondary Clarifiers to the Bioreactors. The current layout of the Secondary Diversion Structure, which both combines and splits RAS and Bioreactor influent flows, is limited in its RAS flow routing flexibility back to the Bioreactors. RAS from Secondary Clarifiers No. 1 and No. 2 can only be routed through the Secondary Diversion Structure to Bioreactors No. 1 and No. 2. RAS from Secondary Clarifiers No. 3 and No. 4 can only be routed through the Secondary Diversion Structure to Bioreactor No. 3 and No. 4 (future). The memo recommends connecting the two RAS lines via bypass piping. The bypass piping would increase operational capacity, allowing RAS from any Secondary Clarifier to be diverted to any Bioreactor.

Without the RAS piping bypass work, should Secondary Clarifier No. 1 fail prior to repair or reconstruction of Secondary Clarifier No. 2, the City would likely not be able to meet treatment and discharge standards, and would be in significant non-compliance with regulatory requirements for a protracted period of time.

Pursuant to the recommendations of the technical memo, and concurrence between Veolia and Public Works staff, the City desires to enter into a Professional Services Agreement with AE2S to provide engineering design services to rehabilitate Secondary Clarifier No. 2, potential rehabilitation of Secondary Clarifier No. 1, and design of the RAS bypass piping.

Workload Impacts:

AE2S will design the project and assist in soliciting of bids for construction. The design phase will include data acquisition, a Secondary Clarifier concrete structural evaluation, producing the engineering drawings and specifications, obtaining approval from local and state review agencies, and advertising and obtaining bids in the design phase. A subsequent agreement will be entered into with AE2S to provide construction and post-construction phase engineering services.

City staff involvement is primarily that of the Public Works Engineering Division and will include project oversight and coordination, assistance in design and construction administration, and serving as a point of contact for City correspondence. In future construction phases, City Engineering staff will participate in public forums and meeting with the consultant, contractor, and others as needed.

Project Work Scope:

The items being designed with this Professional Service Agreement include the following:

- Remove and replace Secondary Clarifier No. 2 mechanism and installation of connecting bypass piping between the two RAS lines.
 - New mechanism to be similar to that of Secondary Clarifier No. 4, as replaced in 2014, and to be sized or designed to operate in the existing Clarifier No. 2 Basin and utilize existing influent and effluent lines.
 - Present to the City options for replacement clarifier mechanisms and provide planning level costs for options (if applicable).
 - Rehabilitation would include evaluation of damage to opening in influent pipe/pier wall and making recommendation for repairing damage if applicable.
 - Perform a structural investigation and repair design of the Secondary Clarifier No. 2 basin concrete.
 - Include in the design an alternative bid item for installation of FRP Launderers.
 - Provide bidding and negotiation phase services.
 - Connecting bypass piping and necessary valves between the two RAS lines.
 - Miscellaneous design services.
- Include within the design the removal and replacement the mechanism of Secondary Clarifier No. 1. The City desires to include Clarifier No. 1 mechanism rehabilitation as a bid alternate, and may award the item if funding is available.
- The desired project schedule is to complete design by June of 2022, publicly bid the project in July of 2022, and complete construction in early 2023.

Conclusion:

Pursuant to the recommendations of the technical memo provided by AE2S, City staff recommends approving the Agreement with AE2S, in the amount of \$244,463.00. The Secondary Clarifier mechanisms are approaching 50 years of age, No. 2 has evidenced standpipe tilting which would require significant evaluation and leveling repair to fully address, and the RAS bypass piping will significantly benefit operations by allowing RAS to go from any Secondary Clarifier to any Bioreactor.

Fiscal Impact:

The project has been discussed with the Finance Department and added to the 2022-2027 Capital Improvements Plan (CIP), which will be fully approved in July of 2022. The total base project cost is estimated to be \$2,750,000.00, and with the additives the project cost is anticipated to be \$3,900,000.00. There is also a potential for receiving competitive ARPA grant funds, as a competitive grant requesting \$1,950,000.00 was submitted for the project in January of 2022. ARPA rankings are anticipated to be available prior to the end of March 2022.

Alternatives:

The City Commission could vote to not award the PSA and direct Staff to continue operating Secondary Clarifier No. 2, with the understanding that Staff does not know how long Secondary Clarifier No. 2 can operate in this state before a catastrophic failure occurs. Also, the City Commission could vote to not award the PSA and direct staff to further investigate options to temporarily repair Secondary Clarifier No. 2. Staff does not believe that a temporary repair is a reliable option. If Secondary Clarifier

No. 1 and No. 2 both become inoperable, the wastewater treatment plant will not be able to process the peak flows anticipated during summer months.

Attachments/Exhibits:

Vicinity Map, Professional Services Agreement

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into by and between the **CITY OF GREAT FALLS, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 5021, Great Falls, Montana 59403-5021, hereinafter referred to as “City,” and **ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES, LLC (AE2S)**, Portage Building, 405 3rd Street NW, Suite 205, Great Falls, MT 59404, hereinafter referred to as “Consultant.”

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

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

2. **Term of Agreement:** This Agreement is effective upon the date of its execution. Both parties reserve the right to cancel this Agreement by providing a written thirty (30) day notice to the other party.

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

4. **Payment:** City agrees to pay Consultant an amount not to exceed TWO HUNDRED FORTY FOUR THOUSAND FOUR HUNDRED SIXTY THREE DOLLARS for services performed pursuant to the Scope of Services, with said services to be performed by Consultant at the hourly rates set forth in Exhibit “B” and reimbursable expenses to be charged at the hourly rates set forth in Exhibit “B”. Any alteration or deviation from the described work that involves extra costs will be performed by Consultant after written request by the City, and will become an extra charge over and above the contract amount. The parties must agree upon any extra charges in writing.

Consultant shall prepare invoices in accordance with its standard invoicing practices and the terms of this Agreement. Consultant shall submit its invoices to City on a monthly basis. Invoices are due and payable within 30 days of receipt.

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

Consultant shall comply with the applicable requirements of the Workers’ Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter

71, MCA. Consultant shall maintain workers' compensation coverage for all members and employees of Consultant's business, except for those members who are exempted by law.

Consultant shall furnish the City with copies showing one of the following: **(1)** a binder for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or **(2)** proof of exemption from workers' compensation granted by law for independent contractors.

6. Indemnification: To the fullest extent permitted by law, Consultant shall fully indemnify, defend, and save City, its agents, representatives, employees, and officers harmless from and against any and all claims, actions, costs, fees, losses, liabilities or damages of whatever kind or nature arising from or related to Consultant's or it's subconsultant's work on the Project, but only to the extent caused by Consultant's breach of this Agreement or any negligent act or omission of Consultant or Consultant's officers, directors, members, partners, employees, or subconsultants. The indemnification obligations of this Section must not be construed to negate, abridge, or reduce any common-law or statutory rights of the City which would otherwise exist. Consultant's indemnity under this Section shall be without regard to and without any right to contribution from any insurance maintained by City. Consultant also waives any and all claims and recourse against the City or its officers, agents or employees, including the right of contribution for loss or damage to person or property arising from, growing out of, or in any way connected with or incident to the performance of this Agreement except responsibility for its own fraud, for willful injury to the person or property of another, or for violation of law, whether willful or negligent, according to 28-2-702, MCA. These obligations shall survive termination of this Agreement and the services performed hereunder.

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

*** Insurance Coverage at least in the following amounts is required:**

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

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

*** If a request is made to waive certain insurance requirements, insert the insurance item # and corresponding description from the list above: .**

Legal reviewer initials: ☐ **Approved** ☐ **Denied**

8. Professional Service: Consultant agrees that all services and work performed hereunder will be accomplished in a professional manner. The standard of care for all professional engineering and related services performed or furnished by Consultant under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality.

Consultant shall not, at any time, supervise, direct, control, or have authority over any contractor's work, nor shall Consultant have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a contractor to comply with laws and regulations applicable to that contractor's furnishing and performing of its work. Consultant shall not be responsible for the acts or omissions of any contractor.

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

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

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

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

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

14. Liaison: City's designated liaison with Consultant is **Mark Juras** and Consultant's designated liaison with City is **Nate Weisenburger**.

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

16. Beneficiaries: Nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by City or Consultant to any contractor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of City and Consultant and not for the benefit of any other party.

IN WITNESS WHEREOF, Consultant and City have caused this Agreement to be executed and intend to be legally bound thereby as of the date set forth below.

CITY OF GREAT FALLS, MONTANA

**AE2S
CONSULTANT**

By: _____
Print Name: Gregory T. Doyon
Print Title: City Manager
Date:

By: _____
Print Name:
Print Title:
Date:

ATTEST:

(Seal of the City)

 Lisa Kunz, City Clerk

APPROVED AS TO FORM:

By _____
 Jeffrey M. Hindoien, City Attorney*

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

EXHIBIT A – SCOPE OF SERVICES**WASTEWATER TREATMENT FACILITY CLARIFIER REHABILITATION AND RAS PIPING IMPROVEMENTS****CITY OF GREAT FALLS, MONTANA****O.F. 1731.3**

Revised: February 15, 2022

Submitted by: AE2S

Advanced Engineering and Environmental Services, LLC (AE2S) is providing professional engineering services to the City of Great Falls for the Wastewater Treatment Facility (WWTF) Clarifier Rehabilitation and RAS Piping Improvements project.

AE2S has prepared the following scope for the WWTF Clarifier Rehab and RAS Piping Improvements project. The structural concrete investigation/repair design is provided based on our latest project discussion.

The scope of services is to be provided as an amendment to the prescribed requirements of the Professional Services Agreement and related attachments. Descriptions of the proposed tasks to be completed by AE2S under this amendment are provided below:

I. PROJECT MANAGEMENT & KICKOFF MEETING

- A. Coordinate with the City of Great Falls regarding the scope of the project, prepare an estimate of engineering fees, and submit detailed scope for engineering services.
- B. Perform kickoff meeting with City of Great Falls staff to discuss design team's initial concepts and applicable operational considerations, as well as provide meeting notes to the Owner.

Estimated Fee: \$18,732

II. STRUCTURAL INVESTIGATION AND REPAIR DESIGN

- A. Coordinate with City of Great Falls staff regarding existing conditions for the following:
 - 1. Conduct clarifier concrete surface analysis and testing.
 - 2. Prepare technical memorandum of testing results and repair recommendations.
 - 3. Conduct an analysis review meeting with the City of Great Falls staff, as well as provide meeting notes to the Owner.
 - 4. Upon approval from the City, provide milestone design plans and specifications associated with the structural repair recommendations pursuant to the same design schedule.
 - 5. Provide structural repair inspection during Construction Phase upon the completion of work described within design plans and specifications.
 - 6. Deliverables:
 - a. Three (3) paper copies and one (1) electronic copy of the technical memorandum, delivered to City one week prior to review meeting.
 - b. Design and specification deliverables consistent with those described within the Final Design Phase.
 - c. One (1) paper copy of the structural inspection report, delivered to City within one week of completing inspection.

Estimated Fee: \$22,184

EXHIBIT A – SCOPE OF SERVICES**WASTEWATER TREATMENT FACILITY CLARIFIER REHABILITATION AND RAS PIPING IMPROVEMENTS****CITY OF GREAT FALLS, MONTANA****O.F. 1731.3**

Revised: February 15, 2022

Submitted by: AE2S

III. PRELIMINARY ENGINEERING DESIGN

A. Coordinate with City of Great Falls staff regarding existing site conditions, design and construction concepts, and project constraints.

1. Conduct a process/structural/electrical assessment in association with the WWTF. City to provide data on existing electrical demand and conditions.
2. Prepare 30% design plans, specifications, and associated engineering report for the WWTF Clarifier and RAS piping improvements and operations components for review by the City.
3. Prepare a refined project construction schedule.
4. Prepare updated opinions of total probable construction cost.
5. Schedule, prepare for, and participate in 30% design review meeting with the City to discuss items pertaining to the preliminary design of the project.
 - a. Deliverable – Five (5) paper copies and one (1) electronic copy of 30% Design Review documents, delivered to City one week prior to review meeting.

Estimated Fee: \$24,986

IV. FINAL DESIGN

A. Coordinate with City of Great Falls staff regarding existing conditions, design documentation format, and project constraints.

1. Prepare 60% and 90% design plans, specifications, and associated engineering report for WWTF Clarifier improvements, associated RAS piping modifications, and operations components for review by the City.
2. Provide review meetings ahead of milestone review meetings with the City.
3. Provide internal QA/QC peer review meetings at 60% and 90% project design milestones.
4. Prepare a construction/implementation strategy and provide the following:
 - a. Prepare a construction sequence plan for the clarifier improvements and associated RAS piping modifications.
 - b. Prepare a startup/implementation plan for the clarifier improvements and associated RAS piping modifications.
5. Prepare updated opinion of total probable construction cost.
6. If deemed necessary, prepare Building Permit application and associated documentation for review and approval by the City. Application fees to be paid by Owner.
7. Schedule, prepare for, and participate in meetings with the City to discuss items pertaining to the final design of the project.
 - a. Deliverables – Five (5) paper copies and one (1) electronic copy of 60% and 90% Design Review documents, delivered to City one week prior to review meeting.
8. Submit documentation to the Montana Department of Environmental Quality (DEQ) for review and approval, and coordinate revisions to the documentation with the City.
 - a. Deliverable – Three (3) paper copies of 90% Design documents.
 - b. Prepare associated DEQ permit applications.

EXHIBIT A – SCOPE OF SERVICES

WASTEWATER TREATMENT FACILITY CLARIFIER REHABILITATION AND RAS PIPING IMPROVEMENTS

CITY OF GREAT FALLS, MONTANA

O.F. 1731.3

Revised: February 15, 2022

Submitted by: AE2S

- c. City to provide necessary DEQ review and permit application payment.

Estimated Fee: \$144,076

V. BIDDING/NEGOTIATION PHASE

- A. Assist Owner in advertising for and obtaining bids or negotiating proposals for the Work and, where applicable, maintain a record of prospective bidders to whom Bidding Documents have been issued, attend pre-Bid conference, receive and process Contractor deposits or charges for the Bidding Documents, and provide recommendation of award letter.
- B. Issue Addenda as appropriate to clarify, correct, or change the Bidding Documents.
- C. Consult with Owner as to the acceptability of subcontractors, suppliers, and other individuals and entities proposed by Contractor for those portions of the Work as to which such acceptability is required by the Bidding Documents.
- D. Prepare for and facilitate the Pre-Bid meeting, as well as provide meeting notes documenting any Contractor clarifications and/or questions received.
- E. Attend the Bid opening, prepare Bid tabulation based on lump sum bid schedule, and assist Owner in evaluating Bids or proposals and in assembling and awarding contracts for the Work. Prepare and submit a recommendation of award letter to the Owner.
 - a. Deliverable - Five (5) paper copies and one (1) electronic copy of Final Design Bidding documents delivered to the City.
 - b. AE2S to provide reproduction, delivery, and sale of bidding documents to Contractors, in conjunction will provide a planholder list to the Owner. AE2S to provide credit to Owner on invoice for sale of bidding documents.

Estimated Fee: \$19,485

VI. MISCELLANEOUS SERVICES

- A. Prepare for and participate in miscellaneous meetings to review and discuss design and construction questions or issues with the City.
- B. Assist Owner with miscellaneous constructability and/or operational items throughout the design and bidding phases of the project.

Estimated Fee: \$15,000

Fee Summary:

I.	Project Management & Kickoff Meeting	\$ 18,732
II.	Structural Investigation and Repair Design	\$ 22,184
III.	Preliminary Engineering Design Phase	\$ 24,986
IV.	Final Design Phase	\$ 144,076
V.	Bidding/Negotiation Phase	\$ 19,485
VI.	Miscellaneous Services	<u>\$ 15,000</u>
	Estimated Fee:	\$ 244,463

EXHIBIT B

ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES, LLC

2022 HOURLY FEE AND EXPENSE SCHEDULE

Labor Rates*

Administrative 1	\$61.00	I&C Assistant	\$98.00
Administrative 2	\$74.00	I&C 1	\$138.00
Administrative 3	\$89.00	I&C 2	\$160.00
		I&C 3	\$183.00
Communications Specialist 1	\$98.00	I&C 4	\$194.00
Communications Specialist 2	\$113.00	I&C 5	\$203.00
Communications Specialist 3	\$131.00		
Communications Specialist 4	\$158.00	IT 1	\$117.00
Communications Specialist 5	\$173.00	IT 2	\$159.00
		IT 3	\$190.00
Construction Services 1	\$118.00		
Construction Services 2	\$145.00	Land Surveyor Assistant	\$90.00
Construction Services 3	\$160.00	Land Surveyor 1	\$108.00
Construction Services 4	\$180.00	Land Surveyor 2	\$129.00
Construction Services 5	\$198.00	Land Surveyor 3	\$145.00
		Land Surveyor 4	\$160.00
Engineering Assistant 1	\$77.00	Land Surveyor 5	\$177.00
Engineering Assistant 2	\$92.00		
Engineering Assistant 3	\$116.00	Operations Specialist 1	\$93.00
Engineer 1	\$125.00	Operations Specialist 2	\$113.00
Engineer 2	\$148.00	Operations Specialist 3	\$140.00
Engineer 3	\$177.00	Operations Specialist 4	\$158.00
Engineer 4	\$203.00	Operations Specialist 5	\$184.00
Engineer 5	\$215.00		
		Project Coordinator 1	\$109.00
Engineering Technician 1	\$75.00	Project Coordinator 2	\$121.00
Engineering Technician 2	\$96.00	Project Coordinator 3	\$132.00
Engineering Technician 3	\$117.00	Project Coordinator 4	\$148.00
Engineering Technician 4	\$131.00	Project Coordinator 5	\$167.00
Engineering Technician 5	\$149.00		
		Project Manager 1	\$188.00
Financial Analyst 1	\$104.00	Project Manager 2	\$206.00
Financial Analyst 2	\$118.00	Project Manager 3	\$223.00
Financial Analyst 3	\$142.00		
Financial Analyst 4	\$155.00	Sr. Designer 1	\$165.00
Financial Analyst 5	\$172.00	Sr. Designer 2	\$183.00
		Sr. Designer 3	\$194.00
GIS Specialist 1	\$98.00		
GIS Specialist 2	\$118.00	Sr. Financial Analyst 1	\$194.00
GIS Specialist 3	\$139.00	Sr. Financial Analyst 2	\$212.00
GIS Specialist 4	\$155.00	Sr. Financial Analyst 3	\$231.00
GIS Specialist 5	\$173.00		
		Sr. Project Manager 1	\$235.00
		Sr. Project Manager 2	\$254.00
		Sr. Project Manager 3	\$265.00
		Technical Expert 1	\$320.00
		Technical Expert 2	Negotiable

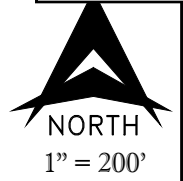
EXHIBIT B

Reimbursable Expense Rates

Transportation	\$0.65/mile
Survey Vehicle	\$0.85/mile
Laser Printouts/Photocopies	\$0.30/copy
Plotter Printouts	\$1.00/s.f.
UAS - Photo/Video Grade	\$100.00/day
UAS – Survey	\$50.00/day
Total Station – Robotic	\$35.00/hour
Mapping GPS	\$25.00/hour
Fast Static/RTK GPS	\$50.00/hour
All-Terrain Vehicle/Boat	\$100.00/day
Cellular Modem	\$75.00/month
Web Hosting	\$26.00/month
Legal Services Reimbursement	\$250.00/hour
Outside Services	cost *1.15
Geotechnical Services	cost *1.30
Out of Pocket Expenses	cost*1.15
Rental Car	cost*1.20
Project Specific Equipment	Negotiable

* Position titles are for labor rate grade purposes only.

These rates are subject to adjustment each year on January 1.



WASTEWATER TREATMENT
PLANT SECONDARY CLARIFIER
NO. 2 & RAS BYPASS PIPING

VICINITY
MAP

OF 1731.3
03-01-2 47



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10437 - A Resolution for a Conditional Use Permit for a “Two-family residence” land use upon the property addressed as 1700 1st Avenue North and legally described as the North 110’ of Lot 1, Block 328, Great Falls 3rd Addition, Section 7, T20N, R4E, PMM, Cascade County, Montana.

From: Brad Eatherly, Planner II, Planning and Community Development

Initiated By: Daniel Guest, Owner

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

Action Requested: Vacate the public hearing for March 1, 2022, and reset the public hearing on Resolution 10437 for March 15, 2022.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission vacate the public hearing set for March 1, 2022, and reset the public hearing on Resolution 10437 for March 15, 2022.”

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

Background:

On February 1, 2022, the City Commission set a public hearing on Resolution 10437 for March 1, 2022. Due to the failure of the *Great Falls Tribune* not publishing the public notice at the required time, the public hearing cannot be held on its originally scheduled date. The applicant, along with city staff, is requesting to reschedule the public hearing for March 15, 2022. Proper notices will be sent out to both neighboring properties and the *Great Falls Tribune*.



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Set Public Hearing on Resolution 10445 – Budget Amendment Resolution for March 15, 2022

From: Gregory T. Doyon, City Manager

Initiated By: Statutory Budget Requirements

Presented By: Melissa Kinzler, Finance Director

Action Requested: Set the Public Hearing on Resolution 10445

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing on Resolution 10445 – Budget Amendment Resolution for March 15, 2022.”

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

Staff Recommendation: Staff recommends the City Commission set the public hearing on Resolution 10445 for March 15, 2022, and provide notice for the public hearing on the budget amendment resolution.

Background: The City of Great Falls adopted the Fiscal Year 2022 (FY 2022) Annual Budget on July 20, 2021. As part of the budget presentation and included in the Fiscal Year 2022 City Manager’s Budget Message, certain funds were identified as losing revenue due to COVID-19 restrictions. Since the adoption of the FY 2022 Annual Budget, these funds have not recovered sufficiently to make up for the revenue lost. During the Quarterly Budget Review work session on February 1, 2022, these funds were again reviewed, and the amounts needed to replenish these funds were identified. Resolution 10445 will replenish the identified funds by transferring money from the COVID Recovery Fund to the various funds that need replenishing. The source of the funds is from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) received in Fiscal Year 2021.

The calculation of lost revenue is through the period ending June 30, 2021 (FY 2021), and the calculation may need done again during the FY 2023 budget process if the funds have continued to experience lost revenue. The majority of these funds were struggling before COVID, and this budget amendment does not address those short falls. This budget amendment also does not address any replenishment of General Fund unreserved fund balance or other General Fund needs.

The following funds and amounts to be replenished are:

Funds Recommended to be Replenished with CARES Act Funds		
Recreation	\$	226,153
Multi-Sports	\$	65,000
Swimming Pools	\$	41,170
Ice Breaker	\$	23,361
Civic Center Events	\$	520,105
Parking	\$	265,361
Total CARES Act Use	\$	1,141,151

Fiscal Impact: The replenishing of the funds will use \$1,141,151 of the CARES Act money received leaving a balance of \$9,018,012.55. The total amount of CARES Act money received was \$10,159,163.55.

Alternatives: If the public hearing on the Budget Amendment Resolution is not set, the identified funds will not be replenished and other actions will need to be taken during the Fiscal Year 2023 Budget Process, such as raising fees, cutting services, or increasing the General Fund subsidy.

Concurrences: The proposed replenishing of the funds was presented on February 1, 2022, to the City Commission at a regularly scheduled Commission work session.

Attachments/Exhibits:

Resolution 10445 – Budget Amendment Resolution

Calculation of Lost Revenue

Notice of Budget Amendment Hearing

RESOLUTION NO. 10445**BUDGET AMENDMENT RESOLUTION**

A RESOLUTION RELATING TO BUDGET AMENDMENTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022.

- A. Montana Code Annotated, 7-6-4031, requires that unless otherwise provided in state law, a public hearing is required for an overall increase in appropriation authority.
- B. the notice of hearing on budget amendment was published in accordance with MCA, 7-1-4127, as required by MCA, 7-6-4021; and,
- C. the hearing on budget amendments was held in accordance with MCA, 7-1-4131.

NOW, THEREFORE,

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

Section 1. – Budget Amendments for Transfers

The budget amendments for the transfers in the Fiscal Year 2022 Annual Budget, totaling \$1,141,151, are adopted as follows:

- 1) \$226,153 Transfer from COVID Recovery Fund to Recreation Fund for lost revenue due to COVID.
- 2) \$65,000 Transfer from COVID Recovery Fund to Multi-Sports Fund for lost revenue due to COVID.
- 3) \$41,170 Transfer from COVID Recovery Fund to Swimming Pools Fund for lost revenue due to COVID.
- 4) \$23,361 Transfer from COVID Recovery Fund to Ice Breaker Fund for lost revenue due to COVID.
- 5) \$520,105 Transfer from COVID Recovery Fund to Civic Center Events Fund for lost revenue due to COVID.
- 6) \$265,361 Transfer from COVID Recovery Fund to Parking Fund for lost revenue due to COVID.

Section 2. – Funding Source

Funding Source:

- The funding for items 1 – 6 will be from Coronavirus Aid, Relief, and Economic Security Act (CARES Act) revenues received in Fiscal Year 2021.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,
March 15, 2022.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Jeff Hindoien, City Attorney

Use of CARES Act Funds to Replenish Funds with Lost Revenue

Revenue lost compared to most recent fiscal year prior to the emergency (FY 2019)

Total Revenue as of 6/30/xx

Recreation Fund		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	136,415.10	
6/30/2019	426,114.32				
6/30/2020	310,680.71	(115,433.61)	Fund Balance 6/30/2021	(266,980.07)	
6/30/2021	315,394.66	(110,719.66)	Replace lost revenue	226,153.27	
		<u>(226,153.27)</u>	Replenished Fund Balance**	<u>(40,826.80)</u>	** fund will still be in a deficit
Multi-Sports Fund		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	16,960.62	
6/30/2019	126,950.31				
6/30/2020	73,100.91	(53,849.40)	Fund Balance 6/30/2021	(47,250.12)	
6/30/2021	64,831.42	(62,118.89)	Replace lost revenue **	65,000.00	** will replenish to pre-pandemic level, instead of lost revenue amount
		<u>(115,968.29)</u>	Replenished Fund Balance	<u>17,749.88</u>	
Swimming Pools		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	134,547.76	
6/30/2019	707,634.90				
6/30/2020	663,368.44	(44,266.46)	Fund Balance 6/30/2021	133,635.34	
6/30/2021	710,731.39	3,096.49	Replace lost revenue	41,169.97	
		<u>(41,169.97)</u>	Replenished Fund Balance	<u>174,805.31</u>	
Ice Breaker		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	25,930.94	
6/30/2019	52,100.17				
6/30/2020	13,154.50	(38,945.67)	Fund Balance 6/30/2021	4,553.83	
6/30/2021	11,993.10	(40,107.07)	Replace lost revenue **	23,361.17	** FY2020 Revenues (under) Expenses
		<u>(79,052.74)</u>	Replenished Fund Balance	<u>27,915.00</u>	
Civic Center Events		Revenue	Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	178,858.90
6/30/2019	633,454.52				
6/30/2020	438,894.57	(194,559.95)	Fund Balance 6/30/2021	(355,926.32)	
6/30/2021	307,908.99	(325,545.53)	Replace lost revenue	520,105.48	
		<u>(520,105.48)</u>	Replenished Fund Balance	<u>164,179.16</u>	
Parking Fund		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	425,164.03	
6/30/2019	587,073.33				
6/30/2020	606,257.44	19,184.11	Fund Balance 6/30/2021	(299,134.71)	
6/30/2021	302,528.55	(284,544.78)	Replace lost revenue	265,360.67	
		<u>(265,360.67)</u>	Replenished Fund Balance**	<u>(33,774.04)</u>	** fund will still be in a deficit
Planning & CD Fund			This Fund was identified as "Requires Action" during FY2022 budget process, but they did not see lost revenue during the pandemic. Fund balance issues are unrelated to COVID.		
6/30/2019	934,532.99				
6/30/2020	1,079,170.51				
6/30/2021	1,062,963.50				
Golf Courses Fund			This Fund was identified as "Requires Action" during FY2022 budget process, but they did not see lost revenue during the pandemic. Golf Courses are slowly paying back their long-standing deficit.		

Attention Legal Ads

NOTICE OF BUDGET AMENDMENT HEARING

Notice is hereby given that the City of Great Falls intends to amend its Fiscal Year 2022 annual budget. The proposed budget amendment has been placed on file and open to public inspection at the City Clerk's Office in the Civic Center, Room 204. The Fiscal Year 2022 budget amendment will be brought before the Great Falls City Commission for public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, on Tuesday, March 15, 2022, at 7:00 o'clock p.m. Any interested person may appear and speak for or against said City of Great Falls proposed budget amendment or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

Documents pertaining to this agenda item are posted on the City's website at <https://greatfallsmt.net> under "Meetings," and are on file for public inspection during regular office hours at the City Clerk's Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

/s/ Lisa Kunz
City Clerk

DO NOT PUBLISH BELOW THIS LINE:

Publication dates: March 6 and 13, 2022



Commission Meeting Date: March 1, 2022

CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Resolution 10450, “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.” [Establishing a fine structure for violations of OCCGF 10.9.310 prohibiting the long-term parking and/or storage of recreational vehicles, utility trailers or vessels in residential districts, and superseding Resolution 10420.]

From: Legal Department

Initiated By: Legal Department

Presented By: Jeff Hindoi, City Attorney

Action Requested: City Commission set a public hearing on Resolution 10450 for March 15, 2022.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing for Resolution 10450 on March 15, 2022.

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

Background: After consideration and discussion at several public meetings between July and October of 2021, the City Commission took action on October 19, 2021 to formally adopt Ordinance 3230, which prohibits the parking of recreational vehicles, utility trailers, or boats in any residential zoning district for more than seventy-two (72) hours in a seven (7) day period. In the case of a violation, a written notice will be provided that 1) requires the removal of the vehicle, trailer or vessel within twenty-four (24) hours and 2) advises that a parking citation will be issued if the vehicle, trailer or vessel is not removed. Although the Commission adopted the ordinance last October, it specifically provided for a delayed effective date of March 15, 2022.

As recognized in both Title 10 of the Official Code of the City of Great Falls and the language of the new ordinance itself [OCCGF 10.9.330], the fines for any parking citations that would be issued for a violation of the new ordinance are to be set by City Commission resolution. The proposed Resolution is being presented to the Commission for that purpose and to establish the following fine structure:

- First citation: \$50
- Second citation: \$100

- Third or subsequent citation: \$200

By way of comparison, the fine structure for Butte-Silverbow's analog ordinance (BSB Municipal Code 10.52.070) is \$150 for a first offense, \$250 for a second or subsequent offense. The fine range in Helena appears to be a minimum of \$25 to a maximum of \$100 (HCC 8-11-14).

Fiscal Impact: The adoption of the proposed Resolution and an accompanying fine structure will presumably lead to the collection of additional parking fine revenues, but the amount of that increase cannot be readily estimated.

Alternatives: The Commission could choose to not adopt the proposed Resolution and preserve the status quo, which would leave the fine amount for violations of OCCGF 10.9.330 governed by the residual Title 10 fine amount contained in Resolution 10420, i.e., \$20 per citation.

Attachments/Exhibits:
Resolution 10450

RESOLUTION NO. 10450

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, the City Commission has most recently established rates, fees and penalties for parking-related matters through the passage of Resolution 10375 (November 2020) as amended by Resolution 10392 (May 4, 2021), with Resolution 10392 being superseded by Resolution 10420 (July 20, 2021); and

WHEREAS, the City Commission adopted Ordinance 3230 on October 19, 2021, with that ordinance both (1) prohibiting the long-term parking and/or storage of recreational vehicles, utility trailers or vessels in residential districts and (2) providing for the issuance of parking citations for violations and the fines for those violations to be set by Commission resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, THAT THE RATES, FEES AND PENALTIES ASSOCIATED WITH TITLE 10 OF THE OCCGF BE ESTABLISHED AS FOLLOWS:

(1) Metered Parking.

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

B. Metered parking rate exception. Mobility impaired individuals displaying an approved Disability Placard/License Plate parked in a signed, designated ADA parking space in the Downtown District, are exempt from the metered parking rate.

C. 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. For the duration of ownership of each vehicle, only one courtesy ticket shall be issued. 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.

D. Accelerated penalties per year for failure to pay, expired meter, and overtime violations. The penalty for the second violation within a calendar year 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 within a calendar year shall be \$10; and, all subsequent violations by a particular vehicle within a calendar year shall be \$20 for each violation.

E. 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.

F. Miscellaneous parking fees.

- i. A \$.35 per transaction Mobile Payment for Parking (MPP) fee will be added to each parking transaction using the Mobile Payment App.
- ii. A \$3.00 per ticket paid, Citation Management Platform (CMP) Service and License fee will be added to each citation paid.
- iii. An additional 25% (CMP) service fee will be added to each citation that has not been paid within 30 days after the date of the citation for collection efforts.
- iv. A \$10 administrative fee shall be added to all penalties that are not paid within thirty (30) days after the date of the citation.
- v. A \$1.50 per notification letter fee shall be added to all citations that require notification letters to be sent to the registered owner(s) of vehicles which receive citations that are not paid within the (30) days after the date of the citation
- vi. Pursuant to OCCGF Title 10, Chapter 10, the immobilization or “boot” fee shall be \$150.
- vii. Pursuant to OCCGF Title 10, Chapter 9, the daily charge for a meter bag shall be \$5.
- viii. Pursuant to OCCGF Title 10, Chapter 9, the monthly metered parking permits shall be \$25.
- ix. 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.

x. 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.

C. Digital Permits for Parking. A \$2.50 per month service and license fee will be added to each active monthly garage or parking lot permit. Those customers purchasing an annual permit will be charged \$4.00, or charged \$.33 per month for each active annual permit.

(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.

(6) **Parking Penalties – Outside Downtown Parking District.** Penalties for all violations listed in Title 10 of the OCCGF occurring outside of the Downtown Parking District as reflected on the “Official Parking Management District Map of the City of Great Falls” referenced in Section (5) above shall be \$20, except as follows:

- (a) the fine for violations in disabled parking zones shall be \$100; and
- (b) the fines for citations issued under OCCGF 10.9.330 shall be:
 - 1st citation: \$50
 - 2nd citation: \$100
 - 3rd or subsequent citation: \$200

BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that this Resolution shall be in full force and effect upon adoption, superseding and repealing Resolution 10420.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, March 15, 2022.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoen, City Attorney



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Public Hearing: Resolution 10442 – a Resolution to vacate 17th Street South between 3rd Avenue South and 4th Avenue South, as well as the portion of 4th Alley South abutting Lots 5-10, Block 736; Ordinance 3241 – an Ordinance to rezone the properties legally described as Lots 5-10, Block 736, of the Tenth Addition to Great Falls Townsite, including those portions of the vacated 17th Street South and 4th Alley South right of way from Parks and Open Space to Public Lands and Institutional; additionally, a non-administrative amended plat aggregating the vacated portions of right-of-way and the various parcels

From: Alaina Mattimiro, Planner I, Planning and Community Development

Initiated By: Great Falls Public School District

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

Action Requested: City Commission adopt Resolution 10442, adopt Ordinance 3241, and approve the amended plat per the Findings of Fact/Basis of Decision

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

Commissioner moves:

I. "I move that the City Commission (adopt/deny) Resolution 10442 vacating 17th Street South between 3rd Avenue South and 4th Avenue South, and a portion of 4th Alley South."

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

Commissioner moves:

II. "I move that the City Commission (adopt/deny) Ordinance 3241 rezoning the subject properties and vacated right of way from Parks and Open Space to Public Lands and Institutional and the accompanying Findings of Facts/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant."

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

Commissioner moves:

III. “I move that the City Commission (approve/deny) the amended plat aggregating the parcels as legally described in the Staff Report, and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.”

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

Staff Recommendation: At the conclusion of a public hearing held on December 28th, 2021, the Zoning Commission recommended that the City Commission approve the applicant’s rezoning petition. Additionally, the Planning Advisory Board recommended that the City Commission approve the applicant’s request to aggregate the parcels – contingent upon the Commission’s decision to vacate the portions of right of way of 17th Street South and 4th Alley South.

Staff recommends approval of the vacation of the portions of 17th Street and 4th Alley South, the rezone request and the parcel aggregation, with the following conditions of approval:

Conditions of Approval:

1. General Code Compliance. The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.

2. Amended Plat. Provide a revised Amended Plat of the subject properties, showing the proposed vacation and aggregation, containing all easements required by the City of Great Falls. The revised Plat shall incorporate corrections of any errors or omissions noted by Staff. Also a deed will be required to ensure that all the properties are under one ownership in order to aggregate the parcels.

3. Land Use & Zoning. The development standards and land uses for the subject properties shall be consistent with the OCCGF.

4. Subsequent modifications and additions. If after establishment of the zoning, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria. If such proposed changes would alter a finding, the proposal shall be submitted for review as a new development application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.

Summary: The Great Falls Public School District has recently acquired six lots from the City of Great Falls within Kranz Park, just west of Great Falls High School. The school district is proposing an additional parking lot, closer to the existing high school stadium, and then extending the practice fields farther west, using the newly obtained lots. In order to proceed with the proposal, the district has filed an application to vacate the rights-of-way for 17th Street South between 3rd Ave S and 4th Ave S, and 4th Alley South, adjacent to the six lots the school district has acquired. In addition to the right-of-way vacation request, the school district is also requesting to rezone the acquired lots and the vacated rights-of-way, as well as a non-administrative plat to aggregate the vacated rights-of-ways.

Resolution 10442: Vacate Portions of 17th Street and 4th Alley South

The applicant's request to vacate 17th Street South between 3rd Avenue South and 4th Avenue South, and to vacate 4th Alley South adjacent to the Kranz Lots is required in conjunction with the request to aggregate all the lots with a non-administrative plat. Staff has spoken with the applicant about existing city utilities that will be affected by the vacation. The sanitary sewer main that currently runs east to west across the school district property will be abandoned, at the applicant's expense, to accommodate the proposed practice fields. Additionally, easements will be created for any remaining utilities and needed access.

According to Section 7-3-4448, Montana Code Annotated (M.C.A), the owner must file a request for the intent to vacate any right of way. If the enclosed Resolution of Intent is adopted by the City Commission, the Commission must set a date for a public hearing regarding the vacation of right of way. M.C.A requires a petition to be sent to each of the owners abutting the right of way property. Unless 51 percent of the affected property owners object to the proposed vacation, the Commission may, by ordinance, declare such vacation. Staff notes that the applicant is the only property owner on either side of the rights of way, that the City Commission accepted the Resolution of Intent at their meeting on February 1, 2022, and has set the public hearing for Resolution 10442 for March 1, 2022.

Ordinance 3241: Zoning Map Amendment

The Great Falls Public School District is requesting a zone change for the acquired Kranz Park lots and adjoining rights of way from Parks and Open Space to Public Lands and Institutional. The PLI zoning district would unify the school's property under one zoning district, as well as give the school the ability to use the property to its full potential in the future. In the short term, the district's proposal to expand the school's parking, as well as extend the practice fields complies with the property's current PLI zoning. Staff concludes that the district's request for PLI zoning for the vacated rights of way as well as the Kranz lots is warranted because it creates a completely unified campus that will allow the district future opportunities for improvement of their high school facilities.

The basis for decision on zoning map amendments, i.e. rezoning or zone changes, is listed in The Official Code of the City of Great Falls (OCCGF) §17.16.40.030. The decision of City Commission shall at a minimum consider the criteria which are attached as Findings of Fact/Basis of Decision – Zoning Map Amendment.

Neighborhood Council #9: On December 9th, 2021, the applicant presented the project to Neighborhood Council #9 and the Council voted in favor of the proposal. At the City Commission meeting on February 1, 2022, a Neighborhood Council #9 representative raised concerns regarding traffic flow between 3rd Ave S and 4th Ave S, as well as the potential loss of the two sidewalks along 17th Street South that would accompany removal of the street by the applicant. A suggestion was made to re-dedicate 18th Street South between the two avenues, and replace the lost sidewalks by running a new one through Kranz Park.

Additionally, the Neighborhood Council discussed the situation at their February 10 meeting. At this meeting, it was indicated that installing a pedestrian access gate into the future fence around the practice field has been approved. However, it was reported that a dedicated sidewalk would not be feasible due to cost concerns. The Council agreed to bring the issue up again at the February 14 Park and Recreation Board meeting.

Staff Response: In order to dedicate the currently vacated portion of 18th Street South, both the school district and adjacent property owners would need to subdivide their properties and dedicate the land to the City. At this time, there are no plans to initiate that process. Additionally, barriers have been placed on the School District's portion of the former street. It should be noted that the School District's proposed

parking lot next to the stadium will allow parked vehicles using school property to move between 3rd Avenue South and 4th Avenue South. As for the sidewalk question, The City of Great Falls Parks and Recreation Department is currently planning improvements to Kranz Park that would include a pavilion, play structure, and a sidewalk connecting those structures to 3rd Avenue South. The school district's parking lot proposal does contain a sidewalk on the west side of the parking lot between 3rd Avenue South and 4th Avenue South.

Non-Administrative Plat

The applicant is proposing to vacate the rights-of-way of 17th Street South between 3rd Ave S and 4th Ave S and 4th Alley South adjacent to the six former Kranz Park lots, and then aggregate the abandoned rights-of-way to the affected parcels as shown on the attached draft amended plat. The draft plat requires review due to Montana Code Annotated (MCA) 76-3-207 (2) which states:

"Within a platted subdivision filed with the county clerk and recorder, a division, redesign, or rearrangement of lots that results in an increase in the number of lots or that redesigns or rearranges six or more lots must be reviewed and approved by the governing body before an amended plat may be filed with the county clerk and recorder."

Staff has prepared Findings of Fact based on the criteria for a subdivision. Additionally, pursuant to the OCCGF, Staff has reviewed the plat for compliance with the survey requirements of this Title and State law, provisions of easements for the location and installation of any planned utilities, and review of physical and legal access to the parcels. The decision of City Commission shall at a minimum consider the criteria which are attached as Findings of Fact/Basis of Decision – Subdivision. Staff recommends the proposed aggregation be approved because it will eliminate unnecessary lot lines that will make it easier for the district to construct future facilities in compliance with the zoning code.

Fiscal Impact: Rezoning the properties from Parks and Open Space to Public Lands and Institutional creates no negative fiscal impacts to the City. The rezone would allow the school district to use their property at its highest and best use, and continue to contribute positive impacts to the community.

Alternatives: The City Commission could deny any portion of the applicant's request. If such action is taken, the Commission must develop alternative findings to support such a denial decision.

Concurrences: Staff has coordinated its review of the applicant's request with the Public Works Department. If the City Commission approves the vacation of the portions of 17th Street South and 4th Alley South, the Public Works Department will further review the proposal for the dedication of any necessary easements.

Attachments/Exhibits:

Resolution 10442
 Resolution 10442 Exhibit A
 Ordinance 3241
 Ordinance 3241 Exhibit A
 Findings of Fact/Basis of Decision – Zoning Map Amendment
 Draft Amended Plat
 Findings of Fact/Basis of Decision – Subdivision
 Applicant Narrative
 Project Exhibits
 Zoning Map

RESOLUTION 10442

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, VACATING 17TH STREET SOUTH BETWEEN 3RD AVENUE SOUTH AND 4TH AVENUE SOUTH, BLOCK 735 AND BLOCK 736, AND THE PORTION OF 4TH ALLEY SOUTH ADJACENT TO LOTS 5-10, BLOCK 736, TENTH ADDITION TO GREAT FALLS TOWNSITE, AS SHOWN IN EXHIBIT “A”, AND IN ACCORDANCE WITH THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448

* * * * *

WHEREAS, the Plat of the Tenth Addition to Great Falls Townsite dedicated an eighty (80) foot wide right-of-way for 17th Street South between 3rd Avenue South and 4th Avenue South and a twenty (20) foot wide right-of-way for 4th Alley South between 16th Street South and 17th Street South; and

WHEREAS, Great Falls Public Schools owns the properties on both sides of said right-of-way and has submitted a petition to have said portions of 17th Street South and 4th Alley South vacated; and

WHEREAS, it is determined retention of 17th Street South between 3rd Avenue South and 4th Avenue South, and the subject portion of 4th Alley South serves no practical or functional traffic related purpose or for access by the public; and

WHEREAS, the right-of-way and easement therein of any owner is not impaired by the requested vacation; and

WHEREAS, it is determined that a twenty (20) foot wide utility easement will be created to accommodate public utilities; and

WHEREAS, Mont. Code Ann. § 7-3-4448 sets forth, in pertinent part: (1)...Before vacating any street or part thereof or narrowing any street, the commission shall first pass a resolution declaring its intention to do so; and

WHEREAS, at its regular meeting held on February 1, 2022, the City Commission of the City of Great Falls, Montana, passed and adopted Resolution 10441, titled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 17TH STREET SOUTH BETWEEN 3RD AVENUE SOUTH AND 4TH AVNEUE SOUTH, BLOCK 735 AND BLOCK 736, AND THE PORTION OF 4TH ALLEY SOUTH ADJACENT TO LOTS 5-10, BLOCK 736, TENTH

ADDITION TO GREAT FALLS TOWNSITE, IN ACCORDANCE WITH
THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448, AND
DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

WHEREAS, notice was provided pursuant to Mont. Code Ann. § 7-3-4448(2); and

WHEREAS, a public hearing was held by the City Commission of the City of Great Falls, Montana, on the 1st day of March, 2022, at 7:00 o'clock p.m. in the Commission Chambers of the Civic Center, 2 Park Drive South, Great Falls, Montana, where said Commission heard all persons relative to the proposed vacation of 17th Street South between 3rd Avenue South and 4th Avenue South Block 735 and 736, and the portion of 4th Alley South adjacent to Lots 5-10, Block 736, Tenth Addition to Great Falls Townsite.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that 17th Street South between 3rd Avenue South and 4th Avenue South, Block 735 and 736, and the portion of 4th Alley South adjacent to Lots 5-10, Block 736, Tenth Addition to Great Falls Townsite, is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that an Amended Plat Lot 1A, Block 400, of the Amended Plat of Lots 1-14, Block 399, Lots 1-14, Block 400, Third Addition to Great Falls Townsite, and Lots 1-11, Block 733, Lots 1-14, Block 734, Lots 8-14, Block 735, Lots 1-14, Block 745, Lots 1-10, Block 746, Tenth Addition to Great Falls Townsite, and Lots A, 8-9, Block 1, Lots 6-9, Block 8, Resurvey of Huy's Addition and Lots 1-7, Block 735, Lots 5-10, Block 736, of the Tenth Addition to Great Falls Townsite, including those portions of vacated right-of-way, has been prepared which reflects the aggregation of said parcels and the requested vacated right-of-way into one parcel.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 1st day of March, 2022.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk


(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoien, City Attorney



Resolution 10442 Exhibit A:

 **Proposed rights-of-way to be vacated**

ORDINANCE 3241

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO REZONE THE PROPERTIES LEGALLY DESCRIBED AS: LOTS 5-10, BLOCK 736, OF THE TENTH ADDITION TO GREAT FALLS TOWNSITE, INCLUDING THOSE PORTIONS OF THE VACATED 17TH STREET SOUTH AND 4TH ALLEY SOUTH RIGHT OF WAY LOCATED IN THE NW1/4, NE1/4, SW1/4, AND SE1/4 OF SECTION 7, T20N, R4E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA, FROM PARKS AND OPEN SPACE TO PUBLIC LANDS AND INSTITUTIONAL.

* * * * *

WHEREAS, the subject properties, legally described above, are presently zoned POS Parks and Open Space; and

WHEREAS, the property owner, Great Falls Public Schools, have petitioned the City of Great Falls to rezone said properties to PLI Public Lands and Institutional zoning district; and

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on December 28, 2021, to consider said rezoning from POS Parks and Open Space to PLI Public Lands and Institutional zoning district and, at the conclusion of said hearing, passed a motion recommending the City Commission rezone the property legally described as Lots 5-10, Block 736, of the Tenth Addition to Great Falls Townsite, including those portions of the vacated 17th Street South and 4th Alley South right of way located in the NW1/4, NE1/4, SW1/4, and SE1/4 of Section 7, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana; and

WHEREAS, notice of assigning said zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 1st day of March, 2022, before final passage of said Ordinance herein; and

WHEREAS, following said public hearing, it was found and decided that the zoning map amendment on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.40.030, and that the said rezoning designation be made.

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

Section 1. It is determined that the herein requested rezoning meets the criteria and guidelines cited in Mont. Code Ann §76-2-304, and Section 17.16.40.030 of the OCCGF.

Section 2. That the property legally described as: Lots 5-10, Block 736, of the Tenth Addition to Great Falls Townsite, including those portions of the vacated 17th Street South and 4th Alley South right of way located in the NW1/4, NE1/4, SW1/4, and SE1/4 of Section 7, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, be rezoned to PLI Public Lands and Intuitional as shown in Exhibit A.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading February 1, 2022.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading March 1, 2022.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Jeff Hindoien, City Attorney

State of Montana)
County of Cascade : ss


City of Great Falls)

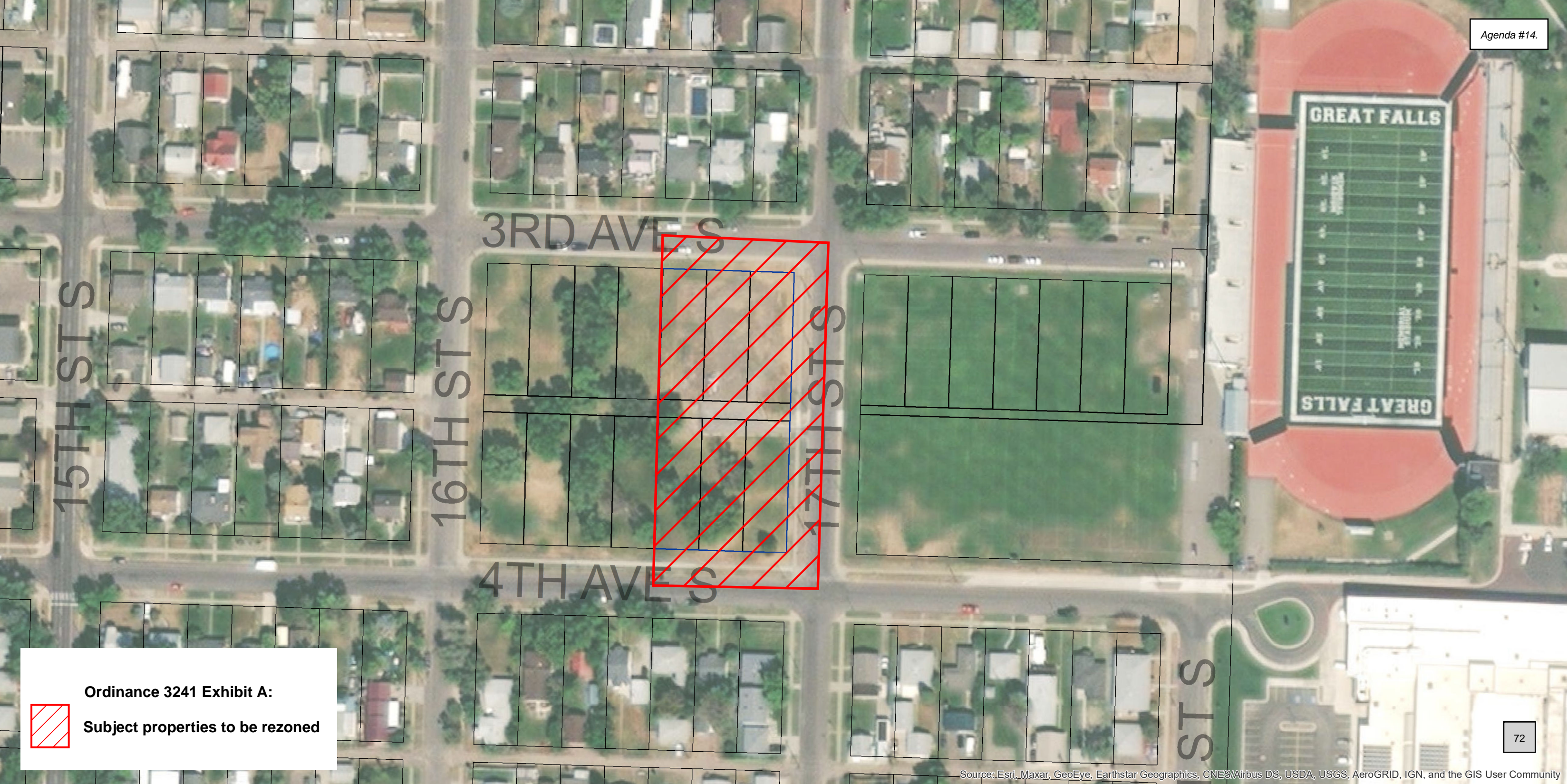
I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3241 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Ordinance 3241 Exhibit A:

 **Subject properties to be rezoned**



FINDINGS OF FACT – ZONING MAP AMENDMENT FOR THE SCHOOL DISTRICT

Lots 5-10, Block 736, of the Tenth Addition to Great Falls Townsite, including those portions of the vacated 17th Street South between 3rd Avenue South and 4th Avenue South, and 4th Alley South adjacent to Lots 5-10, located in the NW1/4, NE1/4, SW1/4, and SE1/4 of Section 7, T20N, R4E, P.M.M., City of Great Falls, Cascade County, Montana

PRIMARY REVIEW CRITERIA:

The basis for decision on zoning map amendments is listed in Official Code of the City of Great Falls (OCCGF) §17.16.40.030 of the Land Development Code. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the following criteria:

1. The amendment is consistent with and furthers the intent of the City's growth policy.

The proposed zoning map amendment is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. The proposal to amend the zoning of the proposed properties from POS Parks and Open Space to PLI Public Lands and Institutional will aid in the future use of the Great Falls Public School District property. The proposed development is strongly supported by the Social portions of the Growth Policy, specifically the goal to support diverse and affordable recreation, educational, and cultural opportunities in the community. The Growth Policy recognizes that the City has vital educational assets, and as a result, the document contains policy guidance to support the growth and development of these institutions. The proposed zoning map amendment is consistent with several of these policies including:

Social – Community Facilities

Soc1.3 Develop and maintain the City's community facilities and cultural resources.

Soc1.3.2 Utilize the following criteria as a basis for reviewing the location of new or expanded facilities:

- a. Proximity to major transportation routes, essential
- b. Land use compatibility and consistency with the Growth Policy
- c. Potential impacts to environmental, historical, and cultural resources
- d. Public costs and benefits of the project, including operation and maintenance
- e. Current capacity and location of equivalent facilities
- f. The existence of reasonable alternatives to the proposed facility within the community
- g. Other public interest criteria as determined to be relevant to the specific proposed facility

Soc1.3.4 Ensure that affected citizens, agencies, and other interested parties are given adequate notice and opportunity for meaningful participation in decisions on locating or expanding community facilities and services.

The proposed zoning map amendment and required public process will enable these policies to be addressed and further the implementation of the Growth Policy. By recognizing the criteria of the policies above, the City can aid the school district in the master planning of its campus.

2. The amendment is consistent with and furthers adopted neighborhood plans, if any.

Great Falls is separated into nine Neighborhood Councils. There are no adopted Neighborhood Plans for any of the Councils within the City. The subject properties are located in Neighborhood Council #9. The applicant formally presented to the Council at their December 9th, 2021 meeting, and the Council voted in favor of the rezone. Notice of the proposed zoning map amendment was also sent to adjoining property owners pursuant to the noticing requirements of the OCCGF.

3. The amendment is consistent with other planning documents adopted by the City Commission, including the river corridor plan, transportation plan and sub-area plans.

The subject property does not lie within any adopted planning or sub-area planning areas. Since development is limited to a new parking lot and extension of a practice field area, review for consistency with other planning documents will not be applicable.

4. The code with the amendment is internally consistent.

The proposed zoning map amendment is not in conflict with any portion of the existing City Code and will be consistent with the adjacent existing zoning of the school. Due to the proposal of vacating portions of right-of-way of 17th Street South and 4th Alley South and aggregation of the parcels, the proposed zoning map amendment is internally consistent and will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish and impair property values in the neighborhood.

5. The amendment is the least restrictive approach to address issues of public health, safety, and welfare.

There are no existing public health, safety, or welfare issues that are triggered by simply aggregating properties and changing their zoning. The future expansion will require the abandonment of public infrastructure which will be reviewed by the Public Works Department at the time the proposal is brought forward.

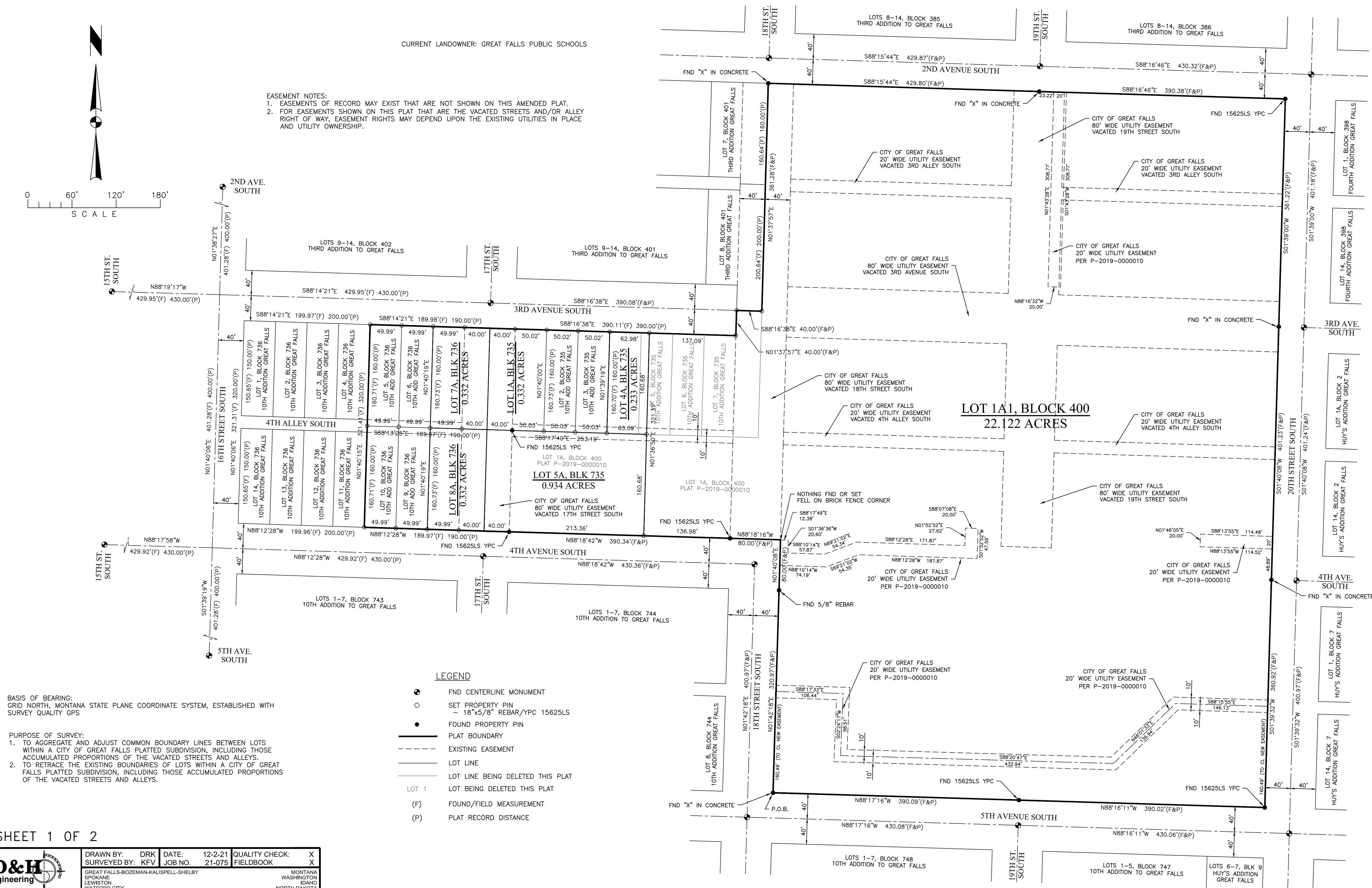
6. The City has or will have the financial and staffing capability to administer and enforce the amendment.

The City has the financial and staffing capability to enforce the amendment if it is approved. The zoning map amendment will affect several properties, all owned by the applicant, and the property will be developed in a manner consistent with the zoning for the school.

AN AMENDED PLAT OF

LOT 1A, BLOCK 400, OF THE AMENDED PLAT OF LOTS 1-14, BLOCK 399, LOTS 1-14, BLOCK 400, THIRD ADDITION TO GREAT FALLS TOWNSITE, AND LOTS 1-11, BLOCK 733, LOTS 1-14, BLOCK 734, LOTS 8-14, BLOCK 735, LOTS 1-14, BLOCK 745, LOTS 1-10, BLOCK 746, TENTH ADDITION TO GREAT FALLS TOWNSITE, AND LOTS A, 8-9, BLOCK 1, LOTS 6-9, BLOCK 8, RESURVEY OF HUY'S ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY ORDINANCE NO. 656, 776, 1021, 1031, 2019, AND RESOLUTION NO. 8839,
AND

LOTS 1-7, BLOCK 735, LOTS 5-10, BLOCK 736, OF THE TENTH ADDITION TO GREAT FALLS TOWNSITE, INCLUDING THOSE PORTIONS OF THE VACATED 17TH STREET SOUTH AND 4TH ALLEY SOUTH RIGHT OF WAY.
LOCATED IN THE NW1/4, NE1/4, SW1/4, AND SE1/4 OF SECTION 7, T20N, R4E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA



AN AMENDED PLAT OF
LOT 1A, BLOCK 400, OF THE AMENDED PLAT OF LOTS 1-14, BLOCK 399, LOTS 1-14, BLOCK 400, THIRD ADDITION TO GREAT FALLS TOWNSITE, AND LOTS 1-11, BLOCK 733, LOTS 1-14, BLOCK 734, LOTS 8-14, BLOCK 735, LOTS 1-14, BLOCK 745, LOTS 1-10, BLOCK 746, TENTH ADDITION TO GREAT FALLS TOWNSITE, AND LOTS A, 8-9, BLOCK 1, LOTS 6-9, BLOCK 8, RESURVEY OF HUY'S ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY ORDINANCE NO. 656, 776, 1021, 1031, 2019, AND RESOLUTION NO. 8839, AND
LOTS 1-7, BLOCK 735, LOTS 5-10, BLOCK 736, OF THE TENTH ADDITION TO GREAT FALLS TOWNSITE, INCLUDING THOSE PORTIONS OF THE VACATED 17TH STREET SOUTH AND 4TH ALLEY SOUTH RIGHT OF WAY. LOCATED IN THE NW1/4, NE1/4, SW1/4, AND SE1/4 OF SECTION 7, T20N, R4E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA

CURRENT LANDOWNER: GREAT FALLS PUBLIC SCHOOLS

CERTIFICATE OF CONSENT

I(we), the undersigned property owner(s), do hereby certify that I(we) have caused to surveyed and platted into lots, blocks, and easements, the following described tract of land in the City of Great Falls, Cascade County, Montana, to-wit:

A tract of land being Lot 1A, Block 400, of the Amended Plat of Lots 1–14, Block 399, Lots 1–14, Block 400, Third Addition to Great Falls Townsite, and Lots 1–11, Block 733, Lots 1–14, Block 734, Lots 8–14, Block 735, Lots 1–14, Block 745, Lots 1–10, Block 746, Tenth Addition to Great Falls Townsite, and Lots A, 8–9, Block 1, Lots 6–9, Block 8, Resurvey of Huy's Addition, including those accumulated proportions of the vacated streets and alleys, by Ordinance No. 656, 776, 1021, 1031, 2019, and Resolution No. 8839, and Lots 1–7, Block 735, Lots 5–10, Block 736, of the Tenth Addition to Great Falls Townsite, including those portions of the vacated 17th Street South and 4th Alley South right–of–way, located in the NW1/4, NE1/4, SW1/4, and SE1/4 of Section 7, Township 20 North, Range 4 East, P.M.M., City of Great Falls, Cascade County, Montana, and being more particularly described as follows:

Beginning at the intersection of the Northerly right–of–way line of 5th Avenue South and the Easterly right–of–way line of 18th Street South; thence North 01°42'18" East along said Easterly right–of–way line, a distance of 320.97 feet to the intersection of the Southerly right–of–way line of 4th Avenue South; thence North 01°40'08" East along the Westerly edge of the vacated 4th Avenue South right–of–way, decreed by Resolution No. 8839, a distance of 80.00 feet to the intersection of the Northerly right–of–way line of 4th Avenue South; thence North 88°18'42" West along the Southerly edge of the vacated 18th Street South right–of–way, decreed by Ordinance No. 1021 a distance of 80.00 feet to the intersection of the Westerly right–of–way line of 18th Street South; thence North 88°18'42" West along the Northerly right–of–way line of 4th Avenue South, a distance of 390.34 feet to the centerline of 17th Street South; thence North 88°12'28" West along said Northerly right–of–way line of 4th Avenue South, a distance of 189.97 feet to the Southwest corner of Lot 10, Block 736, Tenth Addition to Great Falls Townsite; thence North 01°40'15" East along the Westerly boundary line of said Lot 10 and and the Westerly Boundary Line of Lot 5, Block 736, Tenth Addition to Great Falls Townsite, a distance of 321.41 feet to the Northwest corner of said Lot 5 and being a point on the Southerly right–of–way line of 3rd Avenue South; thence South 88°14'21" East along said Southerly right–of–way line, a distance of 189.98 feet to the centerline of 17th Street South; thence South 88°16'38" East along said Southerly right–of–way line, a distance of 390.11 feet to the Northeast corner of Lot 7, Block 735, Tenth Addition to Great Falls Townsite and being a point on the Westerly right–of–way line of the vacated 18th Street South; thence North 01°37'57" East along said vacated Westerly right–of–way line, a distance of 40.00 feet to the centerline of 3rd Avenue South; thence South 88°16'38" East along said centerline, a distance of 40.00 feet to the centerline of the vacated 18th Street South; thence North 01°37'57" East along said centerline, a distance of 361.28 feet to the Southerly right–of–way line of 2nd Avenue South; thence South 88°15'44" East along said Southerly right–of–way line, a distance of 429.80 feet; thence South 88°16'46" East along said Southerly right–of–way line, a distance of 390.38 feet to the Westerly right–of–way line of 20th Street South; thence South 01°39'00" West along said Westerly right–of–way line, a distance of 361.22 feet; thence South 01°40'08" West along said Westerly right–of–way line, a distance of 401.23 feet; thence South 01°39'32" West along said Westerly right–of–way line, a distance of 360.92 feet to the Northerly right–of–way line of 5th Avenue South; thence North 88°16'11" West along said Northerly right–of–way line, a distance of 390.02 feet; thence North 88°17'16" West along said Northerly right–of–way line, a distance of 390.09 feet to the Point of Beginning and containing 25.392 acres, along with and subject to any existing easements.

The above described tract of land is to be known and designated as AN AMENDED PLAT OF LOT 1A, BLOCK 400, OF THE AMENDED PLAT OF LOTS 1–14, BLOCK 399, LOTS 1–14, BLOCK 400, THIRD ADDITION TO GREAT FALLS TOWNSITE, AND LOTS 1–11, BLOCK 733, LOTS 1–14, BLOCK 734, LOTS 8–14, BLOCK 735, LOTS 1–14, BLOCK 745, LOTS 1–10, BLOCK 746, TENTH ADDITION TO GREAT FALLS TOWNSITE, AND LOTS A, 8–9, BLOCK 1, LOTS 6–9, BLOCK 8, RESURVEY OF HUY'S ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY ORDINANCE NO. 656, 776, 1021, 1031, 2019, AND RESOLUTION NO. 8839, AND LOTS 1–7, BLOCK 735, LOTS 5–10, BLOCK 736, OF THE TENTH ADDITION TO GREAT FALLS TOWNSITE, INCLUDING THOSE PORTIONS OF THE VACATED 17TH STREET SOUTH AND 4TH ALLEY SOUTH RIGHT OF WAY, City of Great Falls, Cascade County, Montana, and the public easements shown on said plat are hereby granted and donated to the use of the public forever.

Dated this _____ day of _____, A.D., 2022.

GREAT FALLS PUBLIC SCHOOLS

Printed Name _____

State of Montana)

: ss

County of Cascade)

On this _____ day of _____, 2022, before me, the undersigned, a Notary Public for the State of Montana, personally appeared, _____, known to me to be the person who executed the Certificate of Ownership. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

_____(Notarial Seal)

Notary Public for the State of Montana

Residing at _____

My commission expires _____

CERTIFICATE OF EXCLUSION

I(we), the undersigned property owner, do hereby certify that this accompanying plat is excluded from subdivision review, pursuant to ARM 17.36.605(3), stating "Aggregations of parcels are not subdivisions subject to review, except that an aggregation is subject to review under 76–4–130, MCA, if any parcel included in the aggregation has a previous approval issued under Title 76, chapter 4, Part 1, MCA", and ARM 17.36.605(2)(c), stating "a parcel that will be affected by a proposed boundary line adjustment, if the parcel has existing facilities for water supply, wastewater disposal, storm drainage, or solid waste disposal that were not subject to review, and have not been reviewed, under Title 76, chapter 4, part 1, MCA, and if: (i) no facilities other than those previously approved exist or will be constructed on the parcel; (ii) existing facilities on the parcel complied with state and local laws and regulations, including permit requirements, which were applicable at the time of installation and (iii) the local health officer determines that existing facilities are adequate for the existing use".

CERTIFICATE OF EXEMPTION

I(we), the undersigned property owner, do hereby certify that this accompanying plat is exempt from subdivision review, pursuant to Section 76–3–207(1)(f) M.C.A., stating "aggregation of parcels or lots when a certificate of survey or subdivision plat shows that the boundaries of the original parcels have been eliminated and the boundaries of a larger aggregate parcel are established. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas", and pursuant to Section 76–3–207(1)(d) M.C.A., stating "for five or fewer lots within a platted subdivision, the relocation of common boundaries".

CERTIFICATE OF PUBLIC WORKS DIRECTOR

I, Paul Skubinna, Public Works Director for the City of Great Falls, Montana, do hereby certify that I have examined the accompanying plat of the AN AMENDED PLAT OF LOT 1A, BLOCK 400, OF THE AMENDED PLAT OF LOTS 1–14, BLOCK 399, LOTS 1–14, BLOCK 400, THIRD ADDITION TO GREAT FALLS TOWNSITE, AND LOTS 1–11, BLOCK 733, LOTS 1–14, BLOCK 734, LOTS 8–14, BLOCK 735, LOTS 1–14, BLOCK 745, LOTS 1–10, BLOCK 746, TENTH ADDITION TO GREAT FALLS TOWNSITE, AND LOTS A, 8–9, BLOCK 1, LOTS 6–9, BLOCK 8, RESURVEY OF HUY'S ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY ORDINANCE NO. 656, 776, 1021, 1031, 2019, AND RESOLUTION NO. 8839, AND LOTS 1–7, BLOCK 735, LOTS 5–10, BLOCK 736, OF THE TENTH ADDITION TO GREAT FALLS TOWNSITE, INCLUDING THOSE PORTIONS OF THE VACATED 17TH STREET SOUTH AND 4TH ALLEY SOUTH RIGHT OF WAY, and the survey it represents, find that same conforms to regulations governing the platting of lands and presently platted adjacent land, as near as circumstances will permit, do hereby approve the same.

Dated this ____ day of _____, 2022.

PAUL SKUBINNA, Public Works Director

City of Great Falls, Montana

CERTIFICATE OF CITY COMMISSION

I, Gregory T. Doyon, City Manager of the City of Great Falls, Montana, do hereby certify that the accompanying plat of the AN AMENDED PLAT OF LOT 1A, BLOCK 400, OF THE AMENDED PLAT OF LOTS 1–14, BLOCK 399, LOTS 1–14, BLOCK 400, THIRD ADDITION TO GREAT FALLS TOWNSITE, AND LOTS 1–11, BLOCK 733, LOTS 1–14, BLOCK 734, LOTS 8–14, BLOCK 735, LOTS 1–14, BLOCK 745, LOTS 1–10, BLOCK 746, TENTH ADDITION TO GREAT FALLS TOWNSITE, AND LOTS A, 8–9, BLOCK 1, LOTS 6–9, BLOCK 8, RESURVEY OF HUY'S ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY ORDINANCE NO. 656, 776, 1021, 1031, 2019, AND RESOLUTION NO. 8839, AND LOTS 1–7, BLOCK 735, LOTS 5–10, BLOCK 736, OF THE TENTH ADDITION TO GREAT FALLS TOWNSITE, INCLUDING THOSE PORTIONS OF THE VACATED 17TH STREET SOUTH AND 4TH ALLEY SOUTH RIGHT OF WAY, was duly examined and approved by the City Commission of the City of Great Falls, Montana, at its regular meeting held on the _____ day of _____, _____.

GREGORY T. DOYON, City Manager

City of Great Falls, Montana

CERTIFICATE OF GREAT FALLS PLANNING BOARD

We, the undersigned, Peter Fontana, President of the Great Falls Planning Board, City of Great Falls, Montana, and Craig Raymond, Secretary of said Great Falls Planning Board, do hereby certify that the accompanying plat of AN AMENDED PLAT OF LOT 1A, BLOCK 400, OF THE AMENDED PLAT OF LOTS 1–14, BLOCK 399, LOTS 1–14, BLOCK 400, THIRD ADDITION TO GREAT FALLS TOWNSITE, AND LOTS 1–11, BLOCK 733, LOTS 1–14, BLOCK 734, LOTS 8–14, BLOCK 735, LOTS 1–14, BLOCK 745, LOTS 1–10, BLOCK 746, TENTH ADDITION TO GREAT FALLS TOWNSITE, AND LOTS A, 8–9, BLOCK 1, LOTS 6–9, BLOCK 8, RESURVEY OF HUY'S ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY ORDINANCE NO. 656, 776, 1021, 1031, 2019, AND RESOLUTION NO. 8839, AND LOTS 1–7, BLOCK 735, LOTS 5–10, BLOCK 736, OF THE TENTH ADDITION TO GREAT FALLS TOWNSITE, INCLUDING THOSE PORTIONS OF THE VACATED 17TH STREET SOUTH AND 4TH ALLEY SOUTH RIGHT OF WAY, has been submitted to the said Great Falls Planning Board, for examination by them and was approved at its regular meeting held on the _____ day of _____, _____.

Peter Fontana, President

Great Falls Planning Board

Craig Raymond, Secretary

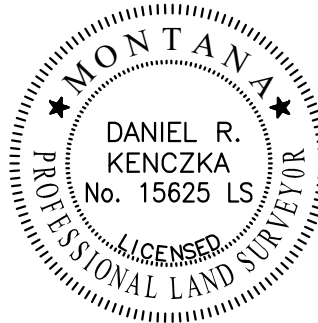
Great Falls Planning Board

CERTIFICATE OF SURVEYOR

I, the undersigned, Daniel R. Kenczka, Professional Land Surveyor, Montana Registration No. 15625LS, do hereby certify that I supervised this Plat of the AN AMENDED PLAT OF LOT 1A, BLOCK 400, OF THE AMENDED PLAT OF LOTS 1–14, BLOCK 399, LOTS 1–14, BLOCK 400, THIRD ADDITION TO GREAT FALLS TOWNSITE, AND LOTS 1–11, BLOCK 733, LOTS 1–14, BLOCK 734, LOTS 8–14, BLOCK 735, LOTS 1–14, BLOCK 745, LOTS 1–10, BLOCK 746, TENTH ADDITION TO GREAT FALLS TOWNSITE, AND LOTS A, 8–9, BLOCK 1, LOTS 6–9, BLOCK 8, RESURVEY OF HUY'S ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY ORDINANCE NO. 656, 776, 1021, 1031, 2019, AND RESOLUTION NO. 8839, AND LOTS 1–7, BLOCK 735, LOTS 5–10, BLOCK 736, OF THE TENTH ADDITION TO GREAT FALLS TOWNSITE, INCLUDING THOSE PORTIONS OF THE VACATED 17TH STREET SOUTH AND 4TH ALLEY SOUTH RIGHT OF WAY, and platted same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Platting Act, Sections 76–3–101 through 76–3–614, M.C.A., and Cascade County.

Dated this _____ day of _____, A.D., 2022

Daniel R. Kenczka, Montana Reg. No. 15625LS



CERTIFICATE OF COUNTY TREASURER

I, Diane C. Heikkila, County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the areas included in the accompanying plat of the AN AMENDED PLAT OF LOT 1A, BLOCK 400, OF THE AMENDED PLAT OF LOTS 1–14, BLOCK 399, LOTS 1–14, BLOCK 400, THIRD ADDITION TO GREAT FALLS TOWNSITE, AND LOTS 1–11, BLOCK 733, LOTS 1–14, BLOCK 734, LOTS 8–14, BLOCK 735, LOTS 1–14, BLOCK 745, LOTS 1–10, BLOCK 746, TENTH ADDITION TO GREAT FALLS TOWNSITE, AND LOTS A, 8–9, BLOCK 1, LOTS 6–9, BLOCK 8, RESURVEY OF HUY'S ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY ORDINANCE NO. 656, 776, 1021, 1031, 2019, AND RESOLUTION NO. 8839, AND LOTS 1–7, BLOCK 735, LOTS 5–10, BLOCK 736, OF THE TENTH ADDITION TO GREAT FALLS TOWNSITE, INCLUDING THOSE PORTIONS OF THE VACATED 17TH STREET SOUTH AND 4TH ALLEY SOUTH RIGHT OF WAY, and find that the current taxes have been paid.

Dated this _____ day of _____, A.D., 2022

County Treasurer, Cascade County, Montana

BASIS OF BEARING:
GRID NORTH, MONTANA STATE PLANE COORDINATE SYSTEM, ESTABLISHED WITH SURVEY QUALITY GPS

PURPOSE OF SURVEY:
1. TO AGGREGATE AND ADJUST COMMON BOUNDARY LINES BETWEEN LOTS WITHIN A CITY OF GREAT FALLS PLATTED SUBDIVISION, INCLUDING THOSE ACCUMULATED PROPORTIONS OF THE VACATED STREETS AND ALLEYS.
2. TO RETRACE THE EXISTING BOUNDARIES OF LOTS WITHIN A CITY OF GREAT FALLS PLATTED SUBDIVISION, INCLUDING THOSE ACCUMULATED PROPORTIONS OF THE VACATED STREETS AND ALLEYS.

FINDINGS OF FACT/BASIS OF DECISION – MONTANA SUBDIVISION AND PLATTING ACT – FOR THE SCHOOL DISTRICT’S PROPOSAL TO AGGREGATE PROPERTY DESCRIBED BELOW

Lot 1A, Block 400, of the Amended Plat of Lots 1-14, Block 399, Lots 1-14, Block 400, Third Addition to Great Falls Townsite, and Lots 1-11, Block 733, Lots 1-14, Block 734, Lots 8-14, Block 735, Lots 1-14, Block 745, Lots 1-10, Block 746, Tenth Addition to Great Falls Townsite, and Lots A, 8-9, Block 1, Lots 6-9, Block 8, Resurvey of Huy's Addition, including those portions of the streets and alleys vacated by Ordinance No. 656, 776, 1021, 1031, 2019, and Resolution No. 8839, and Lots 1-7, Block 735, Lots 5-10, Block 736, of the Tenth Addition to Great Falls Townsite, including those portions of the vacated 17th Street South and 4th Alley South right of way. Located in the NW1/4, NE1/4, SW1/4, and SE1/4 of Section 7, T20N, R4E, P.M.M., City of Great Falls, Cascade County, Montana

(PREPARED IN RESPONSE TO 76-3-608(3) MCA)

PRIMARY REVIEW CRITERIA:

Effect on Agriculture and Agricultural Water User Facilities: The owner of the subject properties has proposed to aggregate the vacated rights of way, if approved, to the affected parcels. The existing lots consist of former park land and current school district property used for practice fields. Thus, the proposal will not interfere with any agricultural irrigation system or present any interference with agricultural operations in the vicinity.

Effect on Local Services: The existing lots are surrounded by existing utilities. All of the properties are currently receiving law enforcement and fire protection service from the City of Great Falls. Providing these services to the subject properties is expected to be a manageable cost to the City. All required easements will be provided for utilities, and the loss of these rights of way due to the aggregation request will still allow for adequate transportation access on nearby streets.

Effect on the Natural Environment: The owner is proposing to develop an additional parking lot and extend the high school practice fields; therefore the aggregation is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. The applicant will need to address stormwater control, and when the proposal is brought forward, it will be reviewed by City staff to ensure compliance with requirements.

Effect on Wildlife and Wildlife Habitat: The proposed lots to be aggregated are surrounded by existing residential properties to the north, west, and south, and existing Great Falls High to the east. This is not in an area of significant wildlife habitat beyond occasional migrating fowl.

Effect on Public Health and Safety: Based on available information, the proposed lots to be aggregated are not subject to abnormal natural hazards nor potential man-made hazards. Any proposed development of the properties will not have a negative effect on Public Health and Safety. As noted above, the proposed site already receives City public safety services, utilities, and transportation access from adjoining streets.

REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS

The lots in the proposed aggregation meet the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation and conforms to the design standards specified in the local subdivision regulations. The local government has complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

EASEMENT FOR UTILITIES

The developer shall provide necessary utility easements to accommodate water mains, sanitary sewer mains, storm drain lines, and private utilities to serve the lots.

LEGAL AND PHYSICAL ACCESS

Legal and physical access to the site is available from various streets and avenues. Access may change based on the future development. These are all existing roads that are currently in City limits and are maintained by the City of Great Falls. There are no projected negative impacts to traffic patterns and volumes in the area.

Date Stamp:

CITY OF GREAT FALLS
PLANNING & COMMUNITY DEVELOPMENT DEPT.
P.O. BOX 5021, GREAT FALLS, MT, 59403 5021
406.455.8430 • WWW.GREATFALLSMT.NET

LAND USE APPLICATION

Name of Project (If applicable):

Great Falls High School Parking Lot

Project Address:

1900 2ND AVE S, Great Falls, MT 59401

Applicant/Owner Name:

Great Falls Public Schools - Brian Patrick

Mailing Address:

PO Box 2429, Great Falls, MT 59403

brian_patrick@gfps.k12.mt.us

Phone:

406-268-6000

Email:

Representative Name:

TD&H Engineering - Jana Cooper

jana.cooper@tdhengineering.com

Phone:

Email:

- ☐ Annexation by Petition: \$500
- ☐ Preliminary Plat, Major: \$1,500 + \$50/lot
- ☐ Final Plat, Major: \$1,500 + \$25/lot
- ☐ Minor Subdivision: \$1,250
- ☒ Zoning Map Amendment: \$2,000
- ☐ Conditional Use Permit: \$1,500
- ☐ Planned Unit Development: \$2,000
- ☒ Amended Plat, Non-administrative: \$1,000

LEGAL DESCRIPTION:

Lot 1A, , BLOCK 400, AM PLAT of GREAT FALLS THIRD ADDITION

Lot/Block/Subdivision:

S07, T20 N, R04 E

Section/Township/Range:

ZONING (ZONING MAP AMENDMENT ONLY):

Parks & Open Space

Public Lands & Institutional

Current:

Proposed:

LAND USE (CONDITIONAL USE ONLY):

Park

School Open Space/Parking Lot

Current:

Proposed:

I (We), the undersigned, understand that the filing fee accompanying this application is not refundable. I (We) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application. I (We) further understand that public hearing notice requirements and associated costs for land development projects are my (our) responsibility. I (We) further understand that other fees may be applicable per City Ordinances. I (We) also attest that the above information is true and correct to the best of my (our) knowledge.



Applicant/Owner's Signature:

Jana Cooper

Digitally signed by Jana Cooper
Date: 2021.10.20 10:02:55 -06'00'

10-20-2021

Date:

Representative's Signature:

Date:

Date Stamp:

CITY OF GREAT FALLS
PLANNING & COMMUNITY DEVELOPMENT DEPT.
P.O. BOX 5021, GREAT FALLS, MT, 59403-5021
406.455.8431 • WWW.GREATFALLSMT.NET

RIGHT-OF-WAY (ROW) VACATION APPLICATION

This application is for a request to abandon, discontinue, vacate or close a municipal right-of-way (including a street or alley.) To submit an application, the applicant must make an appointment with a Planning & Community Development Department staff planner to review the application and supporting documentation for completeness.

APPLICANT/REPRESENTATIVE:

Great Falls Public Schools - Brian Patrick

Applicant Name:

PO Box 2429, Great Falls, MT 59403

Mailing Address:

406-268-6000

Phone:

brian_patrick@gfps.k12.mt.us

Email:

TD&H Engineering - Jana Cooper

Representative's Name (If applicable):

1800 River Dr N, Great Falls, MT 59401

Mailing Address:

406-761-3010

Phone:

Jana.Cooper@tdhengineering.com

Email:

PUBLIC RIGHT-OF-WAY PETITIONED FOR VACATION OR CLOSURE:

Name of street, road or alley: 17th Street S; between 3rd Ave S and 4th Ave S

Describe the public right-of-way petitioned for vacation or closure (Use starting/ending points, abutting properties, length, or other descriptors to clearly identify. Attach longer descriptions and/or map exhibits):

See attached description

I (We), the undersigned, understand that the fee accompanying this application is not refundable. I (We) further understand that the fee pays for the cost of processing, and does not constitute a payment for approval of the requested action. I (We) further understand that public hearing notice publication costs for land development projects are my responsibility. I (We) further understand that that other fees may be applicable per City Ordinances. I (We) also attest that the above information is true and correct to the best of my (our) knowledge, and that all supporting documents become the property of the City and cannot be returned.

Applicant's Signature:

Date:

10/20/2021

Representative's Signature:

Date:

10/20/2021

Effective Date: 5/2019

ROW Vacation Application Checklist

A complete Right-of-Way (ROW) Vacation Application shall include at least those items listed in Table 1 below. Additional supporting documentation may be required for an Application to be deemed complete, depending upon the nature of the request and context of the right-of-way.

Table 1: Application Requirements		Staff	App.
Applicant/Project Information	Complete basic petitioner and project information included on page 1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Application Fee	Non-refundable ROW Vacation Application Fee - \$1,250	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Petition	Petition must include a full description of right-of-way that the petitioner wishes to have vacated, with original, dated signatures and printed names of at least 51% of the owners of property abutting the subject right-of-way. However, to increase the likelihood of approval, it is STRONGLY recommended that signatures of 100% of the property owners be obtained. Signatures must be those of property owners or purchasers under contracts for deed on record by the Cascade County Clerk & Recorder's Office on the date of this Application. Staff can assist in identifying current property owners.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Draft Amended Plat	If available, provide draft Amended Plat incorporating the petitioned ROW into the adjoining parcels and establishing any necessary public utility or access easement(s). NOTE: If the vacation is approved, this may also require an Administrative Plat or Non-Administrative Plat Application and process, depending upon the number of lots involved. An Amended Plat usually is not needed for a closure.	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Great Falls Public Schools

Director of Business Operations • 1100 4th Street South • P.O. Box 2429
Great Falls, Montana 59403 • 406.268.6051 • Fax 406.268.6067 • www.gfps.k12.mt.us

October 20, 2021

We, the undersigned, are asking the City Commission of the City of Great Falls to vacate the following Streets and Alleys:

1. 17th Street South between 3rd Avenue South and 4th Avenue South
2. 4th Alley South between 17th Street South and to the west edge of Lots 5 and 10, Block 736, Great Falls Tenth Addition, S07, T20N, R04E2

The procedure to vacate streets is outline in the Montana Code Annotated 7-3-4448 and requires a petition in writing from the Owners of the lots on the street or alley; and approve by a majority vote of the council. The undersigned represent 100% of the Owners that are making the request to vacate.

The Streets and Alleys are described as:

17th Street South:

Including all of the City of Great Falls 17th Street South right-of-way located between the Southerly right-of-way boundary of 3rd Avenue South and the Northerly right-of-way boundary of 4th Avenue South, being adjacent to Blocks 736 of the Great Falls Tenth Addition and Block 735 of the Great Falls Tenth Addition located in Section 07, T20N, R4E, P.M.M., City of Great Falls, Cascade County, Montana.

4th Alley South:

Including all of the City of Great Falls 4th Alley South right-of-way located between the Westerly right-of-way boundary of 17th Street South and the Westerly edge of Lots 5 and 10, Block 736, Great Falls Tenth Addition located in Section 07, T20N, R4E, P.M.M., City of Great Falls, Cascade County, Montana.

We appreciate your consideration in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Patrick".

Brian Patrick
Director
Business Services & Operations
406-268-6050
brian_patrick@gfps.k12.mt.us

NOT FOR CONSTRUCTION

REVISION

DATE

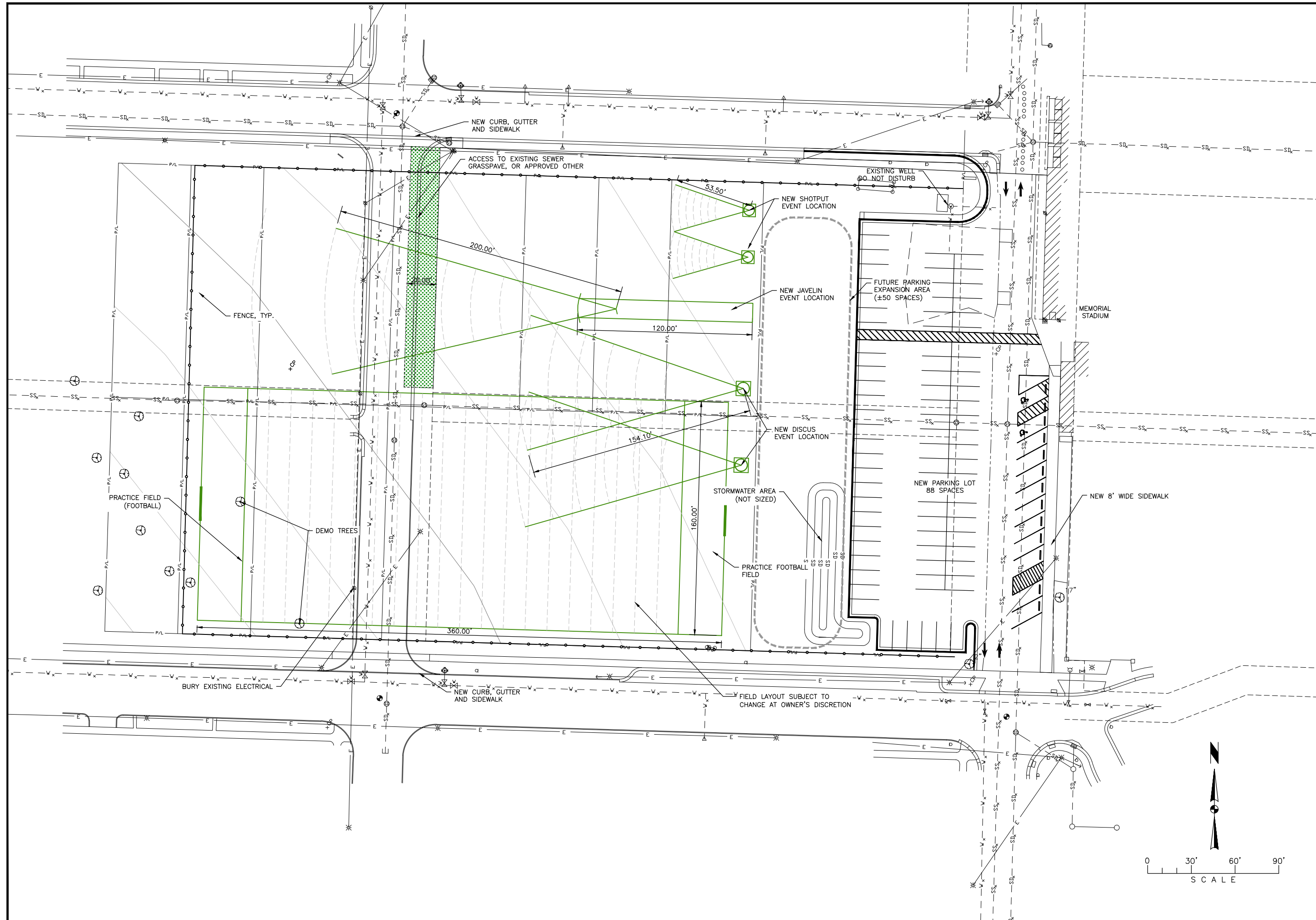
REV



DRAWN BY: JCC
DESIGNED BY: JCC
QUALITY CHECK: JCC
DATE: 11/17/21
JOB NO. 21-075
FIELDBOOK

GREAT FALLS HIGH SCHOOL PARKING LOT
GREAT FALLS, MT

CONCEPTUAL SITE PLAN

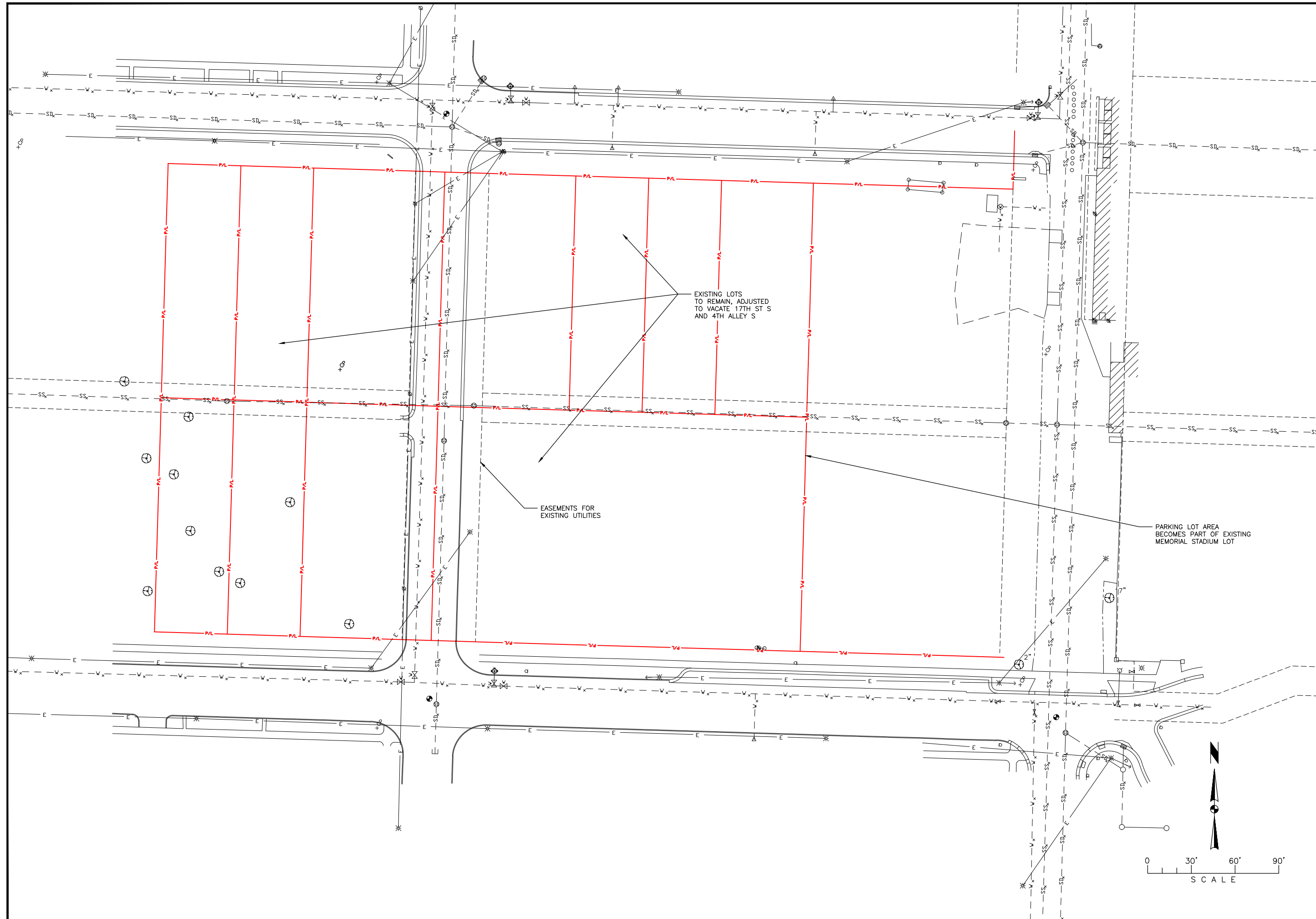




TD&H
Engineering
tdhengineering.com

GREAT FALLS HIGH SCHOOL PARKING LOT
GREAT FALLS, MT

CONCEPTUAL PLAT

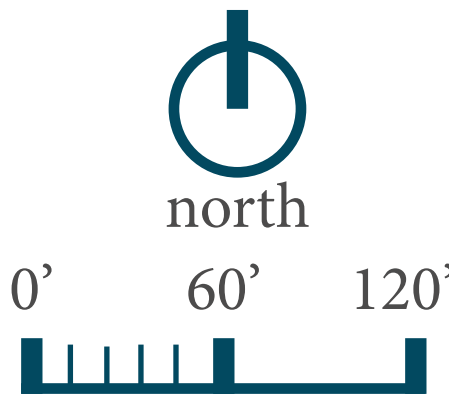


GREAT FALLS HIGH SCHOOL / PRE-ADDITION SITE CONDITIONS

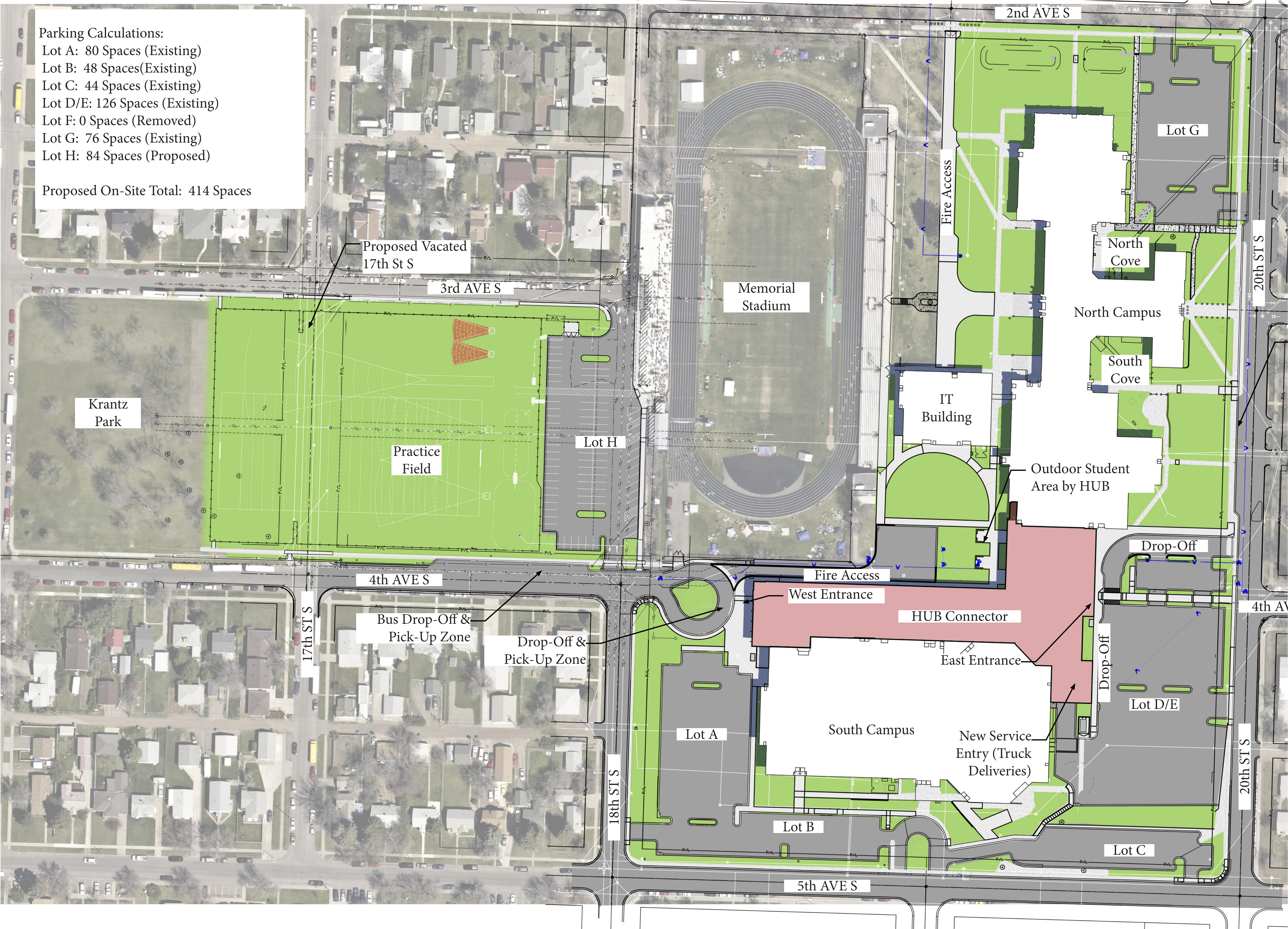


Existing Parking Calculations:
Lot A: 98 Spaces (Staff)
Lot B: 27 Spaces (Staff)
Lot C: 46 Spaces (Student)
Lot D: 167 Spaces (Student)
Lot E: 14 Spaces (Student)
Lot F: 14 Spaces (Staff)
Lot G: 31 Spaces (Staff)
N. Cove: 10 Spaces (Administration)
S. Cove: 10 Spaces (Administration)

Existing Total: 418 Spaces



GREAT FALLS HIGH SCHOOL / UPDATED CAMPUS SITE PLAN



north


0' 60' 120'

TD&H Engineering

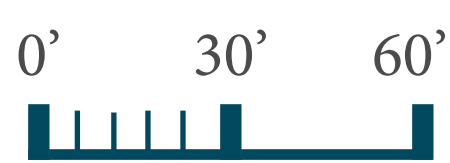
GREAT FALLS
H.S.
GREAT SCHOOLS

GREAT FALLS HIGH SCHOOL / PARKING LOT H BLOWUP







north



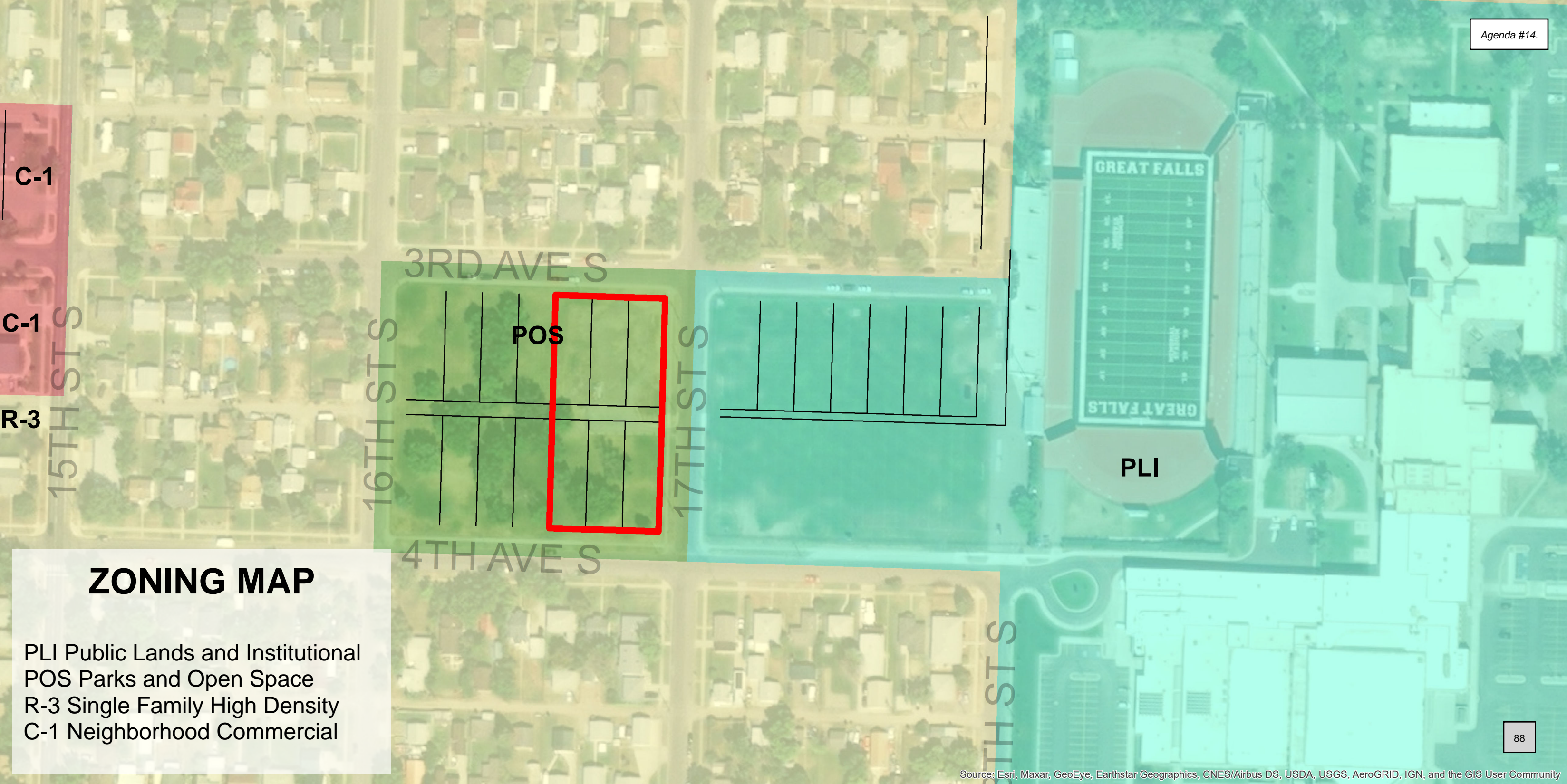
0' 30' 60'



TD&H
Engineering



GREAT FALLS
HIGH SCHOOL



C-1
C-1
15TH ST S

R-3

3RD AVE S
16TH ST S
POS
17TH ST S
4TH AVE S

ZONING MAP

PLI Public Lands and Institutional
POS Parks and Open Space
R-3 Single Family High Density
C-1 Neighborhood Commercial

18TH ST S

GREAT FALLS
GREAT FALLS

PLI



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10443 Golf Fees

From: Park and Recreation

Initiated By: Great Falls Golf LLC

Presented By: Steve Herrig, Park and Recreation Director

Action Requested: Conduct Public Hearing

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

 "I move that the City Commission (adopt/deny) Resolution 10443 Golf Fees."
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends that the City Commission adopt Resolution 10443 Golf Fees. Resolution 10443 would repeal Resolution 10384 and set a new fee structure beginning with the 2022 golf season.

Background: In an effort to maintain current operations, anticipate future demands, and promote the golfing community, fees need to be established that will help offset expenditures relating to operation, administration, equipment replacement, capital-improvement, debt, and labor costs associated with the Eagle Falls Golf Club (EF) and Anaconda Hills Golf Course (AH). Fees have not been increased since February 16, 2021, and therefore, Great Falls Golf LLC, along with staff recommends, the following:

1. Season Pass Fees
 - a. Increase EF adult season pass fees 2.8%, AH adult season pass fees 3.9%, EF adult weekday only pass fees 2.6%, AH adult weekday only pass fees 4.3%, EF junior full pass fees 2.2%, AH junior full pass fees 2.4%, EF junior weekday only pass fees 2.8%, AH junior weekday only pass fees 2.9%, adult full joint pass fees 3.0%, adult joint weekday only pass fees 3.1%, junior joint full pass fees 2.0%, junior joint weekday only pass fees 2.6%, season trail pass fees 1.5%, in 2022.

2. Green Fees

- a. Increase EF 18 hole weekday fees by 2.9%, 18 hole weekend fees by 2.7%, 9 hole weekday fees by 4.8%, and 9 hole weekend fees by 4.8%.
- b. Increase AH 18 hole weekday fees by 7.1%, 18 hole weekend fees by 6.3%, 9 hole weekday fees by 5.3%, and 9 hole weekend fees by 4.5%, twilight weekday 5.3%, twilight weekend 4.5%.

3. Cart Storage Fees

- a. Increase storage fees for electric carts by 3.2%.

Eagle Falls Golf Club 2022 Proposed Pricing				
Category	Item Description	2021 Prices	2022 Proposal	% Increase
Green Fees				
	Monday - Thursday			
	Retail 18 Holes	\$34.00	\$35.00	2.9%
	Twilight Rate	\$20.00	\$20.00	0.0%
	Retail 9 Holes	\$21.00	\$22.00	4.8%
	Friday - Sunday			
	Retail 18 Holes	\$37.00	\$38.00	2.7%
	Twilight Rate	\$26.00	\$26.00	0.0%
	Retail 9 Holes	\$21.00	\$22.00	4.8%
Cart Fees				
	18 Holes	\$16.00	\$16.00	0.0%
	Twilight	\$13.00	\$13.00	0.0%
	9 Holes	\$10.00	\$10.00	0.0%
Range Fees				
	per token	\$4.00	\$4.00	0.0%
Membership				
	See Passes Tab			
Other				
	Rental Clubs	\$15.00	\$15.00	0.0%
	Push Carts	\$5.00	\$5.00	0.0%
	Cart Storage - Gas	\$275.00	\$275.00	0.0%
	Cart Storage - Electric	\$310.00	\$320.00	3.2%
Anaconda Hills Golf Course 2022 Proposed Pricing				
Category	Item Description	2021 Price	2022 Proposal	% Increase
Green Fees				
	Monday - Thursday			
	Retail 18 Holes	\$28.00	\$30.00	7.1%
	Twilight Rate	\$19.00	\$20.00	5.3%
	Retail 9 Holes	\$19.00	\$20.00	5.3%
	Friday - Sunday			
	Retail 18 Holes	\$32.00	\$34.00	6.3%
	Twilight Rate	\$22.00	\$23.00	4.5%
	Retail 9 Holes	\$22.00	\$23.00	4.5%
Cart Fees				
	18 Holes	\$16.00	\$16.00	0.0%
	Twilight Rate	\$13.00	\$13.00	0.0%
	9 Holes	\$10.00	\$10.00	0.0%
Range Fees				
	Per Token	\$4.00	\$4.00	0.0%
Membership				
	See Passes Tab			
Other				
	Rental Clubs	\$15.00	\$15.00	0.0%
Great Falls Golf Passes 2022 Proposed Pricing				
Category	Item Description	2021 Price	2022 Proposal	% Increase
Memberships				
Eagle Falls	Adult Full	\$710.00	\$730.00	2.8%
	Adult Weekday Only	\$570.00	\$585.00	2.6%
	Junior Full	\$230.00	\$235.00	2.2%
	Junior Weekday only	\$180.00	\$185.00	2.8%

Anaconda	Adult Full	\$640.00	\$665.00	3.9%
	Adult Weekday Only	\$465.00	\$485.00	4.3%
	Junior Full	\$210.00	\$215.00	2.4%
	Junior Weekday only	\$170.00	\$175.00	2.9%
Joint Passes				
	Adult Full	\$825.00	\$850.00	3.0%
	Adult Weekday Only	\$640.00	\$660.00	3.1%
	Junior Full	\$255.00	\$260.00	2.0%
	Junior Weekday only	\$195.00	\$200.00	2.6%
Cart Fees				
	Daily Trail Fee	\$16.00	\$16.00	0.0%
	Season Trail Fee	\$335.00	\$340.00	1.5%
	Annual Cart Plan	\$799.00	\$799.00	0.0%

Fiscal Impact: The fiscal impact is undetermined at this time.

Alternatives: An alternative would be to not increase golf course fees.

Concurrences: On February 23, 2021, Great Falls Golf LLC and staff reviewed the proposed fees with members of the Golf Advisory Board. The Golf Board recommended that the City Commission approve the golf fees as presented.

Attachments/Exhibits: Resolution 10443, Establish Golf Fees

RESOLUTION NO. 10443**A RESOLUTION TO ESTABLISH GOLF FEES FOR EAGLE FALLS GOLF CLUB AND ANACONDA HILLS GOLF COURSE**

WHEREAS, the Park and Recreation Department's primary focus, in partnership with Great Falls Golf LLC is to enhance the overall health and livability of our community; and

WHEREAS, the Great Falls Golf LLC staff, with support from the Great Falls Park and Recreation staff, have strived to operate quality facilities and programs at affordable prices and promote an extraordinary golfing experience in our community over the past 3 years; and

WHEREAS, the City Commission adopted Resolution 10384, "A Resolution to Establish Golf Fees for Eagle Falls Golf Club and Anaconda Hills Golf Course" on February 16, 2021; and

WHEREAS, having considered the cost of operation, administration, and maintenance of both golf courses under the responsibility and care of the Great Falls Golf LLC over the three years, it was understood that adjustments to fees would be forthcoming; and

WHEREAS, a notice of the Resolution to Establish Golf Course Fees was published in the *Great Falls Tribune*, a newspaper of general circulation in Cascade County, on February 13, 2022, and February 20, 2022, in the form and manner prescribed by MCA Section 7-1-4127; and

WHEREAS, the City Commission conducted a public hearing during a regular scheduled meeting of the City Commission on March 1, 2022, at the Civic Center, 2 Park Drive South, Commission Chambers Room 206, Great Falls, Montana, at 7:00 p.m., and did consider costs and public comment regarding the establishment of golf fees for Eagle Falls Golf Club and Anaconda Hills Golf Course.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that the fee structure for season passes, trails, greens, cart storage and rental are hereby established as follows:

Eagle Falls Golf Club			
Category	Item Description	<u>2021</u> Prices	<u>2022</u> Proposal
Green Fees			
	Monday - Thursday		
	Retail 18 Holes	\$34.00	\$35.00
	Twilight Rate	\$20.00	\$20.00
	Retail 9 Holes	\$21.00	\$22.00
	Friday - Sunday		
	Retail 18 Holes	\$37.00	\$38.00
	Twilight Rate	\$26.00	\$26.00
	Retail 9 Holes	\$21.00	\$22.00

Cart Fees			
	18 Holes	\$16.00	\$16.00
	Twilight	\$13.00	\$13.00
	9 Holes	\$10.00	\$10.00
Range Fees			
	per token	\$4.00	\$4.00
Membership			
	See Passes Tab		
Other			
	Rental Clubs	\$15.00	\$15.00
	Push Carts	\$5.00	\$5.00
	Cart Storage - Gas	\$275.00	\$275.00
	Cart Storage - Electric	\$310.00	\$320.00
Anaconda Hills Golf Course			
Category	Item Description	<u>2021</u> Price	<u>2022</u> Proposal
Green Fees			
	Monday - Thursday		
	Retail 18 Holes	\$28.00	\$30.00
	Twilight Rate	\$19.00	\$20.00
	Retail 9 Holes	\$19.00	\$20.00
	Friday - Sunday		
	Retail 18 Holes	\$32.00	\$34.00
	Twilight Rate	\$22.00	\$23.00
	Retail 9 Holes	\$22.00	\$23.00
Cart Fees			
	18 Holes	\$16.00	\$16.00
	Twilight Rate	\$13.00	\$13.00
	9 Holes	\$10.00	\$10.00
Range Fees			
	Per Token	\$4.00	\$4.00
Membership			
	See Passes Tab		
Other			
	Rental Clubs	\$15.00	\$15.00
Golf Passes			
Category	Item Description	<u>2021</u> Price	<u>2022</u> Proposal
Membership			
Eagle Falls	Adult Full	\$710.00	\$730.00
	Adult Weekday Only	\$570.00	\$585.00
	Junior Full	\$230.00	\$235.00
	Junior Weekday only	\$180.00	\$185.00

Anaconda	Adult Full	\$640.00	\$665.00
	Adult Weekday Only	\$465.00	\$485.00
	Junior Full	\$210.00	\$215.00
	Junior Weekday only	\$170.00	\$175.00
Joint Passes	Adult Full	\$825.00	\$850.00
	Adult Weekday Only	\$640.00	\$660.00
	Junior Full	\$255.00	\$260.00
	Junior Weekday only	\$195.00	\$200.00
Carts	Daily Trail Fee	\$16.00	\$16.00
	Season Trail Fee	\$335.00	\$340.00
	Annual Cart Plan	\$799.00	\$799.00

BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA that Resolution 10384 is hereby repealed.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 1st day of March, 2022.

ATTEST:

Lisa Kunz, City Clerk

Bob Kelly, Mayor

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoi, City Attorney



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution No. 10444 Revising Fee Schedule for Great Falls Fire Rescue
Superseding Resolution 10436

From: Jeremy Jones, Fire Chief

Initiated By: Great Falls Fire Rescue

Presented By: Jeremy Jones, Fire Chief

Action Requested: Conduct a public hearing and adopt Resolution 10444, Revising Fee
Schedule for Great Falls Fire Rescue.

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

 "I move that the City Commission (adopt/deny) Resolution 10444, Revising Fee Schedule for Great Falls Fire Rescue."
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation: Staff recommends that the Commission conduct the public hearing and adopt Resolution 10444.

Summary: At the January 18, 2022 Commission Work Session, Great Falls Fire Rescue (GFFR) presented information to the Commission on a cost recovery mechanism that would allow for 911 EMS transport costs to be recuperated during times that GFFR performs this service in the community. GFFR currently does not have a mechanism in place to recuperate the costs for this service.

The City of Great Falls currently has an agreement with Great Falls Emergency Services to provide pre-hospital transport services. Great Falls Fire Rescue has been providing supplemental 911 EMS patient transport when GFES has no ambulances/staff available to provide coverage for a 911 call. Under those circumstances, GFFR enters the patient transport rotation to alleviate the "surge" of 911 EMS calls by conducting a patient transport with Advanced Life Support care to the receiving hospital.

In 2015, GFFR only intervened 5 times to provide 911 EMS transport service to the community. Since that time, the number of patient transports has steadily increased with a total of 74 in 2021.

Fiscal Impact: There would be no impact to the fire department's budget to establish a fee schedule for 911 EMS transport services. Any fees received would offset the cost of providing this level of service to the community.

Alternatives: The Commission can choose to deny the Resolution.

Concurrences: The Finance and Legal Department have been involved with this process.

Attachments/Exhibits: Resolution 10444

RESOLUTION 10444

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, REVISING THE FEE SCHEDULE FOR GREAT FALLS FIRE RESCUE (GFFR) AND SUPERSEDING RESOLUTION 10436

WHEREAS, GFFR presented at the June 15, 2021 work session and the Commission subsequently adopted Ordinances pertaining to Safety Inspection Certificates and False Alarms; and

WHEREAS, the Great Falls City Commission adopted Resolution 10436 on January 18, 2022, setting forth fees for services provided by Great Falls Fire Rescue (GFFR), inclusive of the annual Safety Inspection Certificate (SIC) program re-inspection fees on deficient life safety systems and repeated false activation of fire alarm systems; and

WHEREAS, providing ancillary services or special circumstances are beyond the scope of those services covered by typical emergency work; and

WHEREAS, subsequent to GFFR's presentation of the Fire Rescue Ambulance Transport Cost Recovery at the January 18, 2022 work session, it was the consensus of the Commission for GFFR to pursue an agreement with a billing service with expertise and knowledge in Medicare, Medicaid and Insurance billing, for cost recovery of GFFR's increased ambulance transport role for the community.

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

- 1) Resolution 10436 is superseded by these terms.
- 2) Great Falls Fire Rescue service fees are set forth as follows:

Great Fall Fire Rescue (GFFR) Fee Schedule

REPORTS:

Incident Reports	\$11.00
Fire Investigation Report & Photos – BY SUBPOENA ONLY	\$100.00
Single page copies	\$0.25/page

FIRE INSPECTION FEES:

First Inspection	Covered by SIC
1 st Re-Inspection	Covered by SIC
2 nd Re-Inspection	\$200.00
3 rd Re-Inspection	\$300.00
4 th Re-Inspection	see OCCGF \$ 15.9.050

FALSE ALARM FEE:

3 rd False Activation in a 365-day time period	\$100.00
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FACILITIES (daily rates):

Training Center classroom (<i>includes audio/visual equip</i>)	\$121 per day
Training Center facility (<i>includes Tower, Roof/Burn Props</i>)*	\$286 per day
<i>*Note: Burn prop requires GFFR supervision</i>	

APPARATUS (hourly rates – personnel costs not included):

1 ALS Rescue Engine	\$224 per hour
1 Fire Engine	\$188 per hour
1 Aerial Apparatus 100 foot Pierce Platform	\$335 per hour
1 Command Vehicle	\$120 per hour
1 Rescue Vehicle	\$120 per hour
1 Hazmat Trailer w/equip	\$142 per hour
Hazmat supplies/tools	cost + 20%

SERVICES OTHER:

CPR Training Class	\$35 per student
Fire Water Line Flush	\$100 each

PERSONNEL (regular hourly rates at **cost to City):**

Current

1 Management	Current salary plus benefits
1 Command Officer	Current salary plus benefits
1 Company Officer	Current salary plus benefits
1 Firefighter	Current salary plus benefits

**Overtime hours will be calculated at the rate of 1.5 times regular rate*

EQUIPMENT:

Ladder testing (per ladder)	\$77
Hose repair (per length)	\$19
Repair parts	cost + 20%

CASCADE SYSTEM – BREATHING AIR:

30 / 60 min bottle filling with NFPA certified Air	\$24 per cylinder
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PATIENT TRANSPORT COST RECOVERY

Advanced Life Support (ALS):

ALS Emergency	\$1,050
ALS 2 Emergency	\$1,250
ALS Treatment w/o Transport	\$ 150
Oxygen	\$ 65
I.V. Supplies	\$ 68
ALS Routine Supplies	\$ 95
Intubation Supplies	\$ 98
Defibrillation Supplies	\$ 85
EKG Supplies	\$ 14

Mileage (per Loaded Miles)	\$ 17.50
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Basic Life Support (BLS):

BLS Emergency	\$850
BLS Routine Supplies	\$ 72
BLS Transport (per Loaded Miles)	\$ 17.50

Note: All rates are invoiced at a minimum of 1 hour and rounded to the nearest half hour.

BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA that these fees shall become effective upon adoption. Great Falls Fire Rescue shall post the fee schedule on the GFFR webpage of the City's website.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 1st day of March, 2022.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoién, City Attorney



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Indoor Aquatics and Recreation Center, O.F. 1770.0

From: Park and Recreation

Initiated By: Park and Recreation

Presented By: Steve Herrig, Park and Recreation Director

Action Requested: Consider Change Order No.1 and Approve Change Order

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Change Order No. 1 to Swank Enterprises in the amount of a \$244,655 deduction for the Indoor Aquatics and Recreation Center, and authorize the City Manager to execute the change order documents.”

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

Staff Recommendation:

Staff recommends the City Commission approve Change Order No. 1 in the amount of a \$244,655 deduction to Swank Enterprises for the Indoor Aquatics and Recreation Center, and authorize the City Manager to execute the change order documents.

Summary:

On November 2, 2021, the City Commission awarded a contract to Swank Construction in the amount of \$18,349,000 which included the Base Bid of \$17,995,000 and Alternate #19 in the amount of \$354,000 for the construction of the Indoor Aquatics and Recreation Center.

Staff recommended awarding the bid even though it exceeded the current project budget. Under Montana law, staff can engage with the low bidder to negotiate a more competitive proposal as long as it doesn't exceed seven percent of the total bid proposed. However, because this proposal is part of a Federal Department of Defense grant award, staff could not negotiate prior to contract award. Upon the Commission awarding the agreement, staff was able to utilize the City's authority under its *Construction Agreement* form to work with Swank Enterprises to develop a deductive change order reflecting value engineering and other ways to get back within budget.

That process is now complete, thus Change Order No. 1 is going before the Commission for formal approval. The change order will not affect any of the amenities of the facility; changes will affect materials used to accomplish a cost savings without jeopardizing the quality of amenities or facility. To further

address the budget shortfall, staff will also work with a company to explore fundraising and sponsorship opportunities that may help fund budget shortfalls and some of the other bid alternates.

Bids for the Indoor Aquatics and Recreation Center consisted of approximately 45,000 square feet of new construction, site work such as excavation, new utility extensions, new parking lots, playgrounds, and landscaping. The building will be multi-functional and will include a recreation pool, lap pool, gym, fitness center, walking track, multipurpose room, party room, locker rooms, restrooms, child watch area, attractive lobby with seating and fireplace, reception area, offices, storage and mechanical rooms, and an elevator. The building will be located at 900 29th St. South.

Background:

Significant Impact

The facility will meet the community's recreational and aquatics needs that were identified in the Park and Recreation Master Plan adopted by the City Commission in November 2016. The facility will also assist the military with water training needs for the military missions at both Malmstrom AFB and the Montana Air National Guard. The facility will contribute to the quality of life of service members and their families and the surrounding communities.

Workload Impacts

Design services were completed by LPW Architecture in cooperation with TD&H Engineering (the design team). The design team will also provide project management services. City staff will provide general contract management with the design team and the Contractor. City staff is providing grant management for the \$10 million in U.S. Department of Defense grant funds that have been awarded for the project.

Evaluation and Selection Process

An *Invitation to Bid* was advertised four times in the Great Falls Tribune on August 23, September 12 & 26, and October 3, 2021 and posted on the City's web site. The Invitation to Bid was also made available to the contracting community through the Montana Plans Exchange.

The project specifications included a Base Bid for the facility and twenty-two (22) Additive Alternates for various additional components such as military training equipment, exterior aquatic and playground equipment and slides for the interior pool. Bids were opened on October 13, 2021, with bids submitted by:

Company	Base Bid	Bid Alternates	Total
Dick Anderson Construction	\$19,059,000	\$2,392,560	\$21,451,560
Sletten Construction	\$18,700,000	\$2,332,250	\$21,032,250
Sampson Construction (Nebraska/Wyoming)	\$19,670,000	\$2,525,000	\$22,195,000
Swank Enterprises	\$17,995,000	\$2,477,200	\$20,472,200

As indicated by the chart above, the Base Bid amounts ranged from \$17,995,000 to \$19,670,000 and the cumulative bid amounts (Base Bid – Add Alternates) ranged from \$20,472,200 to \$22,195,000. Swank Enterprises submitted both the lowest Base Bid and the lowest aggregate bid.

Based on staff recommendation, the City Commission awarded a contract to Swank Enterprises on November 2, 2021 for the Base Bid and Additive Alternate #19, which is the large flume slide to be installed in the leisure pool area. It is the assessment of City staff and the design team that the flume slide

will be an integral component in terms of family and community engagement with and utilization of the facility. The attraction will also enhance facility revenue to support the facility that will flow from that engagement and utilization.

Conclusion

City staff recommends awarding Change Order No. 1 to Swank Enterprises in the amount of a \$244,655 deduction.

Fiscal Impact

The total project budget for the Indoor Aquatics and Recreation Center project was projected to be \$20 million. Funding includes 50% by a U.S. Department of Defense Office of Local Defense Community Cooperation (OLDCC) Grant, and 50% by funding generated through the sale of bonds by the Great Falls Park District No. 1.

In addition to the deductive change order, to further address the budget shortfall, City staff will explore a formal fundraising campaign, including naming rights to facility and/or parts of the facility or equipment.

Alternatives:

The City Commission could vote to not approve Change Order No. 1 which will leave a budget shortfall that will have to be met through fundraising efforts or other unidentified funding sources.

Staff Comments – Staff is already tasked with fundraising to add additional alternates to the facility. The negotiated deductive changes will not impact the quality of the facility or amenities, and will allow fundraising efforts to further improve the facility. Therefore, staff is recommending approval of Change No. 1.

Concurrences:

This project has been supported by the City of Great Falls, Malmstrom Air Force Base, Montana Air National Guard, and the Park and Recreation Advisory Board.

Attachments/Exhibits:

1. Change Order No. 1



AIA® Document G701™ – 2017

Change Order

PROJECT: (Name and address)
Great Falls Indoor Aquatics and
Recreation Center
LPW Project No. 20-019

CONTRACT INFORMATION:
Contract For: General Construction

Date: November 2, 2021

CHANGE ORDER INFORMATION:
Change Order Number: 001

Date: February 8, 2022

OWNER: (Name and address)
City of Great Falls
P.O. Box 5021
Great Falls, Montana 59403

ARCHITECT: (Name and address)
L'Heureux Page Werner, PC
15 Fifth Street South
Great Falls, Montana 59401

CONTRACTOR: (Name and address)
Swank Enterprises Inc.
P.O. Box 568
Valier, Montana 59486

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

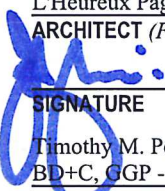
Please see Attachment A for breakdown of change order by line item.


The original Contract Sum was	\$ 18,349,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 18,349,000.00
The Contract Sum will be decreased by this Change Order in the amount of	\$ 244,655.00
The new Contract Sum including this Change Order will be	\$ 18,104,345.00

The Contract Time will be increased by Zero (0) days.
The new date of Substantial Completion will be

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

L'Heureux Page Werner, PC
ARCHITECT (Firm name)

SIGNATURE
Timothy M. Peterson, AIA, LEED AP
BD+C, GGP - President
PRINTED NAME AND TITLE
February 8, 2022
DATE

Swank Enterprises, Inc.
CONTRACTOR (Firm name)

SIGNATURE
Kevin J. Forbes - Vice President/ Project
Manager
PRINTED NAME AND TITLE
February 15, 2022
DATE

City of Great Falls
OWNER (Firm name)

SIGNATURE

PRINTED NAME AND TITLE

DATE

Attachment A

Indoor Aquatic & Recreation Center

VE Ideas

VE #	Description	Trade	Estimated Value	Comments
General				
1	Delete 2 year warranty requirements (Bond)	Swank	\$18,349.00	This will require owner contract change to a 1 year warranty.
Civil				
1	Storm Drain Credits	United Materials		
	Filterra Beioscape Stormwater System, 5' Valley Gutter			
	Credit, 10"/12" PVC, 2 Storm Inlet / manhole			
	Storm Drain Additions			
	Permeable Pavers/Underdrain System (15Mil Liner), Contech			
	CDS Water Separator Units, Additional 8" Roof Drain		\$42,000.00	
2	Utilize BioClean (Forterra) SciClone X in Lieu of Contech CDS Unit		\$7,000.00	
Architectural				
1	Change Fireplace in Lounge Area 112.	Swank	\$20,000.00	Allume DLX 72" Gas Fireplace
2	Change Exterior Aluminum Doors to Non-Thermal Doors	TC Glass	\$9,344.00	
3	Change Curtain Wall System (eliminate Reliance TC Type 1, still meets code)	TC Glass	\$4,170.00	
4	Remove vents from S18 Storefronts (5 each)	TC Glass	\$6,633.00	
5	Interior Curtainwall			
a	S34 - Reduce Height from 20' to 12'. Will be storefront in lieu of curtainwall	TC Glass	\$20,783.00	
6	Type K Kalwall			
a	Furnish Type K panels 4" thick and no fixed glazing	TC Glass	\$6,526.00	
7	Eliminate Window Roller Shades	Scottco Blinds	\$9,000.00	
8	Changes to the TPO Single Ply Roofing System	PSR Inc.	-\$37,465.00	
a	Eliminate 1/2" Dens Deck over Metal Decking, Intall Heavy Duty Self-Adhered SBS Buytl vapor Barrier			
b	Provide R30 Polyiso with inorganic facers, loose laid. Inorganic facers are not affected by moisture			
c	Low rise tapered package and coverboard over tapered insulation			
d	Utilize one of two standard gray membrane colors by Carlisle			
e	RhinoBond fasten membrane at non tapered areas. Aerosol adhesive at tapered areas. Rhonobond will not trap moisture			
f	Utilize ES1 Edge Metal System			
Pools				
1	Utilize Sch. 40 PVC pipe and fittings in lieu of Sch. 80	CEM	\$35,000.00	

2	Eliminate Tile Finish at back of gutter location at Leisure Pool	CEM	\$25,000.00
3	Eliminate Tile Finish at back of gutter location at Lap Pool	CEM	\$19,000.00

Mechanical

1	Change above slab waste, vent, and roof drain leaders from no-hub cast iron to PVC-DWV	Falls Mechanical	\$22,714.00	This adjusted amount gets insulation on some of the pvc at return air plenums to meet code
2	Change exposed stainless steel ductwork in pool areas to aluminum	Falls Mechanical	\$20,000.00	
3	Eliminate requirement for pressure test 10% of the medium pressure ductwork upstream of the VAV boxes	Falls Mechanical	\$3,500.00	
4	Change water heaters to Rinnai rack with a 450 gallon storage tank	Falls Mechanical	\$6,601.00	
5	Eliminate insulation shields. Hangers would be in direct contact with the piping systems. Insulation would encapsulate both the piping and the hangers	Falls Mechanical	\$6,500.00	

\$244,655.00



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Professional Services Agreement: Sponsorship/Fundraising Services, O.F. 1770.0

From: Park and Recreation Department

Initiated By: Park and Recreation Department

Presented By: Steve Herrig, Park and Recreation Director

Action Requested: Approve Professional Services Agreement

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) a Professional Services Agreement with Bannack Group, LLC for Sponsorship/Fundraising Services for the Indoor Aquatics and Recreation Facility, and authorize the City Manager to execute the agreement.”

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

Staff Recommendation:

Approve the Professional Services Agreement and authorize the City Manager to execute the agreement.

Background:

On November 2, 2021, the City Commission awarded a contract to Swank Construction in the amount of \$18,349,000 which included the Base Bid of \$17,995,000 and Alternate #19 in the amount of \$354,000 for the construction of the Indoor Aquatics and Recreation Center. Staff recommended awarding the bid even though it exceeded the current project budget. Upon the Commission awarding the agreement, staff was able to utilize the City’s authority under its Construction Agreement form to work with Swank Enterprises to develop a deductive change order reflecting value engineering and other ways to get back within budget. To further address the budget shortfall, staff planned to work with a company to explore fundraising and sponsorship opportunities that would help fund budget shortfalls and some of the other bid alternates.

Summary:

Staff issued a Request for Proposal (RFP) in December 2021 for Sponsorship and Fundraising Services for the Indoor Aquatics and Recreation Center. The RFP was advertised in the Great Falls Tribune. The purpose of the RFP was to find a qualified respondent to assist the City in a sponsorship/fundraising campaign to generate additional financial resources to support the construction of a new Indoor Aquatics

and Recreation Center Facility and possibly other operational needs of the Park and Recreation Department. The RFP was due on January 5, 2022.

Evaluation and Selection Process:

The City received three proposals. Prior to the Selection Committee meeting, members reviewed all three RFP's and individually scored the proposals. The Selection Committee met on January 20, 2022 to discuss their rankings and recommendations. The Committee unanimously selected Bannack Group, LLC. The Selection Committee included Steve Herrig, Park and Recreation Director; Robin Beatty, Paralegal, City Attorney's Office; Erin Borland, Planner III; Krista Artis, Executive Assistant, City Manager's Office; and Chuck Anderson, Deputy City Manager.

Project Work Scope

The Scope of Work is outlined in detail in the attached RFP Response to include: Phase 1 – Campaign Preparation, and Phase 2 – Campaign Implementation and Management. Additional services will include:

- Handling sponsorships, contributions, etc.
- Reporting at least monthly.
- Working through the challenges and misconceptions inherent in public/private partnerships.
- Providing additional services of developing: gift/pledge agreements; progress tracking and gift/pledge tracking; naming rights; gift planning/complex gift structures; acknowledgement/receipts for contributions; marketing and campaign branding; donor stewardship; and operational policies and procedures.

Fiscal Impact:

The City will pay Bannack a monthly retainer of \$7,500, pro-rated for any partial month. Out-of-pocket expenses for all services, including travel to/from on-site services and expenses related to third-party services, are additional. All expenses will be reimbursed at cost.

Alternatives:

The alternative would be to not approve the agreement with Bannack Group, LLC. However, that would hamper efforts to help fund budget shortfalls for the facility and provide funding for some of the bid alternates which would greatly enhance the facility's amenities and operations.

Attachments/Exhibits:

Professional Services Agreement

RFP Response, Bannack Group, LLC

RFP Score Sheet

Alternate List for Indoor Aquatics and Recreation Center

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into by and between the **CITY OF GREAT FALLS, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 5021, Great Falls, Montana 59403-5021, hereinafter referred to as "City," and **BANNACK GROUP, LLC**, P.O. Box 1823, Bozeman, MT 59771, hereinafter referred to as "Consultant."

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

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

2. **Term of Agreement:** This Agreement is effective as of March 1, 2022 and will continue for one (1) year through February 28, 2023, and will automatically renew for additional one (1) year terms unless or until otherwise terminated. Both parties reserve the right to cancel this Agreement by providing a written sixty (60) day notice to the other party.

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

4. **Payment:** City agrees to pay Consultant as set forth in Exhibit "B" for services performed pursuant to the Scope of Services. Any alteration or deviation from the described work that involves extra costs will be performed by Consultant after written request by the City, and will become an extra charge over and above the contract amount. The parties must agree upon any extra charges in writing.

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

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

Consultant shall furnish the City with copies showing one of the following: (1) a binder for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or (2) proof of exemption from workers' compensation granted by law for independent contractors.

6. **Indemnification:** To the fullest extent permitted by law, each party shall fully indemnify, defend, and save each other and their respective agents, representatives, employees and officials harmless from and against any and all claims, actions, costs, fees, losses, liabilities or damages of whatever kind or nature arising from or related to their performance of their respective obligations under this Agreement. The indemnification obligations of this Section must not be construed to negate, abridge, or reduce any common-law or statutory rights of either party that might otherwise exist. Each party's indemnity under this Section shall be without regard to and without any right to contribution from insurance maintained by the City.

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

*** Insurance Coverage at least in the following amounts is required:**

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

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

* If a request is made to waive certain insurance requirements, insert the insurance item # and corresponding description from the list above:

Legal reviewer initials: ____ Approved ____ Denied

8. **Professional Service:** Consultant agrees that all services and work performed hereunder will be accomplished in a professional manner consistent with the professional standard of practice under similar circumstance and in the same location.

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

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

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

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

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

may be copyrighted or patented in the United States or in any other country without the prior written approval of the City.

14. Liaison: City's designated liaison with Consultant is **Steve Herrig** and Consultant's designated liaison with City is **Melanie Schell**.

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

IN WITNESS WHEREOF, Consultant and City have caused this Agreement to be executed and intend to be legally bound thereby as of the date set forth below.

CITY OF GREAT FALLS, MONTANA

**BANNACK GROUP, LLC
CONSULTANT**

By: -----
Print Name: Gregory T. Doyon
Print Title: City Manager
Date:

By: -----
Print Name: Melanie Schell
Print Title: Managing Principal
Date:

ATTEST:

(Seal of the City)

 Lisa Kunz, City Clerk

APPROVED AS TO FORM:

 Jeffrey M. Hindoen, City Attorney*

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

EXHIBIT A - SCOPE OF SERVICES

Services to be provided by BANNACK shall be as stated in the Response to RFP for Sponsorship/Fundraising Services dated January 2, 2022 ("RFP Response") pertaining to Client's desire to implement a fundraising campaign to secure resources needed to construct a new aquatic and recreation facility. A copy of said RFP Response is attached to this document and is hereby incorporated by reference in its entirety. Modifications to the scope of services set forth in the RFP Response shall only be made by mutual, written agreement of BANNACK and Client.

EXHIBIT B - RETAINER, SERVICE FEES, EXPENSES

MONTHLY RETAINER: Client shall pay to BANNACK a monthly retainer of \$7,500, pro-rated for any partial month. First and last months' retainer are due at the time that the services agreement is executed. BANNACK will produce and deliver to the Client invoices for all fees and expenses owed in a timely manner. Client agrees to pay BANNACK all invoiced fees and expenses within thirty (30) business days of receipt.

Late Fees: BANNACK reserves the right to assess, and Client agrees to pay, a late fee for unpaid retainers, fees and expenses that have been outstanding for thirty (30) or more business days. The amount of the late fee shall not exceed ten percent (10%) of the outstanding balance. The late fee shall be compounding and assessed on a monthly basis.

Payment Options: Client may pay via online bill pay, ACH transfer, printed check or credit card. Credit card payments are subject to a reasonable credit card processing fee.

1. All subsequent monthly retainers shall be paid in a timely manner, as outlined in section #5 of the services agreement.
2. **OUT-OF-POCKET EXPENSES:** Out-of-pocket expenses for all services, including travel to/from on-site services and expenses related to third-party services, are additional. All expenses will be reimbursed at cost. Mileage will be reimbursed at the federal GSA rate per mile.

0		Total RFP Score	
Primary Consultant: Sub-Consultant:			
0	Past Performance		
0-2	Table or matrix listing Offeror's project experience by category		
0-4	Summary of projects for each category demonstrating Offeror's qualifications and expertise		
0-4	Recent and/or Current Work for City of Great Falls or other Local Government Entity		
0-10	References	List references from contracts similar in size and scope. The City is particularly interested in contacting clients within the state of Montana and within our region. Provide client name, facility name, and contact person with e-mail address and phone number. Is the consultant's work on these projects directly relevant to the work required on your project, including federal grants? If work samples were provided, do they match with your expectations?	
0	Technical Expertise Qualifications and experience of staff with:		
0-4	Similar recreational and aquatic facility projects		
0-4	Number of years engaged in these types of services, including operation under other firm names.		
0-4	Number of staff employed by firm.		
0-4	Description of proposed project-specific quality management plan.		
0-4	Does the consultant demonstrate other competencies critical to the success of the project ? (e.g., strong project management skills, written communication skills, existing networks/relationships, etc.)		
0	Cost		
0-10	Cost of Services	Does the respondent provide a clear compensation structure for the services to be rendered, understanding that the goal of \$1,000,000 could change depending on budget changes, shortfalls, and other funding sources.	
0-10	Actual Cost	Cost based on \$1,000,000 goal	
0	Project Approach		
0-10	Scope of Services	How well the Scope of Services offered meets the City's objectives; Organization and management approach and involvement for a successful project; Does the proposal include all the information you requested? Any irregularities? Does the proposal present the right combination of vision and detail?	
0-10	Executive Summary	Quality, thoroughness, and clarity of proposal; Are the specific activities, deliverables and timeline aligned with your expectations and do they seem feasible? Does the proposal include any new ideas that you hadn't considered before? Has the consultant clearly and compellingly described how they will accomplish the work set out in the project? Do the writing and the overall presentation reflect the consultant's comfort and expertise in the project area?	
0	Location		
0-5	Location of Consultant office and key personnel		
0-10	Availability of Key Personnel for project and beyond;		
0-5	Firm's familiarity with the Great Falls area;		

**Professional Services For Sponsorship/Fundraising
RECREATION & AQUATICS FACILITY**

INDOOR

Proposal Evaluation Form – Written Proposals

Criteria	Points Available	Points Scored
Past Performance	20	0
Technical Expertise Qualifications and experience of staff with:	20	0
Cost	20	0
Project Approach	20	0
Location	20	0
TOTAL POINTS	100	0

Evaluator:**Date:**

Evaluator's notes, comments:

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.



January 2, 2022

City of Great Falls
ATTN: Lisa Kunz
Civic Center, Room 204
2 Park Drive South
Great Falls, MT 59401

RE: Response to RFP for Sponsorship/Fundraising Services

Dear Steve Herrig & Members of the Selection Committee:

Bannack Group, LLC is pleased to submit this letter and the materials that follow as our formal proposal in response to the Request for Proposal: Sponsorship/Fundraising Services released by the City of Great Falls, Montana.

This proposal is submitted in good faith, with full confidence in our team's ability to meet and exceed the expectations inherent in the project described in the RFP. ***We expressly acknowledge receipt of the RFP and any addendum issued by the City of Great Falls.***

Based upon the information presented in the RFP, it is our understanding that the City of Great Falls is seeking professional services to implement and manage a fundraising campaign to secure additional financial resources in support of a new aquatic and recreation facility, as well as other operational needs of the City's parks and recreation department. At this time, the City estimates the fundraising goal to be approximately \$1 million to be secured through charitable gifts and pledges, sponsorships, grants, and other forms of financial support.

Founded in 2014, Bannack Group, LLC is a professional consultancy that empowers nonprofits to new, higher levels of success and impact. We specialize in major fundraising campaigns with unique expertise in public/private initiatives for facilities that benefit communities, including public recreation facilities and projects in communities like Great Falls. Located in Bozeman, MT, we have a national client base but a local focus and have generated \$84+ million in support for our Montana clients in just the past 5 years alone. This project is an extension of the City's ongoing commitment to provide municipal services and amenities that meet the needs of the Great Falls community and enhance the quality of life for all.

As Montanans ourselves, we are committed to helping local nonprofits and municipalities have major, lasting impact on their communities. Based on our experience, the proposed aquatics and recreation center will do just that – being a point of pride for locals, a destination for visitors, and an economic driver for the community as a whole. We are excited about the possibility of helping to bring these benefits to bear for the City of Great Falls.

Thank you for the opportunity to submit this proposal. We look forward to visiting more about the possibility of working together.

Sincerely,

Melanie N. Schell
Managing Principal & General Counsel

Proposal Contact & Authorized Representative:
Melanie N. Schell, Managing Principal & General Counsel
melanie@bannackgroup.com, (406) 224-0858

Additional Authorized Representative:
Chase Rose, Principal & Campaign Specialist
chase@bannackgroup.com, (406) 580-4328

QUALIFICATIONS & EXPERIENCE

Bannack Group, LLC is a strategic consulting company established to provide comprehensive services to charitable organizations and other non-political tax-exempt organizations. We partner with our clients to help them *Do More, Better®*, developing results-oriented work plans and realistic goals, and delivering unparalleled results. With principal consultants and a wealth of talent spread across the country, Bannack offers both on-site and remote consultancy arrangements tailored to meet any client's unique needs.

Founded in 2014, Bannack Group is headquartered in Bozeman, MT. Established by former C-suite nonprofit executives, Bannack Group has quickly established itself as a "go-to" firm for organizations that set big goals and are ready to reach new levels of impact and effectiveness. Clients include professional sports organizations, public/private collaborations, hospitals, universities, international organizations, veteran groups, and core social service providers.

In the last 5 years, we've secured \$84+ million (and counting) for our nonprofit clients. Our success is measured by our clients' successes, and we take that to heart. We will never tell a client to do something we're not willing to do ourselves. Because, unlike most consultants, we actually do the work. We develop prospect relationships. We write policies and procedures. We train volunteers and develop boards of directors. And we actually ask individuals and organizations to directly support our clients' missions and projects.

This level of success is made possible by our team of principals and associates which offers 50+ years of collective nonprofit experience as strategic executives, high-performing frontline fundraisers, effective project managers, and as board members for leading nonprofits. Core service areas include major fundraising campaigns, feasibility studies, annual fundraising programs, organizational formation, and strategic planning and implementation.

We've intentionally built a highly skilled, diverse team that can handle any initiative or issue, fostering long-term relationships that drive growth and deliver results. Coupled with this is Bannack Group's direct access to many of the nation's leading philanthropists, grant-makers, Fortune-100 company executives, and major political leaders. As a result, our client relationships reap near-immediate rewards.

SUMMARY INFORMATION:

- **Size of organization:** 9 (4 partners, 5 associates); partners are as follows:
 - *Melanie N. Schell, Managing Principal & General Counsel (Bozeman, MT)*
 - *Chase Rose, Principal & Campaign Specialist (Bozeman, MT)*
 - *Jim McCray, Principal (Bozeman, MT & Washington, DC)*
 - *Michael Stevenson, Principal (Raleigh, NC)*
- **Number of years:** 8 years
- **Number of staff:** 9 (4 partners, 5 independent associates)
- **Resume & Background Information:** Melanie N. Schell and Chase Rose will be delivering the services described in this proposal. Their introductory bios appear below. Resumes and full bios for each are attached.
 - *Chase Rose, Principal & Campaign Specialist (Bozeman, MT)* – Chase is a successful, prolific fundraiser and experienced campaign manager. His primary areas of service include campaign management and implementation, feasibility studies, creation and maturation of development enterprises, development officer training, individual and corporate fundraising training, volunteer management and donor/prospect outreach coordination. He works with clients on campaigns of all sizes, including many multi-million-dollar initiatives in sectors including universities, athletic complexes, conservation groups, veterans' organizations, private schools, medical foundations, ag nonprofits, and public libraries.
 - *Melanie Schell, Managing Principal & General Counsel (Bozeman, MT)* – A seasoned non-profit attorney, Melanie has extensive experience as an executive-level manager, in-house counsel, communications strategist, and planned gift specialist. She blends her knowledge of law and best practices with nonprofit sensibilities to develop mission-based solutions for clients of all sizes and all stages including medical foundations, private schools, veterans' groups, university foundations, and amateur and professional sports organizations. Melanie manages Bannack's corporate office and counsels nonprofit organizations on organizational formation, sound operational policies and procedures, compliance, communications,

major fundraising initiatives, deferred giving and creative philanthropy, board training, board/staff roles, and key organizational transitions.

- **State of Operations:** Bannack Group, LLC is a Montana limited liability company operating in Montana. It has only operated under its current name. While 70%+ of our clients are based in Montana, we also currently represent clients in Washington, Florida, South Dakota, and New York.
- **Letters of reference (3):** See attached

COST

The cost of services outlined in this proposal is \$7,500 per month retainer for the duration of the contract. No additional fees, commissions, percentages, or day rates apply. Reimbursable expenses include, but may not be limited to, travel and lodging (actual cost or GSA rate) and the actual cost of meetings, printing, or other materials directly related to the services outlined herein and in furtherance of the described project.

Additional costs outside of the retainer may include service fees paid to third party providers including, but not limited to, design, website, and communications professionals to develop fundraising materials (printed and electronic). Typical cost: \$3,000-\$5,000.

SCOPE OF SERVICES/WORK

Bannack Group is ready and able to provide the City of Great Falls with comprehensive services to successfully deliver on the project and goals stated in the RFP. To do so, Bannack Group will employ its well-tested, proprietary process and set of services that have successfully delivered dozens of fundraising campaigns. These services have secured \$84+ million (and counting) for our Montana clients in just the last 5 years.

To raise the \$1 million needed for the indoor aquatics and recreation facility (plus other operational needs), we will follow a two-phase approach. Those phases and the key services in each are as follows:

Phase 1 – Campaign Preparation

- **Develop critical project messaging** – Our team will develop a comprehensive case statement, facilitate campaign branding (if needed) and creation of campaign collateral, and develop other key messaging, placement and positioning strategies, and time/topic-specific press releases
- **Prospect identification** – Our team will jointly develop and prioritize an extensive prospect list of individuals, businesses and other organizations that have the means and inclination to support the project. We will facilitate additional prospect identification in collaboration with your key staff, partners, and volunteers.
- **Develop relevant organizational/internal policies** – Using our extensive operations and compliance experience we will develop campaign-specific policies and procedures to include prospect engagement, naming protocols, communications, gift acceptance, and financial policies.
- **Recruit, train, and coach key volunteers** – Our team will assist in identifying and recruiting the campaign board, as well as key campaign volunteers. We will also provide comprehensive training and ongoing support for campaign leadership and volunteers to ensure a successful campaign.

Phase 2 – Campaign Implementation & Management

- **Campaign Board and Volunteer Management** – We will oversee and manage the work of the campaign board and volunteers. We will set the agenda for, organize, and facilitate regular bi-monthly campaign board meetings and weekly progress calls.
- **Prospect Identification, Prioritization and Engagement** – We will establish and maintain a prioritized list of prospects, manage prospect assignments and progress tracking, and assist in the development of individualized engagement strategies. We will also assist campaign board and/or volunteers with campaign solicitation, on an as needed basis.
- **Direct solicitation of charitable support and sponsorships** – In addition to assisting volunteers during solicitations, we will also actively solicit individuals, organizations, and grant makers for charitable gifts and pledges, sponsorships, or other forms of support.

- Gift/Pledge tracking – We will track gifts and pledges, maintaining a comprehensive record of all activities and resulting gifts and pledges.
- Donor stewardship – We will develop core policies/processes to define donor stewardship and will conduct the initial stewardship of donors to this project.

Additionally, and in response to specific points of inquiry in the RFP, the following information is provided:

- **Methodology:** described above
- **Handling of sponsorships, contributions, etc.** – Bannack Group will actively solicit contributions, grants, and sponsorships in support of the project. Progress toward the project goal(s), including all prospect meetings, pledges, contributions, in kind gifts, grants, and sponsorships will be tracked and recorded by Bannack Group in a shared workspace. All funds will be made payable to the City of Great Falls (or another entity serving as fiscal agent). Bannack Group will not receive or deposit funds on behalf of the City (or fiscal agent).
- **Reporting:** Bannack Group shall report on progress toward goal at least monthly. In addition to the tracking process listed immediately above, Bannack Group shall maintain a “gift tracker” which details contributions and pledge in support of the goal. A sample Gift Tracker is attached.
- **Challenges:** Securing private support for municipal projects has inherent challenges including, most commonly, a lack of understanding on how the project is being initially funded and operated over the long term. Often this is rooted in 2 schools of thought: 1) municipal buildings should be fully funded through public dollars (i.e., tax revenue, levies, etc.), not with private support, or 2) public dollars should ONLY be spent on necessities, not amenities. Periodically, nuanced versions of these two positions do surface. However, Bannack Group is exceptionally experienced in navigating and overcoming these misperceptions, having successfully managed 6+ public/private fundraising efforts, each of which were for the purpose of building publicly accessible facilities. As a result, we are adept at turning these challenges (and others) into opportunities to inform and inspire people toward supporting the project.
- **Additional services:** In addition to the services outlined above, Bannack Group will also provide the following:
 - **Gift/Pledge Agreements** – Draft, send, and store gift/pledge agreements
 - **Progress Tracking, Gift/Pledge Tracking** – Track progress toward goals by maintaining a complete record of all activities including, but not limited to, prospect engagement, gifts and sponsorships, and pledge commitments and payments
 - **Naming Rights** – Develop naming opportunities (act of stewardship) and draft protocols for decision-making, design specifications, etc. Seek and solicit gifts that warrant naming rights.
 - **Gift Planning/Complex Gift Structures** – Identify and solicit planned and complex gift structures including, but not limited to, charitable trusts, charitable annuities, charitable loans, and gifts of closely held stock, illiquid assets, or in-kind services.
 - **Acknowledgment/Receipt** – Upon request, Bannack Group will generate necessary acknowledgments and/or receipts for gifts and contributions.
 - **Marketing & Campaign Branding** – Develop strategic marketing plan and collaborate with design, website, and other communications professionals (via 3rd party contract or subcontract) to develop campaign materials (printed and electronic). A sample of this work has been included for reference.
 - **Donor Stewardship** – Develop and implement initial stewardship plan.
 - **Operational Policies & Procedures** – Draft all necessary operational policies and procedures in support of the campaign and long-term success of the project (i.e., organizational bylaws, board and committee charters, whistleblower, document retention, financial policies, etc.)

ADDITIONAL DATA

The following information is provided for additional context and insight into the skills and experience we’re prepared to employ while collaborating with the City of Great Falls.

- Insurance – Bannack Group maintains a \$1 million general liability insurance policy.
- Additional Services & Areas of Expertise – See attached
- Additional Clients & References – See attached



Chase W. Rose

27 Hatfield Ct. • Bozeman, Montana 59718

Phone: (406) 580-4328 • E-Mail: chase.rose@bannackgroup.com

Campaign Specialist and Major Gift Fundraiser – Chase is a successful frontline fundraiser and consultant with over 10 years of experience. He is responsible for securing over \$50M in philanthropic gifts before the age of 30, one of the few people in the country to hit that milestone. Chase is a Principal with the Bannack Group, currently managing multiple campaigns with raise goals exceeding \$100M collectively.

Professional Experience

- Bannack Group, Principal (2015- Current)
 - Bannack Group is a Montana based nonprofit consultancy specializing in fundraising campaigns. Additionally, we offer strategic planning, board training, compliance, communications and grant writing services.
 - Chase is primarily responsible for managing all elements of a successful campaign, including feasibility studies, communications, volunteer training and coordination, donor outreach, cultivation, solicitation and relevant follow up.
 - Client examples include – Montana State University – Northern, University of Montana – Western, The Bozeman Sports Park, Helena YMCA, Livingston Wellness Center, Youth Dynamics, Belgrade Library, Habitat for Humanity and Helena Food Share.
 - Working alongside his partners, Bannack has expanded to a national presence with millions in annual revenues.
- Montana State University Foundation, Student Ambassador & Development Director (2012 -2014)
 - Secured \$4.6M for Montana State.
 - Assisted in launching the "Student Ambassador Program," recruiting top students to assist the Foundation in donor cultivation and outreach.
- Montana FFA Foundation, Director of Development (2011-2013)
 - Lead fundraiser for all corporate sponsorships, annual gifts and endowed funds.
 - Launched the "John Deere Ag Expo" event at MSU boasting over 1,400 attendees.

Leadership Experience

- National FFA Vice President (2009- 2010)
 - Elected from a membership of 520,000 people (6 officers total)
 - Over 100 speeches, 160 workshops, and 120,000 miles traveled during the one-year term to 48 states.
 - Spoke to total audiences of 138,000 + collectively
 - Assisted in fundraising efforts totaling over 15 million dollars annually
- State FFA President, Montana Association (2008- 2009)
 - Assisted in drafting and passing House Bill 464, an act providing \$500,000 per year to advance new Ag-Ed programs in Montana.
 - Testified and advocated on numerous occasions in support of HB-464 and other acts supporting agriculture and education.
 - Created new program opportunities including Chapter Presidents Conference and MT Ag Tour.

Internships

- Tyson Government Relations, Washington D.C, 2010
- Wrangler Jean Company, Las Vegas, 2010

Education

- BS, Relations – Montana State University
 - Presidential Full Ride Scholarship



CHASE ROSE
PRINCIPAL & CAMPAIGN SPECIALIST

Chase Rose is a Bannack Principal and campaign specialist, currently leading numerous multi-million-dollar fundraising campaigns. Clients Mr. Rose has serviced, or is currently servicing, include conservation nonprofits, public universities, private schools, medical foundations, hospitals, senior service organizations, youth service organizations, athletic nonprofits, affordable housing projects, agricultural nonprofits, public libraries, Zoo's and Christian institutes. In his career, Mr. Rose has directly secured over \$50M in philanthropic gifts through 3,000+ face to face donor meetings.

Mr. Rose is also a seasoned public speaker and facilitator, who has presented to collective audiences of 142,000 people across the United States and several international venues.

Prior to joining Bannack, Mr. Rose served as the National FFA Vice President, the Director of Development for Montana FFA Foundation and Director of Development for Montana State University Foundation. While at MSU, he averaged \$400,000/month as a Development Director.

Mr. Rose's primary areas of service include campaign management and execution, campaign planning study execution, creation and maturation of development enterprises, development officer training, individual and corporate fundraising training, volunteer management and constituent outreach coordination.

Mr. Rose is a fifth generation Montanan originally from Clyde Park. He graduated from Montana State University on a Presidential Scholarship.



Melanie N. Schell

3103 Summerset Drive • Bozeman, Montana 59715

Phone: (406) 224-0858 • E-Mail: melanie@bannackgroup.com

Nonprofit attorney and consultant providing clients with experience-driven, real-world solutions that drive long-term, lasting success. Key areas of expertise include nonprofit start-ups, governance and compliance, establishing and developing boards, and operational health, as well as compelling communications, fundraising feasibility studies, and major gift and planned gift fundraising. Melanie is the Managing Principal & General Counsel with the Bannack Group, a Montana-based nonprofit consultancy specializing in fundraising campaigns, strategic planning, board training, compliance, communications and grant writing services.

Professional Experience

- Bannack Group, Managing Principal & General Counsel (2014- Current)
 - Manages day-to-day strategic operations of the Bannack Group including client relations, business development, marketing, account management, and coordination of work of all 9 team members.
 - Primary areas of client services: feasibility studies, campaign communications, annual fundraising, operational analysis, board training, policy/procedure development, and governance and compliance.
 - Client examples include – Community Health Partners, Ruby Valley Healthcare Foundation, Fort Ellis Fire, Bozeman Sports Park, Montana Raptor Conservation Center, Glacier Institute, and Helena Food Share.
 - As a team, Bannack has secured \$84+ million in support for Montana clients in the last 5 years.
- MBS Works, LLC, Founder & Principal (2007-Current)
 - Represent nonprofit clients in a myriad of legal issues such as governance, board development, mission alignment and reformation, human resources, compliance matters, and partnerships and joint ventures.
 - Specialize in establishing new nonprofits and securing federal tax-exempt status. 100% success rate.
- Montana State University Foundation, Chief Operating Officer & General Counsel (2009-2011); Director of Gift Planning (2007-2009)
 - Oversaw 40+ employees in the areas of communications, human resources, gift planning, annual giving, prospect research, operations, and special events. Managed \$1.5M operations budget.
 - Secured \$20+ million in support of Montana State University, including a 300% increase in deferred gifts during the height of the 2008 recession.
 - Oversaw digitization of all MSUAF records, including pan-organizational computer/systems migration.
 - Managed all MSUAF legal issues including real estate transactions/holdings, litigation, partnerships and joint ventures, personnel matters, and contracts.
- Utah Federal Defender's Office, Research Attorney (2001-2006)
 - Assessed legal merits of federal criminal defense cases. Researched and recommended key legal positions to ensure zealous, comprehensive defense of all clients.
 - Specialized in federal immigration, drug trafficking, and firearms cases.

Volunteer Experience

- Heart of the Valley, Board of Directors (2019-present)
 - Serve as member of Nominating & Governance Committee
- Little Red School House Players (2016-present)
 - Serve as Costume Designer and lead seamstress for 80+ member cast in annual theater production.
 - Oversee work of 15-20 volunteer seamstresses to create an average of 240+ costumes per production.

Education

- Juris Doctor – University of Utah
 - Journal of Law & Family Studies
 - Moot Court – Oral Argument, Semi-Finalist; Submitted Brief, 1st Place
- BA, Speech Communications – Montana State University
 - High Honors



MELANIE N. SCHELL

MANAGING PRINCIPAL & GENERAL COUNSEL

Melanie Schell is a seasoned non-profit attorney with extensive experience as an executive-level manager, in-house counsel, communications strategist, and planned gift specialist. She works with organizations of all sizes and in all stages, blending her knowledge of law and best practices with nonprofit sensibilities to develop mission based solutions for clients.

As Managing Principal & General Counsel for the Bannack Group, LLC, Ms. Schell manages Bannack's Bozeman, MT office and counsels nonprofit organizations on strategic planning, major fundraising initiatives, sound operational policies and procedures, public relations and communications, deferred giving and creative philanthropy, board/staff roles and relations, and key organizational transitions.

Ms. Schell also maintains a private legal practice, providing comprehensive legal services to nonprofit organizations with particular emphasis on governance, complex gift structures, contracts, real estate matters, corporate compliance, and human resources.

Prior to her consulting work, Ms. Schell served as the Chief Operating Officer & General Counsel for the Montana State University Alumni Foundation. In that role she served as a key member of the organization's senior leadership team and was responsible for the strategic direction and day-to-day management of communications, planned/deferred giving, events, human resources, business relations, alumni relations, annual fund, real estate and property management, and legal affairs. She had primary responsibility for more than one-half of the organization's personnel and annual operating budget.

As a former frontline fundraiser, Ms. Schell has secured over \$40 million in current and deferred gifts individually and through strategic collaborations. She served as the chief operations manager and communications strategist for multiple fundraising initiatives, including a successful 120-day \$10 million campaign during the height of the 2008 national financial crisis.

Ms. Schell is a licensed attorney in Montana and Minnesota, where she previously practiced in the areas of estate planning and small business formation. She also spent four years in federal criminal defense.

Ms. Schell earned her Juris Doctorate from the University of Utah College of Law where she successfully competed in trial advocacy and moot court, was a teaching assistant for Torts and legal research/writing courses, and was a staff member of and published in the Journal of Law & Family Studies. She received her BA with honors in Speech Communications from Montana State University in Bozeman, Montana.

December 30, 2021

City of Great Falls
ATTN: Lisa Kunz
Civic Center, Room 204
2 Park Drive South
Great Falls, MT 59401

Dear Steve Herrig and the City of Great Falls Parks & Recreation Department,

I am writing to provide my endorsement of the Bannack Group as fundraising consultants who understand the unique challenges of raising funds in support of public buildings in Montana communities.

When the Belgrade Community Library was in need of a new building, our foundation knew it needed a creative funding solution to achieve it. That solution included private fundraising, reserve funds, and a public bond initiative. Bannack Group was referred to us and we were never disappointed.

Chase Rose was our primary point of contact and served as the Campaign Manager. His professionalism, attention to detail, and expertise were and are impressive and were key to our ability to successfully achieve our fundraising goal. We had the same experience with other members of the Bannack team who also provided services along the way including press releases, reviewed various compliance issues, developed policies, and created compelling campaign messages for us, including messages that were key to a successful bond initiative.

With the help of the Bannack Group, we successfully completed a feasibility study and \$2.3 million fundraising campaign, negotiated agreements with the City of Belgrade and the police department, secured in-kind contributions that reduced the overall cost of the building, and inspired the community to pass the \$14 million bond initiative. Moreover, most of this was completed during the height of the pandemic.

These successes, and indeed the new Belgrade Community Library itself, are the direct result of the incredible work of Chase Rose and the Bannack Group. We were fortunate to work with them and you would be too. If you'd like to discuss our project further, or how the Bannack Group directly supported its success, you can reach me at gbacon.lib@gmail.com.

Sincerely,

DocuSigned by:

C839E8E048624E3...

Gale Bacon
Library Director, Belgrade Community Library

December 30, 2021

City of Great Falls
ATTN: Lisa Kunz
Civic Center, Room 204
2 Park Drive South
Great Falls, MT 59401

Dear Steve Herrig and the City of Great Falls Parks & Recreation Department,

In 2020, the City of Livingston engaged Bannack Group to conduct a feasibility study to determine whether there was broad and generous philanthropic support for a new community recreation facility in Livingston, Montana. A previous project feasibility study had determined that there was a community-wide need for the facility and that there was a sufficient user base. However, the planning team was uncertain about how to fund the proposed \$30 million project.

After conducting the feasibility study, Bannack Group determined that there was sufficient support, and we leaned into a full-scale fundraising campaign to fully fund the construction of the 4 Ranges Recreation Center. To date, we have secured \$6M toward the goal with over \$15M in the pipeline.

Since engaging the Bannack Group, their team has successfully established a new nonprofit entity and secured federal tax-exempt status, seated and trained a governing board and a campaign committee, identified and prioritized potential donors, and actively solicited gifts in support of the project. All of this has been done while developing positive, collegial relationships with our own team, our board, and our donors. These will serve us well in the long-term as we transition to construction, opening, and then operating the new facility.

Without reservation, I recommend them for the City of Great Falls' project.

Sincerely,

DocuSigned by:

Michael Kardoes

FE4DC8E5351743E...

Mike Kardoes
City Manager, City of Livingston

December 30, 2021

City of Great Falls
ATTN: Lisa Kunz
Civic Center, Room 204
2 Park Drive South
Great Falls, MT 59401

Dear Steve Herrig and the City of Great Falls Parks & Recreation Department,

Please accept this letter as my strong endorsement of the Bannack Group, LLC for your fundraising needs. I had the pleasure of working with the Bannack Group team and Chase Rose while serving as the chairman of the campaign committee for Montana State University-Northern's recent effort to fully fund a new football stadium.

Bannack Group was hired in by Montana State University – Northern Foundation to conduct a feasibility study to gauge community-wide support for a fundraising campaign to fund a new football stadium at MSU-Northern. Following that process, the Bannack Group then led the \$3M campaign effort. Now complete, the campaign exceeded the \$3M goal and was the fastest, most successful fundraising effort in MSU-Northern's history.

Key to this success was the professionalism and dedication of Chase Rose and the Bannack team. Whether training volunteers, writing press releases and drafting core messages, or soliciting donors on our behalf, the Bannack team consistently represented MSU-Northern and our project with passion and professionalism.

Because of this, I highly recommend Bannack Group as your next fundraising consultant. If you need additional information, please feel free to contact me at craig.tilleman@gmail.com.

Sincerely,

DocuSigned by:

794B65FB8B804C0...

Craig Tilleman

GIFT TRACKER (Sample)

Donor Name	Confirmed Gift Amount	Key Notes	Verbal Pledge	Pledge Period	Pledge Remain	Thank You/Foil Liaison	Donor Will Email	Donor Will Recognition	Donor Will Level
	\$35,000.00	Dec. Pledge Documented		5 years	\$28,000.00	TRUE	yes		\$25,000-49,999
	\$1,000.00			One-time	\$0.00		yes		
	\$1,000.00			One-time	\$0.00		yes		\$1,000-4,999
	\$50,000.00				\$25,000.00		yes		\$50,000-99,999
	\$50,000.00	Dec. Pledge Documented		4 years	\$23,000.00		yes		\$50,000-99,999
	\$5,000.00			One-time	\$0.00		yes		\$5,000-9,999
	\$100,000.00			Pledge	\$0.00		yes		\$5,000-9,999
	\$3,000.00			One-time	\$0.00		yes		\$1,000-4,999
	\$2,500.00	Dec. Pledge Documented		3 Years (2020, 2021, 2022); \$800 paid 2020	\$1,600.00		yes		\$1,000-4,999
	\$10,000.00	Dec. Pledge Documented		5 Year Pledge (2021-2025); \$2K paid 11/2021	\$8,000.00		yes		\$10,000-24,999
	\$1,000.00			Pledge	\$0.00		yes		\$1,000-4,999
	\$50,000.00	Dec. Pledge Documented		5 Year Pledge (2020, 2021, 2022, 2023, 2024); prmls received - \$10K 2020, \$10K Nov 2021	\$30,000.00		yes		\$1,000-4,999
	\$23,000.00	In Kind Gift		One Time	\$0.00		n/a		
	\$100.00			One Time	\$0.00		yes		\$5,000-9,999
	\$100.00			One Time	\$0.00		n/a		
	\$10,000.00	Dec. Pledge Documented		3 Years - 2021 payment rec'd	\$5,811.68		yes		\$10,000-24,999
	\$2,500.00	Dec. Pledge Documented		5 years	\$2,000.00		yes		\$1,000-4,999
	\$5,000.00			One Time	\$0.00		yes		\$5,000-9,999
	\$5,000.00			One Time	\$0.00		yes		\$5,000-9,999
	\$25,000.00			One Time	\$0.00		yes		\$5,000-9,999
	\$2,500.00			One Time	\$0.00		yes		\$5,000-9,999
	\$2,500.00			One Time	\$0.00		yes		\$5,000-9,999
	\$100,000.00	CONFIDENTIAL		One Time	\$0.00		yes		\$25,000-49,999
	\$25,000.00			One Time	\$0.00		yes		\$1,000-4,999
	\$1,000.00	Dec. Pledge Documented		One-time	\$0.00		yes		\$25,000-49,999
	\$25,000.00			5 years	\$25,000.00		n/a		
	\$250.00			One Time			n/a		
	\$500.00			One Time			n/a		
	\$5,000.00			4 Years	\$4,000.00		yes		
	\$250.00			One Time	\$0.00		n/a		
	\$25.00			One Time	\$0.00		n/a		
	\$25.00			One Time	\$0.00		n/a		
	\$1,000.00			One Time	\$0.00		n/a		
	\$250.00			One Time	\$0.00		n/a		
	\$5,000.00			One Time	\$0.00		n/a		
	\$1,000.00			One Time	\$0.00		n/a		
	\$250.00			One Time	\$0.00		n/a		
	\$100.00			One Time	\$0.00		n/a		
	\$10,000.00			One Time	\$0.00		n/a		
	\$25,000.00	August 2021 full payment		One Time	\$0.00		n/a		\$10,000-\$24,999
	\$50,000.00	In Kind		One Time	\$0.00		yes		\$25,000-49,999
	\$10,000.00			One Time	\$0.00		yes		\$50,000-99,999
	\$2,300.00			Pledge	\$10,000.00				
	\$25,000.00	In Kind		One Time	\$0.00				
	\$500.00	July Payments - Chase sent reminder		One Time	\$0.00		n/a		
	\$50,000.00			2 Years	\$33,333.34		yes		\$50,000-99,999
	\$1,000.00			One Time	\$0.00		n/a		
	\$150.00			One Time	\$0.00		n/a		
	\$5,000.00	December Pledge Payments		Pledge (5 years)	\$4,000.00		yes		
	\$250.00			One Time			n/a		
	\$100.00			One Time	\$0.00		n/a		
	\$25.00			One Time	\$0.00		n/a		
	\$500.00			One Time	\$0.00		n/a		
	\$500.00			One Time	\$0.00		n/a		
	\$7,500.00	July pledge periods - Chase sent reminder		2 Year Pledge	\$2,500.00		yes		
	\$500.00			One Time	\$0.00		n/a		
	\$5,000.00	June pledge payments. Payment received		4 Year Pledge	\$4,000.00		yes		
	\$100.00			One Time	\$0.00		n/a		
	\$1,000.00			One Time	\$0.00		n/a		\$1,000-4,999
	\$4,000.00	December 2021 full payment		One time	\$0.00		yes		\$1,000-4,999

	\$2,500.00	December 2021 full payment		One time	\$2,500.00		yes	
	\$500.00			One time	\$0.00		n/a	
	\$1,000.00			One time				
	\$10,000.00			One time	\$0.00			
	\$300,000.00			One time	\$100,000.00			\$100,000+ (largest)
	\$1,000.00			One time	\$0.00			
	\$300.00			One time	\$0.00			
	\$25,000.00			One time	\$0.00			
	\$3,454.00	In Kind		In Kind/One Time	\$3,454.00			
Confirmed Total	\$1,116,229.00							
Verbal Total	\$0.00							
Combined Total	\$1,116,229.00							
In the Pipeline/Submitted								
	\$24,000.00							
	\$15,000.00							
	\$100,000.00							
Total in Pipeline	\$139,000.00							



DO MORE, BETTER®

Bannack Group, LLC is a strategic consulting company established to provide comprehensive services to charitable organizations and other non-political tax-exempt organizations. We partner with our clients to help them *Do More, Better®*, developing results-oriented work plans and realistic goals, and delivering unparalleled results. With principal consultants and a wealth of talent spread across the country, Bannack offers both on-site and remote consultancy arrangements tailored to meet any client's unique needs.

Founded in 2014, Bannack Group is headquartered in Bozeman, MT with principal offices in Washington, DC and Raleigh, NC. Established by former C-suite nonprofit executives, Bannack Group has quickly established itself as a "go-to" firm for organizations that set big goals and are ready to reach new levels of impact and effectiveness. Clients include professional sports organizations, numerous public/private collaborations, hospitals, universities, international organizations,

Our team of principals and associates offers 50+ years of collective nonprofit experience as strategic executives, high-performing frontline fundraisers, effective project managers, and as board members for leading nonprofits.

We've intentionally built a highly skilled, diverse team that can handle any initiative or issue, fostering long-term relationships that drive growth and deliver results. Coupled with this is Bannack Group's direct access to many of the nation's leading philanthropists, grant-makers, Fortune-100 company executives, and major political leaders. As a result, our client relationships reap near-immediate rewards.

CORE CONSULTING AREAS

- ◆ **FEASIBILITY STUDIES:** The single most important element to a successful campaign is the knowledge that your priorities are inspiring, fundable, and trustworthy. Our feasibility studies provide you that and more, going well beyond industry standards to put you on the pathway to fundraising success through concise and actionable recommendations. In our exclusive process, we engage donor prospects in an in-depth conversations that lead to clear insights into the funding feasibility of the proposed project, potential partnerships, and key messaging. *To date, 100% of our feasibility studies have led to Bannack-managed campaigns that meet or exceed the stated goal.*
- ◆ **FUNDRAISING CAMPAIGNS:** Successful campaigns are the result of careful planning and measured execution. With extensive experience in both comprehensive and single-priority campaigns, our campaign specialists will lead you through a successful fundraising effort. Offering both full-scope campaign planning and management or just campaign execution and fundraising, we cover the full spectrum of campaign-related needs including case statements, prospect identification, public launch strategies, and direct or supported fundraising.
- ◆ **FUNDRAISING & ANNUAL FUND PROGRAMS:** Ongoing fundraising is the "bread and butter" for successful nonprofits. Our team of exceptional fundraising professionals will help your organization achieve new levels of fundraising success. We offer services to fit your needs including development program audits, action-oriented development plans, prospect identification and cultivation, and professional fundraising services including direct solicitation or supported fundraising.
- ◆ **ORGANIZATIONAL FORMATION:** The ideal way to start any organization is to get it right at the start. Our nonprofit start-up services make sure of that, providing not-yet-formed or newly formed organizations with clear, well-tested guidance at every step of the formation process. With expertise in both state- and federal-level formation, our team has helped dozens of organizations successfully navigate the start-up process and has a 100% approval rate. We'll help you get it right the first time, setting you on the right footing for long-term organizational success.
- ◆ **STRATEGIC PLANNING & IMPLEMENTATION:** A mission is merely a hopeful statement if there is no plan to achieve it. Our strategic planning services are designed to achieve clarity of purpose and a clear plan of direction for organizations and for specific programs. Our team will lead your organization through a comprehensive, inclusive process that results in a defined, concise plan, including clear goals, benchmarks, and deliverables. Then we'll stick around to help you implement it, helping to set you on the path toward achieving your goals.
- ◆ **ADDITIONAL SERVICES:** Visit www.bannackgroup.com for a complete list of services.

PO BOX 1823
BOZEMAN, MT 59771-1823

www.bannackgroup.com
domore@bannackgroup.com

THE Bannack TEAM

◆ PRINCIPALS

MELANIE N. SCHELL, Managing Principal & General Counsel – *Bozeman, MT*

A seasoned non-profit attorney, Melanie has extensive experience as an executive-level manager, in-house counsel, communications strategist, and planned gift specialist. She blends her knowledge of law and best practices with nonprofit sensibilities to develop mission-based solutions for clients of all sizes and all stages including medical foundations, private schools, veterans groups, university foundations, and amateur and professional sports organizations. Melanie manages Bannack's corporate office and counsels nonprofit organizations on organizational formation, sound operational policies and procedures, compliance, communications, major fundraising initiatives, deferred giving and creative philanthropy, board training, board/staff roles, and key organizational transitions.

MICHAEL K. STEVENSON, Managing Principal – *Raleigh, NC*

Michael has 25+ years of experience in building and leading high-performing teams in both the private and nonprofit sectors. A visionary leader and experienced nonprofit executive, Michael specializes in organizational strategy, executive coaching, business analytics, performance management systems, and nonprofit campaigns. He is a certified GALLUP® Strengthsfinder coach and facilitator. As an executive coach and nonprofit strategist, his client portfolio includes executives and organizations serving the education, medical/health, veteran, social service, conservation, agricultural, and professional sports industries.

CHASE W. ROSE, Principal & Campaign Specialist – *Bozeman, MT*

Chase is a successful, prolific fundraiser and experienced campaign manager. His primary areas of service include campaign management and implementation, feasibility studies, creation and maturation of development enterprises, development officer training, individual and corporate fundraising training, volunteer management and donor/prospect outreach coordination. He works with clients on campaigns of all sizes, including many multi-million dollar initiatives in sectors including universities, athletic complexes, conservation groups, veterans organizations, private schools, medical foundations, agricultural nonprofits, public libraries, and Christian institutes.

JAMES M. McCRAY, Principal – *Washington, DC*

Jim is an experienced, successful fundraiser and communications campaign strategist, with extensive experience in building fundraising enterprises, national donor bases, and national advisory boards. His areas of specialty include board formation and reformation, fundraising strategies, resource development, and developing beneficial partnerships between non-profit and for-profit entities. Jim is also a Managing Partner at Highwood Capital—a national political, business, and 501(c)(4) nonprofit consulting firm in Washington D.C. that advises numerous U.S. Senators, Governors, presidential campaigns, national coalitions, and corporations in the business and political arenas.

◆ ASSOCIATES & SPECIALISTS

HEIDI PUTNAM, Event & Project Specialist

MICHAEL SOWERS, Strategic Advisor & Consultant

JENNIFER WHITE, Compliance Specialist

ANNA GRAF, Account Specialist

ASHLEY SCHWADER, Grants Specialist

MORE INFORMATION & CONTACT

For additional information about Bannack Group, including full biographies of our entire team, visit our website at www.bannackgroup.com. To learn how the Bannack team can help your organization *Do More, Better,*® contact us at domore@bannackgroup.com.



SAMPLE PROJECTS & REFERENCES

Additional references will be provided upon request

THE UNIVERSITY OF MONTANA, WESTERN – Dillon, MT (Campaign Management)

Roxanne Engellant, Executive Director, (406) 925-1836, roxanne.engellant@umwestern.edu

Bannack was hired by UM Western in June of 2019. Since then, we have organized the campaign scope, priorities and volunteer committees, and launched the quiet phase of the capital campaign. Our team helped to secure the two largest gifts in the history of the University and continues to manage the effort, which is already the most successful fundraising endeavor in the history of UM-Western.

BOZEMAN SPORTS PARKS FOUNDATION – Bozeman, MT (501(c)(3), Campaign)

Tony Rich, Operations Manager, (406) 577-6060, aprich07@gmail.com

The Bozeman Sports Parks Foundation is a Bozeman-based 501(c)(3) that seeks and secures private support to develop the Bozeman Sports Park, an 80-acre publicly accessible field sports complex owned by the City of Bozeman. BSPF hired Bannack in 2014 to form the organization, conduct the feasibility study, and manage the complexities of the public/private partnership between BSPF and the City of Bozeman. Bannack Group successfully led BSPF through Phase I of the fundraising campaign and is now actively managing Phase II. The total project cost is \$20M. As a result of Bannack Group's work, 4 new fields opened in early April, ahead of schedule. The additional 10 fields will be phased in over the next 1-2 years. In August, BSPF re-engaged Bannack to lead the effort to complete Phase 2 of the sports park.

4 RANGES RECREATION CENTER – Livingston, MT (501(c)(3), Feasibility Study, Campaign)

Michael Kardoes, City Manager, City of Livingston, (406) 823-6000, citymanager@livingstonmontana.org

In 2020, Bannack Group was engaged to lead a full-scale fundraising campaign to fully fund the construction of the 4 Ranges Recreation Center – a community recreation facility in Livingston, MT. Our team helped to establish a new nonprofit entity, seated and trained a governing board, and then led a fundraising feasibility study. We are now leading the campaign to secure \$30 million in private support to construct the recreation facility.

GLACIER INSTITUTE – Helena, MT (Feasibility Study, Campaign)

Anthony Nelson, Executive Director, (406) 755-1211, director@glacierinstitute.org

Bannack Group was engaged to conduct a fundraising feasibility study to determine the extent of philanthropic support to renovate and rebuild Big Creek—an historic ranger station that is Glacier Institute's primary outdoor education center and youth camp. As Glacier National Park's official education partner, the Glacier Institute is well-recognized as the Flathead Valley's leader in outdoor education with courses and camps for area youth, adults, and families. Following the study, we helped launch "Restoration Big Creek" – a \$1.5 million 3-phase initiative to secure the future of Glacier Institute's programs by renovating and refurbishing Big Creek.

ADDITIONAL CLIENTS (partial)

Montana State University-Northern (MT)

PGA Foundation/PGA REACH (FL)

Helena Food Shares (MT)

Smelter City Community Recreation Center (MT)

Montana Outdoor Legacy Foundation (MT)

Flathead Valley Youth Center (MT)

Northwest Battle Buddies (WA)

Montana Raptor Conservation Center (MT)

Restaurant Opportunities Center (NY)

American Overseas Memorial Day Foundation (DC)

Youth Dynamics (MT)

Wellbeing & Equity Innovations (FL)

	<u>Recreation Center Alternates</u>	<u>Cost</u>
1	Water-Source Condenser in Dehumidifier DH-1 and DH-2	\$95,700
2	Exhaust Heat Recover System, Convert EF-5 to ERU-1 and EF-5 to ERU-2	\$84,000
3	Acoustic panels in gym and pool area	\$124,900
4	Gymnasium divider curtain	\$9,900
5	Class/party room divider	\$14,700
6	Sauna 125 Complete, including door	\$29,000
7	Timing system and scoreboard for lap pool	\$77,000
8	Monument sign and landscaping	\$40,000
9	Flagpole, concrete pad and accociated lighting	\$9,400
10	Outdoor splash pad	\$318,000
11	Frog slide in leisure pool	\$40,000
12	Exterior playground equipment & basketball hoop	\$81,200
13	Security cameras	\$94,000
14	Underwater sound system in lap pool	\$16,700
15	Portable bleachers	\$10,200
16	Hallway cubbies in corridor	\$8,000
17	Covid-related mechanical upgrades	\$52,000
18	South parking lot drop-off lot	\$10,300
19	Specialty paving, cast-in-place concrete benches	\$26,200
20	Future electrical vehicle charging staions and solar panels on roof	\$17,000
21	Military training equipment	\$965,000

Above is the list of alternates for the new recreation center. They are listed in priority ranking and the first twelve have also been submitted for ARPA/CARES money. It is our goal for the sponsorship/fundraising contract to get us back within budget and bring as many of these alternates on board as possible. The first two alternates listed are time sensitive and would change some of the hvac equipment in the base bid. They would have a cost savings for the rec center, but a decision would need to be made soon.



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Construction Contract Award: Southside Water Main Replacements – Phase II, O. F. 1648.1

From: Engineering Division

Initiated By: Public Works Department

Presented By: Paul Skubinna, Public Works Director

Action Requested: Consider and Approve Contract for O. F. 1648.1

Suggested Motion:

1. Commissioner moves:

"I move the City Commission (award/not award) a contract in the amount of \$1,991,450.00 to United Materials of Great Falls, Inc. for the Southside Water Main Replacements – Phase II, and authorize the City Manager to execute the contract documents."

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

Staff Recommendation: Staff recommends awarding the contract to United Materials of Great Falls, Inc. in the amount of \$1,991,450.00. United Materials of Great Falls, Inc. has executed all the necessary documents.

Summary: The project consists of replacing approximately 5,550 lineal feet of 6-, 8-, and 12-inch water mains in 1st Avenue South, 2nd Avenue South, and 12th Street South.

Background: This project is necessary to replace water mains that have been failing with increasing frequency, causing damage to property, roadways, disrupting traffic and water service to local residents and businesses. The water main breaks are primarily due to corrosive soils, age, and the type of pipe material that was used. The water mains were installed in 1891, 1903, and 1919.

Significant Impacts:

During construction residents and businesses will need to be placed on temporary water and traffic will need to be detoured around the affected project locations. The Contractor shall be required to coordinate construction activities with Fire Station 1 to maintain one open lane of traffic on 1st Avenue South between 9th Street and 10th Street for emergency services.

Citizen Participation:

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

Workload Impacts:

City Engineering staff designed the project and will perform construction inspection and contract administration duties. Water Utility staff will assist the Contractor with shutting water mains down, providing taps for water services, and aiding in providing temporary water service connections.

Project Work Scope:

This project will replace approximately 5,550 lineal feet of 6-inch, 8-inch, and 12-inch cast iron water main with 8-inch and 12-inch PVC water main; replace 8 fire hydrants; 149 water service connections; 6,050 square yards of gravel; and 6,800 square yards of asphalt pavement.

Project locations include;

- 1st Avenue South from 9th Street to 13th Street.
- 2nd Avenue South from 9th Street to 15th Street.
- 12th Street from 1st Avenue South to 4th Avenue South.

This project is scheduled to begin April 4, 2022, depending on weather conditions and availability of materials.

Evaluation and Selection Process:

This project was advertised on January 30, 2022 and February 6, 2022. Two bids were received and opened for this project on February 16, 2022. Bids for this project ranged from \$1,991,450.00 to \$2,381,748.00. United Materials of Great Falls, Inc. submitted the low bid. United is an established responsible contractor and has done a number of projects within the City.

Conclusion:

The project has been scheduled to provide the least negative impact to citizens, while performing necessary upgrades to the water distribution system with planning taken in to consideration for future street reconstruction project(s).

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

Alternatives: The City Commission could vote to deny award of the construction contract and re-bid the project at a later date or do nothing and repair future water main breaks and road surfacing as they occur.

Attachments/Exhibits:

Bid tabulation

Project location map

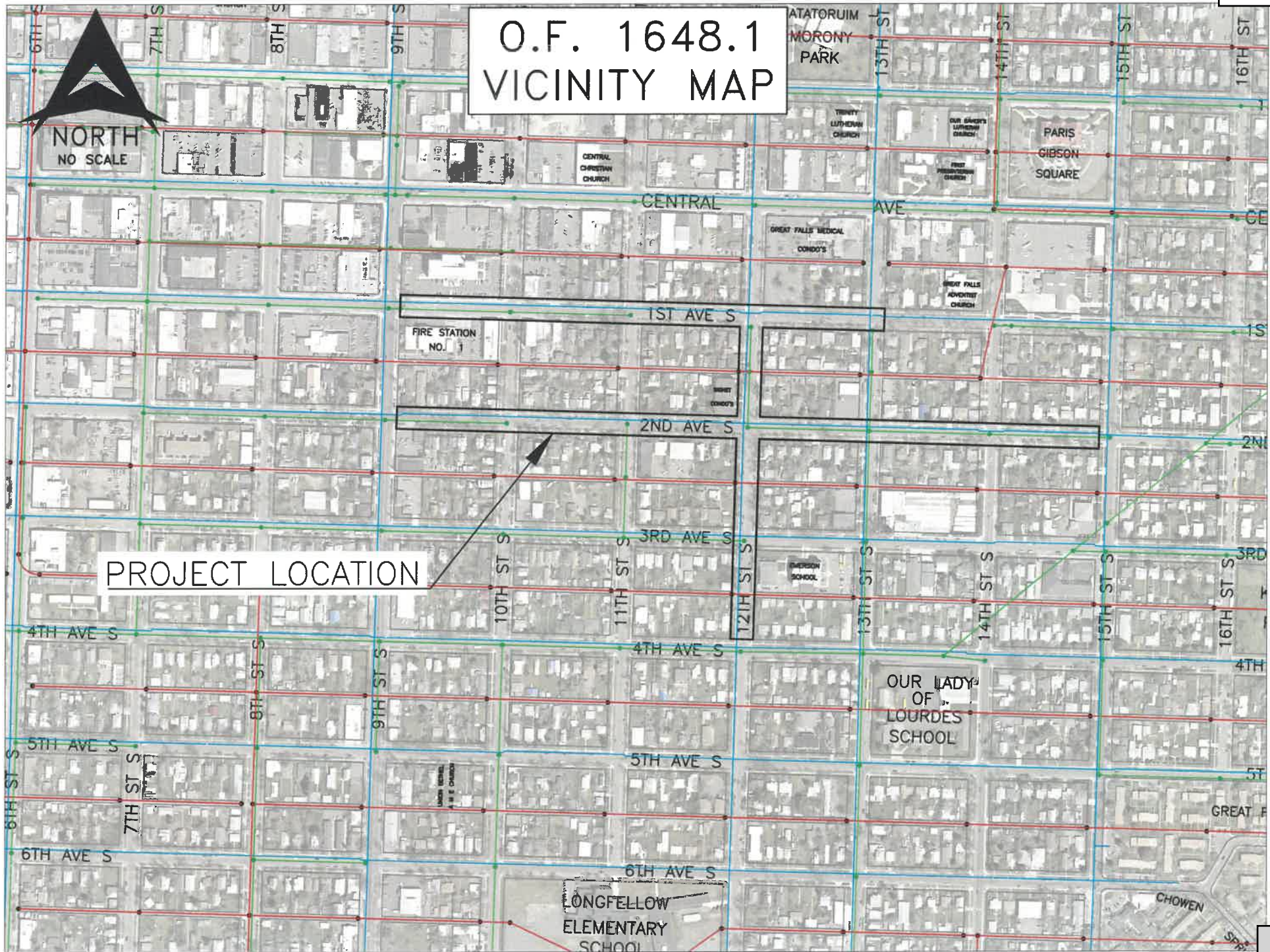
CITY OF GREAT FALLS
P.O. BOX 5021
GREAT FALLS, MT 59403

BID TABULATION SUMMARY

Southside Water Main Replacements - Phase II
O.F. 1648.1

Project Number PW352204
Bids Taken at Civic Center
Date: February 16, 2022
Tabulated By: Rick Joshnson

	Name & Address of Bidder	Acknowledge Addendum #1	Acknowledge Addendum #2	10% Bid Security	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req.	Total Bid
1	United Materials, Inc. P.O. Box 1690 Great Falls, MT 59403	N/A	N/A	✓	✓	✓	\$1,991,450.00
2	Central Excavation 3701 River Drive North Great Falls MT 59405	N/A	N/A	✓	✓	✓	\$2,381,748.00
3							
4							
5							
6							
7							
8							
9							
10							





Commission Meeting Date: March 1, 2022
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

Item: Great Falls International Airport Funding Commitment – Small Community Air Service Development Grant (SCASD)

From: Greg Doyon – City Manager

Initiated By: City Commission

Presented By: Mayor Kelly

Action Requested: Committee ARPA Funds toward a SCASD grant

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission the City Commission (allocate/not allocate) \$150,000 of ARPA Funds to the Great Falls International Airport Low Cost Airfare Initiative SCASD grant.”

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

Summary:

In January 2022, the Great Falls Chamber of Commerce and the Great Falls International Airport renewed its lost cost airfare initiative as the current SCASD grant is now depleted after 10 years of successfully lowering our airfares by bringing in new airlines and new routes. The next grant round require a community match before March 15, 2022.

Background:

The Great Falls Areas Chamber of Commerce and the Great Falls International Airport Authority are working together to develop a local financial guarantee for new flights at GTF.

Regional Airports are facing a double threat of a massive pilot shortage that is preventing airlines from flying historically profitable routes, combined with the retirement of the 50-seat jet fleet which is now more than 30 years old. As a result, in the past ten years, over 40 small airports have lost all their air service.

The pandemic has massively exacerbated several concerning trends. There was a pilot shortage prior to 2020. New work rules adopted by the FAA in the past five years require significantly more flight time and more book work before a pilot can fly commercially. FAA also enforces a mandatory retirement age at 65. The pipeline for pilots is producing far fewer pilots than retirements and the average age of a US pilot is expected to escalate for another 8 years before trending down due to retirements.

Making matters worse, to help control the hemorrhaging of cash when passengers stopped flying in 2020; most airlines offered senior pilots early retirement. Most of these pilots don't want to fly again and many are prevented by non-compete language. Pilots are not the only problem. The workhorse 50-seat jets are now over 30 years old and no longer in production. It is an almost certainty that 2022 will see more 50-seat jets in permanent "mothball" status than remain in active service.

With essentially no population growth in the past 30 years in Great Falls, the community has always had demand for about 400 to 500 aircraft seats a day, which supports about 8 to 10 daily flights. Transitioning to larger aircraft with the current demand would leave GTF with 3 or 4 flights a day. Not enough to support more than one airline and in a downturn like a major recession or a pandemic; possibly not enough demand to support air service at all. Even though we have experienced very minimal population growth, the Great Falls Airport passenger traffic grew 20% in the incentive years, due to our success with the previous SCASD grant.

Twenty years ago, Cascade County was the third largest county in Montana. Since that time, we have grown only 1% in population. Meanwhile, the next slowest growing large county **grew at 26 times that rate!** Gallatin County grew an amazing 72 times our growth rate. Based on these growth rates, Helena is likely to outgrow Great Falls over the next ten years.

The picture is not much better economically. Once Great Falls was in the middle of the pack of household income, Cascade County now has the lowest and slowest growing median household income of the larger counties.

The airlines cannot rely on growth in Great Falls. In fact, they can see the market is stagnant which makes them reluctant to invest in more flights, larger airplanes or new routes. For any of that to happen, there needs to be some stimulus. As the airline industry moves to 150+ seat aircraft, that means that our demand must grow from the current level to support service to more than one city.

As the communities around us grow exponentially faster, they will get more routes and flights and this will continue to cause leakage from Great Falls as people drive to fly elsewhere. Once that leakage reaches a critical point, we may not be able to sustain flights. Butte currently operates under that scenario.

Great Falls International Airport has a plan to address these concerns:

Drive down Airline costs: GTF has retired all debt, we plan to use our Infrastructure dollars to modernize the Terminal to reduce cost for the airlines. Over the past ten years, we have lowered our airline fees by more than 30% and now have some of the lowest airport fees in the state.

Diversify our Air Service: As mentioned above, both supply of airline seats and demand for seats at GTF have been largely stagnant for twenty years or more. When additional seats have been added like from Frontier (2012) ticket prices drop quickly.

Build a Local Incentive Pool: New flights to small communities simply do not occur without a profit guarantee. There is not enough capacity in the airlines and too much risk aversion for it to happen any other way. The airlines can see how much traffic we generate but they can't gauge if Great Falls passengers will put their favorite frequent flyer card in their shoe and try a new airline; so, they want us to take some risk too.

US law prohibits airports from contributing to profit guarantees, but communities can and do use these programs to attract flights. Montana is one of the biggest users as shown below:

- **Bozeman:** \$10 million in new community incentives in past ten years brought new direct markets, American Airlines and Jet Blue. One of fastest growing in US. Now MT's #1 Airport by more than double volume!!!
- **Kalispell:** Estimated \$2 million in incentives for American Airlines to Dallas, Chicago, Los Angeles Now MT's #2 Airport by volume!!
- **Missoula:** \$1.4 million in community incentives for American Airlines to Dallas and Chicago. Now MT's #3 Airport by volume!
- **Billings:** \$1.6 million in community incentives for American Airlines to Dallas. MT's #4 Airport by volume.

Secure an Air Service Grant: The Department of Transportation oversees the Small Community Air Service Development program which offers competitive grants each year based on local community incentives. This program would essentially double our local match. **Applications are due March 15, 2022.**

Fiscal Impact:

The City of Great Falls is receiving \$19,472,737 in direct allocation from the American Rescue Plan Act. Fifty percent has already been received by the City (\$9,736,368.50). The remaining fifty percent will be received in May 2022. All funds must be obligated by 12/31/2024 and expended by 12/31/2026.

Under ARPA guidelines, funds for the Great Falls International Airport Low Cost Airfare Initiative are eligible.

Alternatives: 1) Not participate in the program 2) Allow the community to fund the community incentives.

Attachments/Exhibits:


1. Airport Update PowerPoint Presentation
2. Low Cost Airfare Letter



Great Falls International Airport Authority

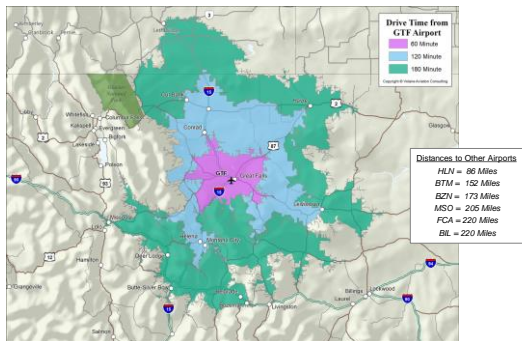
Airport Update Winter 2022

Our Region: As the Airlines see it



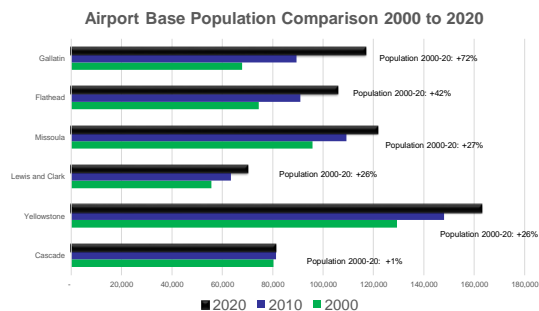
Winter 2022

78,928 Residents Live within a 60 Minute Drive of the Airport, 191,6661 Residents Live within 120 Minutes, and 576,192 Residents Live within 180 Minutes

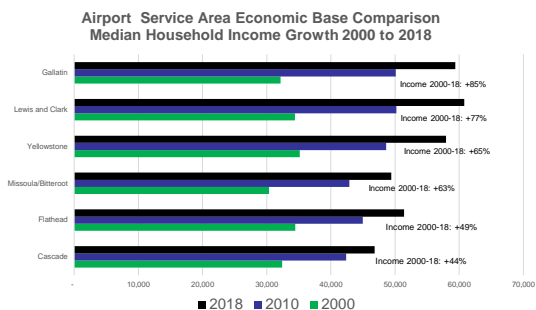


Headwinds for Flights: No Growth

Next slowest county grew 26x Cascade Population



Local Headwinds : Cascade now lowest Household Income



GTF GREAT FALLS INTERNATIONAL AIRPORT

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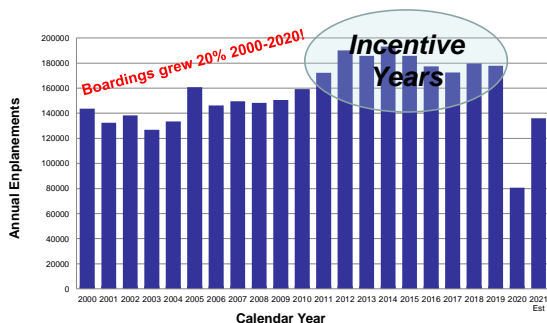
Current Commercial Aviation Traffic **GTF**



GTF GREAT FALLS INTERNATIONAL AIRPORT

September 2019

Passenger volume in recovery but well below Pre-Covid Business travel at all time lows nationally



GTF GREAT FALLS INTERNATIONAL AIRPORT

Recent Developments in GTF Air Service

- Delta Discontinued MSP- Plans to return in future
 - Airlines offered senior pilot retirements in 2020 to slow the hemorrhaging of cash
 - Regional jet pilots were hired for larger jets during 2021
 - Delta like most airlines has pulled out of a dozen markets and discontinued dozens of routes.
- United expands flying due to solid growth from last incentive program
 - Seating capacity 2022 vs 2019 – Jan +9%, Feb +39%, Mar +74%, Apr +90%
 - Summer to see more capacity, possibly mainline flight
 - Considering summer Chicago flights
- Alaska plans to add normal second flight this spring
- Severe seat shortage in 4th Qtr 2021 due to Covid caused massive increase in ticket prices – Is this a sign of the future?

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GTF The Future of Air Service



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INTERNATIONAL AIRPORT



Prior to COVID, 50-seat jets were heading to extinction - Now there are no pilots



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INTERNATIONAL AIRPORT

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What are the Stakes for Great Falls?

As the Regional Jet Age is coming to an end

Well, bad news: America's regional aviation is in crisis. And it's likely to get worse before it gets better. As the RAA explains, between 2013 and 2016, 309 U.S. airports experienced schedule reductions of at least 10%, 208 lost at least 20% and 52 lost all passenger air service. *Airline Weekly*, Feb 6, 2017

When regional airports ended commercial service

2013		2014		2015	
Airport	State	Airport	State	Airport	State
Inyokem ¹	California	Gulf Shores	Alabama	Muscle Shoals	Alabama
Chicago	Illinois	Bullhead City	Arizona	Kingman	Arizona
Gary	Indiana	Modesto ²	California	Macon	Georgia
Lewistown	Montana	Chico ²	California	Tupelo	Mississippi
Miles City	Montana	Telluride	Colorado	Teterboro	New Jersey
Ely	Nevada	Athens	Georgia	Los Alamos	New Mexico
Westerly	Rhode Island	Topeka ²	Kansas	Moab	Utah
Las Vegas	Texas	Tunica	Mississippi	Ortch	Utah
Eagle River	Wisconsin	Klamath Falls ²	Oregon	Port Angeles	Washington
Minocqua	Wisconsin			Sheridan	Wyoming

Note:
1. All airports listed were served exclusively by regional airlines.
2. Airports with “**” indicate United as marketing carrier and “**” indicate Delta as marketing carrier.

Note:

1. All airports listed were served exclusively by regional airlines.

2. Airports with "*" indicate United as marketing carrier and "*" indicate Delta as marketing carrier.

Air service abruptly ends at Pierre, Watertown airports

[Lisa Kaczko](#), Argus Leader Published 1:34 p.m. CT Jan. 22, 2019 | Updated 5:19 p.m. CT Jan. 22, 2019

Routes cancelled in 2020

All airlines, all regions, but most are small airports

[illegible]

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INTERNATIONAL AIRPORT

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AD 9:05 BKIP

Why Great Falls must Urgently grow out of the 50-seater

U.S. Regional Airline Trans States to Close by Year-end by [Gregory Polek](#)
- February 24, 2020, 3:08 PM

Flight Global, Feb 2018: "An abundance of 50-seaters is simply unsustainable these days"

Flight Global, Feb 2019: "no 50-seat jets have been in production since Bombardier and Embraer shifted to manufacturing larger jets more than a decade ago"

Some of the most remote areas in the US are losing an air service link to the rest of the country
Taylor Rains Nov 20, 2021, 6:33 AM

The Points Guy by Ethan Klapper Dec 15, 2021: At a Skift Forum last month, Kirby (United CEO) warned of staffing-related impacts to 50-seat regional aircraft operations. "We don't have enough pilots to fly all the airplanes," he said. "So the 50-seaters are at the bottom of that pile, and markets that rely on 50-seaters are the ones that are going to lose service."

MRONetwork.com, Jan 2016: "Going forward, the number of dots on the airline map will be fewer....with the disproportionate impact being felt at the smaller markets"

United Airlines pulling out of Capital Region International Airport in January
[Ken Dake](#) Lansing State Journal November 9, 2022

AvlineGeeks.com, Oct 2017: "there are over 200 50-seat planes removed from US carrier's fleets may lead some fliers to look at previously avoided routes or hubs to fly through since the 50-seat planes are slowly being transitioned out"

AINOnline, Jan 2018: "The FAA writes: 'By 2025 only a handful of 50 seat regional jets remain in the fleet.'"

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The Answer: Diversification

More flights to Capture Great Falls Leakers and Tourists

American Airlines

FRONTIER

sun country airlines

avelo

Breeze

Aha!

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But: Air Service Growth is expensive

Other regional Communities are spending millions

- Southwest Will Get \$2.5mn in Incentives For Colorado Springs Flights** by [Jay Singh](#) November 3, 2020
- Bozeman:** \$10 million in new community incentives in past ten years brought new direct markets, American Airlines and Jet Blue. One of fastest growing in US. **Now MT's #1 Airport by more than double volume!!!**
- Kalispell:** Estimated \$2 million in incentives for American Airlines to Dallas, Chicago, Los Angeles **Now MT's #2 Airport by volume!!**
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Great Falls Chamber Low-Cost Airfare Incentive Fund

We are seeking to raise funds locally to guarantee new routes.



US law prohibits airports from contributing to flight guarantees, but COMMUNITIES can!

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Partnering for air service, now more than ever
Airports are prohibited from directly incentivizing airlines



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GREAT FALLS MT TOURISM BUSINESS IMPROVEMENT DISTRICT

Now is Our Time to Act
It is essential that we grow before Helena

- **DOT Air Service Grant Due March 4** : We can double our local money and get new flights in 2023. We have airline letters of support for new cities in hand!
- **Low-Cost Airline**: TBID has provided a profit guarantee for a Ultra-low cost airline. The Airport Authority and Great Falls Tourism are also offering marketing support and \$0 Airport Fees.
- **Chicago**: Great Falls Tourism and the Airport Authority are offering \$15,000 in marketing support and \$0 Airport Fees to resume flights this summer. Likely only Saturday flights in 2022 as demand rebuilds.
- **Terminal**: Airport Authority using Infrastructure dollars to build additional ticket counters and more efficient bag screening for additional airlines and lower airline cost of operation

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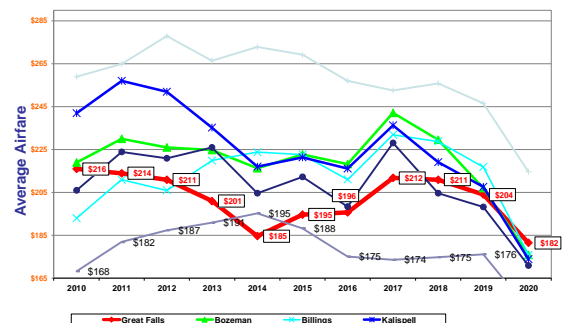
Original Low Cost Airfare Initiative
Partnership of GTF/Chamber/TBID

- 2011: Initial Fundraising for incentive pool. Dollars held by Chamber
- 2012: Frontier Airlines Announces GTF
 - GTF has four busiest years in airport history. Volume remains at elevated levels
 - GTF achieves lowest average ticket price in Montana 2013 to 2017
- 2016: Airport leverages incentive with \$380k grant-United adds Chicago
 - 2017 – UA expands initial Chicago service by over 50%
 - 2018 – UA expands summer Chicago flights to daily adding 186% more seats
 - 2018 – UA expands Denver service in second half of year
 - 2019 – UA extends daily Chicago flights to Labor Day
- 2019: Incentive pool exhausted. New funding effort needed!
- 2022: Matching grant in 1st quarter. We have letters of interest from airlines for new cities, just need the local funds!

GTF GREAT FALLS INTERNATIONAL AIRPORT

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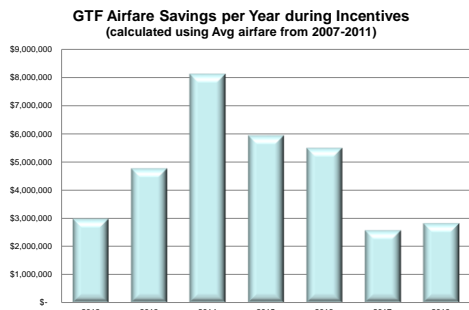
Airfares among lowest Since Low-Fare Initiative Began
GTF fares hit an all-time low in 2020



GTF GREAT FALLS INTERNATIONAL AIRPORT

September 2019

Incentives saved GTF Travelers \$32 million in the last round
With 180,000 boardings small airfare change = big impact



For Additional Information

Contact

John Faulkner
Airport Director
Great Falls International Airport Authority

2800 Terminal Drive
Great Falls, MT 59404

406-727-3404

john@flygtf.com



February 14, 2022

Dear Community Member:

Help us secure more flights and better airfares for Great Falls! You have probably heard the news that the Chamber of Commerce and the Airport Authority are working together to develop a local financial guarantee for new flights at GTF. This letter is intended to answer questions that you may have and describe why now is a critical time for our community to invest in new air service. We would also encourage you to contact us directly, either John Faulkner at the Airport or Shane Etzwiler at the Chamber to have a personal discussion.

Q: Why is this an urgent concern now:

A: Regional Airports face the double threat of a massive pilot shortage that is preventing airlines from flying historically profitable routes, combined with the retirement of the 50-seat jet fleet which is now more than 30 years old. As a result, in the past ten years, over 40 small airports have lost all their air service as show in the table below:

When regional airports ended commercial service

2013		2014		2015	
Airport	State	Airport	State	Airport	State
Inyokern*	California	Gulf Shores	Alabama	Muscle Shoals	Alabama
Chicago	Illinois	Bullhead City	Arizona	Kingman	Arizona
Gary	Indiana	Chico*	California	Macon	Georgia
Lewistown	Montana	Modesto*	California	Tupelo	Mississippi
Miles City	Montana	Telluride	Colorado	Teterboro	New Jersey
Ely	Nevada	Athens	Georgia	Los Alamos	New Mexico
Westerly	Rhode Island	Topeka*	Kansas	Moab**	Utah
Del Rio*	Texas	Tunica	Mississippi	Vernal**	Utah
Eagle River	Wisconsin	Klamath Falls*	Oregon	Port Angeles	Washington
Minocqua	Wisconsin			Sheridan	Wyoming

Note:

1. All airports listed were served exclusively by regional airlines.
2. Airports with "*" indicate United as marketing carrier and "**" indicate Delta as marketing carrier.

More recently, the capital of South Dakota, Pierre and nearby Waterton airport both lost all of their air service. In addition to the airports that lost all of their flights, the onset of the pilot shortage has caused airlines to eliminate routes in over 80 additional airports with the majority of the affected routes impacting small communities as show in the chart below:

Alaska Airlines	JetBlue Airways	Delta Air Lines	Sun Country Airlines
Charleston, South Carolina	Albuquerque, New Mexico	Aspen, Colorado	Madison, Wisconsin
Columbus, Ohio	Palm Springs	Bangor, Maine	Philadelphia
El Paso, Texas	Sacramento, California	Erie, Pennsylvania	Portland, Oregon
New Orleans	Sarasota/Bradenton, Florida	Flint, Michigan	Sacramento
San Antonio, Texas	Worcester, Massachusetts	Fort Smith, Arkansas	St. Louis, Missouri
Allegiant Air	Seaboard Virgin Islands	Great Falls, Montana	United Air Lines
New Orleans	Charlotte Amalie, Virgin Islands	Helena, Montana	Allentown/Bethlehem/Easton,
Ogdensburg, New York	Christiansted, Virgin Islands	Lincoln, Nebraska	Charlotte Amalie
Palm Springs, California	Culebra, Puerto Rico	New Bern/Morehead/Beaufort, North	Chattanooga, Tennessee
San Antonio	San Juan, Puerto Rico	Peoria, Illinois	Fairbanks, Alaska
Springfield, Illinois	Vieques, Puerto Rico	Santa Barbara, California	Hilton Head, South Carolina
Tucson, Arizona	Silver Airways	Scranton/Wilkes-Barre, Pennsylvania	Ithaca/Cortland, New York
American Airlines	Charlotte Amalie, Virgin Islands	Williston, North Dakota	Kalamazoo, Michigan
Aspen, Colorado	Huntsville, Alabama	Elite Airways	Key West, Florida
Eagle, Colorado	Key West, Florida	Sarasota/Bradenton, Florida	Lansing, Michigan
Montrose/Delta, Colorado	Tallahassee, Florida	Frontier Airlines	Myrtle Beach, South Carolina
Worcester, Massachusetts	Tampa, Florida	Greenville/Spartanburg, South	Rochester, Minnesota
Corvus Airlines	Spirit Airlines	Mobile, Alabama	Cape Air
Goodnews Bay, Alaska	Asheville, North Carolina	Palm Springs	Portland, Maine
Kodiak, Alaska	Charlotte Amalie, Virgin Islands	Portland, Maine	
Napakiak, Alaska	Christiansted, Virgin Islands	Tyler, Texas	
Napakiak, Alaska	Greensboro/High Point, North Carolina	Sun Air Express	
Platinum, Alaska	Plattsburgh, New York	Nashville, Tennessee	

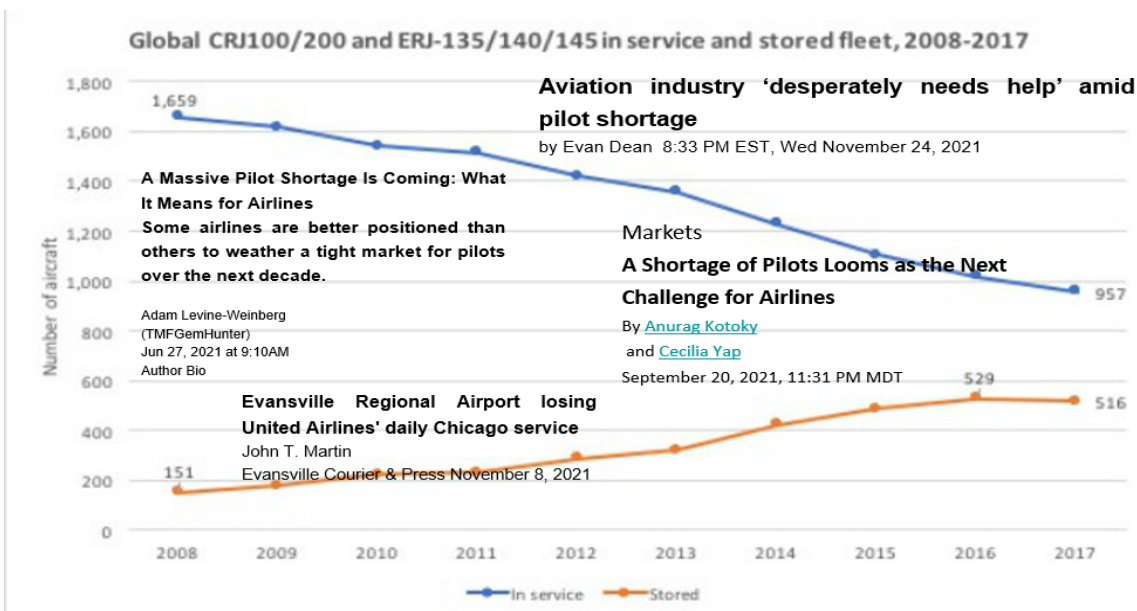
Air service is vanishing from small communities at an alarming rate.

Q: This is a temporary issue, right?

A: Unfortunately, not. The pandemic has massively exacerbated several concerning trends. There was a pilot shortage prior to 2020. New work rules adopted by the FAA in the past five years require significantly more flight time and more book work before a pilot can fly commercially. FAA also enforces a mandatory retirement age at 65. The pipeline for pilots is producing far fewer pilots than retirements and the average age of a US pilot is expected to escalate for another 8 years before trending down due to retirements.

Making matters worse, to help control the hemorrhaging of cash when passengers stopped flying in 2020; most airlines offered senior pilots early retirement. Most of these pilots don't want to fly again and many are prevented by non-compete language. As the headlines below indicate, pilot shortages are a crisis that is expected to last another decade.

Pilots aren't the only problem. The workhorse 50-seat jets are now over 30 years old and no longer in production. The chart below illustrates the number of jets that have been retired in the past 15 years. It is an almost certainty that 2022 will see more 50-seat jets in permanent "mothball" status than remain in active service.



There are a small number of 76-seat jets; and an even rarer model is the 90-seat model. There certainly aren't enough of these regional jets to backfill the 50-seat jet markets that have been lost. The reason for this is that major airline pilot contracts limit or even exclude the airlines from flying these larger regional jets or using a regional airline partner to fly these jets for the major airline. This was a job security measure negotiated by pilot unions. However, what it means for regional airports is that we have to make the leap from 50-seat aircraft to 737 and Airbus 318 size aircraft. The current renditions of these models that are owned in mass by the airlines seat 150 to 180 seats.

With essentially no population growth in the past 30 years in Great Falls, the community has always had demand for about 400 to 500 aircraft seats a day, which supports about 8 to 10 daily flights. Transitioning to larger aircraft with the current demand would leave GTF with 3 or 4 flights a day. Not enough to support more than one airline and in a downturn like a major recession or a pandemic; possibly not enough demand to support air service at all.

Is that possible? Yes, here is a recent quote from United's CEO:

- [The Points Guy by Ethan Klapper](#) Dec 15, 2021: *At a Skift Forum last month, Kirby (United CEO) warned of staffing-related impacts to 50-seat regional aircraft operations. "We don't have enough pilots to fly all the airplanes," he said. "So, the 50-seaters are at the bottom of that pile, and markets that rely on 50-seaters are the ones that are going to lose service."*

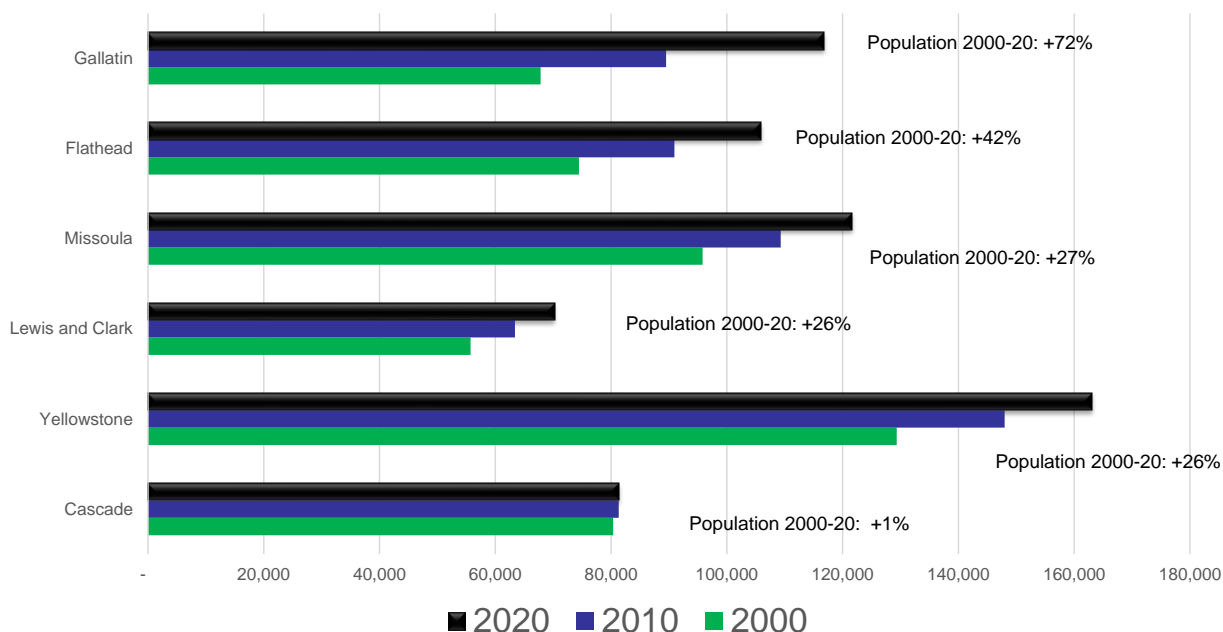
Q: But we will grow into larger aircraft eventually, right?

A: Well, we may not get the chance. None of the forty or so airports above that lost their air service lost have gained it back. There was no other aircraft to serve those markets, when the 15 to 36 seat aircraft all retired. In fact, there are less aircraft seats flying in the US today than there were prior to 9/11/2001. Folks in these small communities are expected to drive to nearby communities that have air service.

Q: Could Great Falls lose flights?

A: Have you noticed how many of the chain stores that move into Montana don't make it to Great Falls? Say Kohls, Lowes, Olive Garden or Costco? The primary reason for this is a lack of population and economic growth.

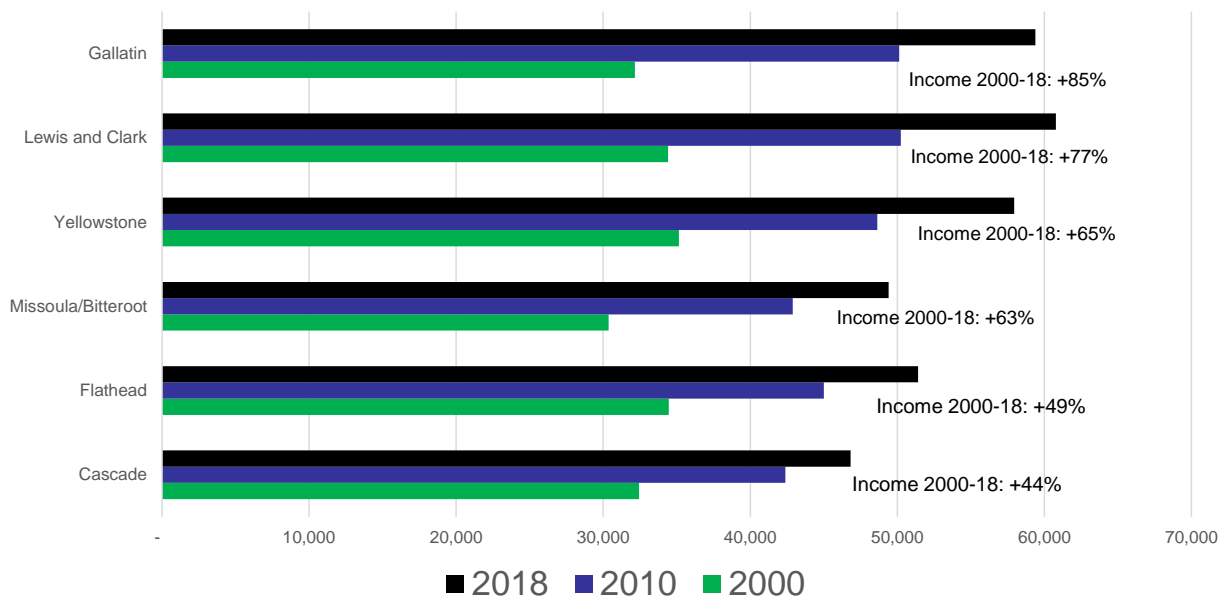
Airport Base Population Comparison 2000 to 2020



Twenty years ago, Cascade County was the third largest county in Montana. Since that time, we have grown only 1% in population. Meanwhile, the next slowest growing large county **grew at 26 times that rate!** Galatin grew an amazing 72 times our growth rate. Based on these growth rates, Helena is likely to outgrow Great Falls over the next ten years.

The picture isn't much better economically. Once Great Falls was in the middle of the pack of household income, Cascade County now has the lowest and slowest growing median household income of the larger counties as shown on the chart below.

Airport Service Area Economic Base Comparison Median Household Income Growth 2000 to 2018



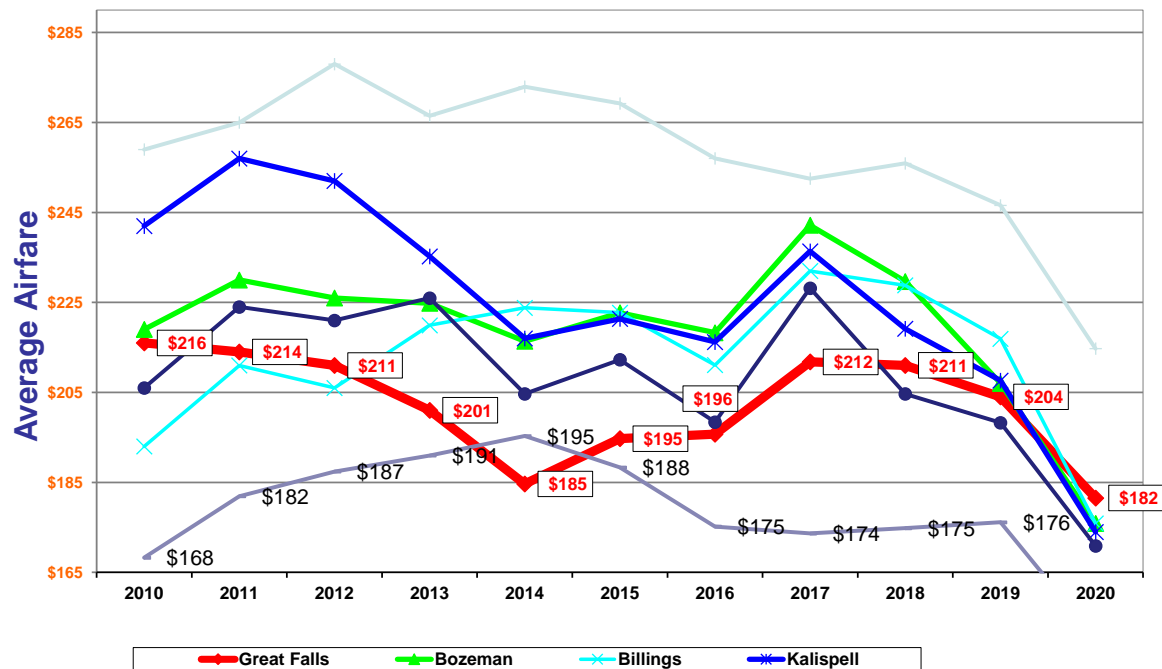
The airlines can't rely on growth in Great Falls. In fact, they can see the market is stagnant which makes them reluctant to invest in more flights, larger airplanes or new routes. For any of that to happen, there needs to be some stimulus. As the airline industry moves to 150+ seat aircraft, that means that our demand must grow from the current level to support service to more than one city. Communities that have only one airline will be at extreme risk of losing all service as communities like Toledo (OH), Klamath Falls (OR), Pierre (SD) and Santa Maria (CA) found out in the past decade. Toledo was able to attract a new carrier but not before two years of no service.

As the communities around us grow exponentially faster, they will get more routes and flights and this will continue to cause leakage from Great Falls as people drive to fly elsewhere. Once that leakage reaches a critical point, we may not be able to sustain flights. Butte currently operates under that scenario. Their air service was lost in the past decade. They have two remaining daily flights as part of the federally-subsidized Essential Air Service program. This program is under constant threat of federal defunding and nearly ended during reauthorization recently.

Q: What is the plan to preserve flying in Great Falls?

A: We have a multifaceted plan to address the challenges facing our flying community:

- **Drive down Airline costs:** GTF has retired all debt, we plan to use our Infrastructure dollars to modernize the Terminal to reduce cost for the airlines. Over the past ten years, we have lowered our airline fees by more than 30% and now have some of the lowest airport fees in the state.
- **Diversify our Air Service:** As mentioned above, both supply of airline seats and demand for seats at GTF have been largely stagnant for twenty years or more. When additional seats have been added like from Frontier (2012) ticket prices drop quickly as shown in the chart below.



When ticket prices drop, GTF sees more demand like in 2014 which was both the busiest year in GTF history and the lowest average fare in Great Falls since deregulation in 1978.

The Low-Cost Airfare Initiative seeks to use supply-side economics to lower fares and increase traffic by increasing seats. This is exactly what has occurred at most of the larger MT airports. The reduction in their airfare cost in 2017/18 coincides with the introduction of American Airlines and they experienced dramatic boarding growth in the same period.

In short, we need to attract American Airlines to create competition and bring traffic from the Southwestern US where American has a very strong network. We also need to attract one or two ultra-low-cost carriers to operate in our market. These carriers like Frontier, Aha, Avelo and Breeze offer extremely low fares to limited geographic destinations. These carriers will help generate discretionary travel from the broader central Montana region as well as southern Canada.

- **Build a Local Incentive Pool:** New flights to small communities simply does not occur without a profit guarantee. There is not enough capacity in the airlines and too much risk aversion for it to happen any other way. The airlines can see how much traffic we generate but they can't gauge if Great Falls passengers will put their favorite frequent flyer card in their shoe and try a new airline; so, they want us to take some risk too.

US law prohibits airports from contributing to profit guarantees, but communities can and do use these programs to attract flights. Montana is one of the biggest users as shown below:

- **Bozeman:** \$10 million in new community incentives in past ten years brought new direct markets, American Airlines and Jet Blue. One of fastest growing in US. Now MT's #1 Airport by more than double volume!!!
- **Kalispell:** Estimated \$2 million in incentives for American Airlines to Dallas, Chicago, Los Angeles Now MT's #2 Airport by volume!!
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- **Billings:** \$1.6 million in community incentives for American Airlines to Dallas. MT's #4 Airport by volume.

COVID is causing a redistribution of travel patterns. Some cities like San Francisco which has lost a lot of population and gained a reputation for crime and prolific lockdowns are not going to recover traffic quickly. Montana on the other had has become a popular refuge for family vacations. The airlines are keenly aware that Montana is one of the most popular travel searches on the web and that nearly all new service to Montana has been successful. At the same time, gateways like Bozeman and Kalispell saw lodging rates double last year. We believe that now is the ideal time for Great Falls to attract new service and grab our share of the expanding Montana travel market.

- **Secure an Air Service Grant:** The Department of Transportation oversees the Small Community Air Service Development program which offers competitive grants each year based on local community incentives. This program would essentially double our local match. **Applications are due March 4, 2022!** The award of these grants is based on the likelihood of new service and the size of our local match. Currently, we have two airline letters of support for our grant. We are confident if we can get a grant, we can get a flight to a new city.

Q: Can we preserve and grow our air service if we have more airline seats:

A: In short, yes there are a number of growth factors that will contribute to the success of this plan to grow traffic and lower ticket prices:

1. **Leakage:** Based on credit card ticket purchase data, about 40% of the air traffic in the Great Falls catch basin flies out of alternative airports. Much of this lost traffic is likely in communities on the edge of our trade area like Lewistown, Lincoln and Browning. However, we all know stories of people flying out of Bozeman to save money. With more flight destinations and lower fares, we can reclaim some of this leakage and actually begin attracting leakage from other MT cities. For example, Frontier and Allegiant flights have attracted many from the nearby Helena market to fly from GTF.
2. **Canada:** As travel restriction ease, we expect to see our Canadian traffic back. In fact, Air Canada has eliminated Lethbridge service and WestJet, the discount carrier in Calgary; has reduced more flights than any other carrier in North America. So, we expect even more traffic from our Canadian neighbors to support new routes at GTF.
3. **Tourism:** Montana is one of the hottest destinations for leisure travel. Every time we get service to a new city it attracts tourists to use GTF as a gateway. For example, the Chicago flight operated by United was 70% inbound traffic to Great Falls. We saw tremendous growth in places we didn't expect like over 20% growth from Cleveland and Cincinnati. We saw over 40% from Raleigh, NC. New routes stimulate new traffic from parts of the country that didn't have good connections or a lack of competition in airline routing to Great Falls. One of the carriers that has provided a letter of support told us that they believe they can fill all the seats with passengers from their hub flying into Great Falls. This rings true, as both Bozeman and Kalispell have seen passenger traffic grow at

several multiples of their impressive population growth. However, to make this strategy successful, we will need to invest in destination marketing as a community.

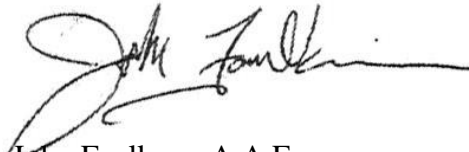
4. **Pricing Impact of Supply and Demand:** As shown in the average fare chart above, fares never returned to the level they were in 2010 and prior. Ever dollar reduction in the average fare saves our local flying community about \$180,000. In fact, the community's investment in the initial Low-Cost Airfare Initiative saved about \$32 million in local travel costs. Lower prices and travel savings will increase demand for additional travel in our market like it did in 2014, which was both the busiest year and cheapest year in GTF history.
5. **Competitive Response:** At the Great Falls Airline Rendezvous last fall, an airline planner from a major airline made the comment that they had to add additional flights into Bozeman to "remain competitive". This is an example of the second order competitive response, which is typically seen at US airports when there is an increase in service. Other airlines at the airport increase the size of aircraft or lower price or add a city to responds to a new entrant. This creates even more demand for flying both in and out

We ask you to support this important initiative by considering a pledge to the Low-Cost Airfare Initiative. Feel free to contact either Shane or John today with any questions or to make a pledge. Please join us in securing the future of flight in Great Falls.

Sincerely,



Shane Etzwiler
President/CEO
Great Falls Area Chamber of Commerce
setzwiler@greatfallschamber.org
(406) 750-9600



John Faulkner, A.A.E.
Airport Director
Great Falls International Airport Authority
john@flygtf.com
(406) 727-3404



Commission Meeting Date: March 1, 2022

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10449, A Resolution Requesting support and resources from Montana’s Congressional Delegation to address recommendations and action items from the 2021 Great Falls Crime Task Force.

From: City Commission

Initiated By: City Commission

Presented By: Gregory T. Doyon, City Manager

Action Requested: Adopt Resolution 10449 requesting support and resources from Montana’s Congressional Delegation to address recommendations and action items from the 2021 Great Falls Crime Task Force.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt / deny) Resolution 10449.”

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

Staff Recommendation: City staff recommends the Commission adopt Resolution 10449.

Summary: Since early 2020 there has been ongoing discussions related to a Public Safety Town Hall in which community members heard from various agencies about crime trends within the City of Great Falls and Cascade County.

The Commission established the Great Falls Crime Task Force through Resolution 10395 in April 2021. This Task Force met nine times and received information from the Great Falls Police Department, Cascade County Sheriff’s Office, Educational Institutions, Social Services, and Federal and Legal Agencies about crime trends in Great Falls and Cascade County, and the underlying factors that lead to criminal behavior.

Great Falls Crime Task Force understood that addressing criminal drug activity requires resources beyond the City’s capability, including federal and international cooperation and inter/intra state law enforcement collaboration.

Through recommendations presented to the City Commission during a joint work session on November 2, 2021, the Task Force asked that the Commission adopt a Resolution.

As stated in the Crime Task Force Recommendations:
Resources for Local Criminal Justice System

C. We recommend by City Commission Resolution(s) to our Federal Delegation and possibly to the MT Department of Justice that we:

- a. Request more DEA agents, recognizing the statewide drug problem from Mexico, so that local officials can communicate with Congressional delegates the need for additional federal resources to mitigate multi-state narcotics and firearm crimes.*
- b. Request an FBI representative be assigned to the Safe Trails Task Force.*
- c. Request an additional U.S. Postal Inspector, recognizing that two for the entire state of Montana is not enough.*

Fiscal Impact: Fiscal Impact would depend on the response taken by the Federal Delegation and Department of Justice.

Alternatives: The Commission could choose to deny the Resolution.

Concurrences:

Police Department, City Attorney's Office, Municipal Court and the Manager's Office.

Attachments/Exhibits:

Resolution 10449

RESOLUTION NO. 10449**A RESOLUTION REQUESTING SUPPORT AND RESOURCES
FROM MONTANA'S CONGRESSIONAL DELEGATION TO
ADDRESS RECOMMENDATIONS AND ACTION ITEMS
FROM THE 2021 GREAT FALLS CRIME TASK FORCE.**

WHEREAS, the Community of Great Falls, through its citizenry, has expressed deep concerns about the level of criminal activity in the community; and

WHEREAS, based on ongoing community concern about crime rates, the City Commission hosted a Public Safety Town Hall meeting on March 5, 2020. The meeting was very well attended and the public heard from representatives from the Great Falls Police Department, Cascade County Sheriff's Office, Educational Institutions, Social Services, and Legal Agencies about crime trends in Great Falls and Cascade County and the underlying factors that lead to criminal behavior; and

WHEREAS, the City Commission adopted Resolution 10395 establishing a Great Falls Crime Task Force on April 6, 2021, to study crime trends and make recommendations to the City Commission; and

WHEREAS, the Great Falls Crime Task Force, comprised of residents, business leaders, community partners, and City leadership were briefed on crime related issues from the Russell Country Drug Task Force regarding High Intensity Drug Task Force Areas; US Department of Justice, DEA Resident in Charge; Violent Crime Task Force; Probation and Parole; Montana Department of Justice, Division of Criminal Investigation; U.S. District Attorney's Office; Cascade County Attorney; City of Great Falls Chief Prosecutor; Great Falls Municipal Court Judge; District Court Judge; Lewis and Clark County Pre-Trial Services; Crises Response Team; Gateway Community Services, Blue Thunder Lodge Residential Treatment Center; Pre-Release Center; and, Project Safe Neighborhoods; and

WHEREAS, the Great Falls Crime Task Force learned that criminal activity in the community is primarily driven by the distribution, sale, and use of drugs in the state, and is a pervasive Montana problem in urban, rural, and tribal areas; and

WHEREAS, the Great Falls Crime Task Force understands that addressing criminal drug activity requires resources beyond the City's capability, including international cooperation and law enforcement inter/intra state collaboration.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that the Great Falls City Commission respectfully requests support and resources from Montana's Congressional Delegation to address recommendations and action items from the 2021 Great Falls Crime Task Force by:

1. Working together to pursue resources for the State of Montana and the City of Great Falls toward better managing the state's illegal distribution, sale, and use of illicit drugs;
2. Enhancing the Drug Enforcement Administration's strength with additional agents assigned to Montana;
3. Enhancing the Federal Bureau of Investigation's capability with more agents to coordinate federal drug enforcement efforts in the state of Montana;
4. Bolstering the United States' Postal Inspector presence for tracking illicit drug activity through the country's mail system and private package services;
5. Providing training, equipment, and technology to local law enforcement to better detect and prevent drug distribution in Great Falls.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this ____ day of _____, 2022.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoien, City Attorney