

ADMINISTRATIVE MEETING

April 6, 2016

4:00 p.m. to 6:00 p.m.

Room 326

AGENDA

1. **Call to order, introductions, opening comments**
2. **March 16, 2016 Administrative Meeting summary**
3. **Commission comments, questions**
 - Upcoming appointments
4. **City Manager's Report**
 - Priority Matrix – Instructions, Deadline
 - Sanctuary City Discussion
 - Lawrence and Fuller signal
5. **Department discussions**
 - Public Works**
 - a) Long-term Water Utility Projects with Major Budget Impacts
 - b) Long-term Streets Projects with Major Budget & Policy Impacts
 - **Consensus Direction to Manager:**
6. **Committee discussions**
 - a) Audit Committee, City-County Board of Health, L&C County Mental Health Advisory Committee, Montana League of Cities & Towns
– Mayor Jim Smith
 - b) Mayor Pro-Tem, Audit Committee, Helena Chamber of Commerce Liaison, Information Technology Committee, Transportation Coordinating Committee
– Commissioner Dan Ellison
 - c) ADA Compliance Committee, Audit Committee, City-County Parks Board , Civic Center Board
– Commissioner Rob Farris-Olsen
 - d) Board of Adjustment, City-County Administration Building (CCAB), Non-Motorized Travel Advisory Board, Transportation Coordinating Committee
– Commissioner Andres Haladay
 - e) Business Improvement District/Helena Parking Commission ,Montana Business Assistance Connection, Public Art Committee
– Commissioner Ed Noonan
 - f) Helena Citizens Council
7. **Review of agenda for April 11, 2016 Commission meeting**
8. **Public comment**
9. **Commission discussion and direction to City Manager**
10. **Adjourn**

City of Helena, Montana

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TTY Relay Service 1-800-253-4091 or 711

citycommunitydevelopment@helenamt.gov

316 North Park, Avenue, Room 440, Helena, MT 59623

City of Helena, Montana

April 1, 2016

TO: Ron Alles, City Manager

FROM: Thomas Jodoin, City Attorney 

Subject: "Sanctuary Cities," Certification of Federal Compliance for grants; Resolution No. 19181

As you are probably aware there has been recent national discussion regarding so called "sanctuary cities." There is no formal definition of that term, but it generally refers to cities that have adopted a policy that prohibits or discourages the city from enforcing federal immigration laws.

The Chief of Police received information from the United States Department of Justice that all applicants for the Edward Byrne Memorial Justice Assistance Grant must certify compliance with all applicable Federal laws. The US DOJ considers local jurisdictions with "policies that either prevent law enforcement from releasing persons without lawful immigration status into Federal custody for deportation, or that prevent state or local law enforcement from sharing certain information with Department of Homeland Security (DHS) officials)" to be in violation of federal law. An applicant found to be in violation of an applicable federal law may have to repay grant funds and may be subject to criminal and civil penalties.

In 2004 the Helena City Commission approved Resolution No. 19181 ("Resolution") that "protects the civil liberties of the citizens of the City of Helena, Montana." The Resolution was adopted in response to specific federal government actions that were a direct reaction to 9/11/2001 terrorist attacks. The Resolution, among other "affirmations," affirmed that the City "refrains from using city resources to enforce immigration laws, except when an alien has been detained or arrested on suspicion of a criminal offense."

There has been some belief that the City of Helena is a "sanctuary city" on the basis of the above language.¹ I tend to disagree with that characterization since the city does not outright prohibit cooperation with federal immigration authorities. My interpretation of the Resolution is that it merely precludes the City from expending resources toward the primary enforcement of federal laws. This affirms long-standing past practices of the HPD. When an HPD officer, in the normal course and scope of the officer's duties, comes across an illegal immigrant, a report is made to the Immigration & Naturalization Services, but the individual is not arrested by HPD on that basis alone. Further, HPD does assist federal officers in making arrests and conducting searches by serving in a support role to preserve the peace during such arrests or searches. Federal officers are neither required to nor request permission of the City to make such searches or arrests. Finally, HPD officers will make arrests based upon arrest warrants issued by federal courts.

¹ Indeed, the Federation for American Immigration Reform lists Helena as a city that has a "sanctuary policy." A copy of the relevant pages of that report is attached to this memo.

City of Helena, Montana

The practice of HPD notwithstanding, it is possible that the US DOJ would interpret the language of the Resolution as preventing HPD from sharing certain information with the Department of Homeland Security (DHS) officials and thus to be in violation of federal law and render the certification required on the grant application to be false. Given that uncertainty, I would not be completely confident about having the City certifying that the resolution does not run afoul of Federal requirements to cooperate in enforcement of federal immigration laws. Under the language of the Resolution, if a person is not detained or arrested for a state or local offense, can HPD assist federal agents in carrying out their lawful functions? Is HPD precluded from passing along information regarding a person who is suspected of violating federal laws?

Since interpretation of the Resolution by reasonable individuals can and does differ on this matter, I am concerned that the US DOJ could consider the City of Helena to have policies "that prevent state or local law enforcement from sharing certain information with DHS officials" despite the fact that actual practice of the HPD is to the contrary.

Going forward there are three options I can readily identify to provide more clarity to this situation:

1. Clarify Resolution No. 19181 to state plainly and clearly that HPD does not engage in primary enforcement of federal immigration laws, but will (1) pass along information about individuals they come across that may be illegal aliens, and (2) enforce and effect federal arrest warrants.
2. Seek an opinion from the U.S. Attorney with regard to the existing language of Resolution No. 19181.
3. Repeal Resolution No. 19181.

City staff would like consensus guidance from the Commission as to how it would like to proceed in this matter.

City of Helena, Montana



FEDERATION FOR AMERICAN IMMIGRATION REFORM

Sanctuary Policies Across the U.S.

October 25, 2013

Executive Summary

Sanctuary Policies Across the U.S. details resolutions, ordinances, executive actions and other initiatives that now exist in 103 cities, towns and counties across 33 states and the District of Columbia. This study is the first and only comprehensive compilation of sanctuary policies and shows how non-enforcement – and outright defiance of immigration law which is expressly prohibited by federal law — is a dangerous trend sweeping the country.

“Sanctuary policies” bar state or local officials, including law enforcement officials, from asking persons about their immigration status, reporting them to federal immigration authorities, or otherwise cooperating with or assisting federal immigration authorities. The overwhelming majority of sanctuary policies cited in this study either prohibit state or local officials from inquiring, acting on, or reporting an individual's immigration status, even when there is reasonable suspicion that federal immigration laws are being violated. Still other policies represent more aggressive efforts to shield illegal aliens, such as anti-detainer policies that restrict local and state police from cooperating with federal authorities seeking to remove aliens who have been arrested and charged with other crimes.

While some of the state and local sanctuary policies noted were enacted ten or more years ago, the majority have occurred since President Obama took office in 2009, and almost half of the policies have been put in place in just the past two years.

State and local jurisdictions often justify their sanctuary policies by claiming that illegal aliens will be more likely to report crimes to police without fear of deportation. Yet, the cost of illegal immigration in terms of education, health care, crime committed by illegal aliens themselves, and overall declines in a community's quality of life are far greater than any benefit that may accrue from illegal aliens sharing information with police. And, in reality, all police have the discretion to grant immunity to crimes witnesses — regardless of their immigration status — and virtually all do.

By accommodating those who violate our immigration law, sanctuary policies only serve to encourage others to follow the same path. A growing illegal alien population lowers wages and work standards at the low end of the job market, adds to overcrowded housing, creates an underground economy that undermines the tax base, and has other negative consequences. Looking the other way does not solve the problem; it only permits it to grow larger.

The authors of this study question how politicians who are paid to allocate limited community resources to *legal* residents and police chiefs who are paid to maintain the

		<p>person's nation of origin... shall be accepted and shall not subject the person to a higher level of scrutiny or different treatment...."</p> <ul style="list-style-type: none"> <input type="checkbox"/> "Public safety officials shall not undertake any law enforcement action for the purpose of detecting the presence of undocumented persons, or to verify immigration status, including but not limited to questioning any person or persons about their immigration status." <input type="checkbox"/> "Public safety officials shall not question, arrest or detain any person for violations of federal civil immigration laws except when immigration status is an element of the crime or when enforcing 8 U.S.C. 1324(c)."
	<u>Amicus Brief (March 23, 2012)</u>	<input type="checkbox"/> Minneapolis joined an <i>amicus curiae</i> brief that urged the Supreme Court to strike down provisions of Arizona's SB 1070.
St. Paul	<u>St. Paul Administrative Code, Title III § 44 (May 5, 2004)</u>	<ul style="list-style-type: none"> <input type="checkbox"/> "...the city does not operate its programs for the purpose of enforcing federal immigration laws." <input type="checkbox"/> "City employees shall only solicit immigration information or inquire about immigration status when specifically required to do so by law or program guidelines as a condition of eligibility for the service sought." <input type="checkbox"/> "City employees and representatives shall not use city resources or personnel solely for the purpose of detecting or apprehending persons whose only violation of law is or may be being undocumented, being out of status, or illegally residing in the United States." <input type="checkbox"/> "Public safety officials may not undertake any law enforcement action for the sole purpose of detecting the presence of undocumented persons, or to verify immigration status, including but not limited to questioning any person or persons about their immigration status."
	<u>Amicus Brief (March 23, 2012)</u>	<input type="checkbox"/> St. Paul joined an <i>amicus curiae</i> brief that urged the Supreme Court to strike down provisions of Arizona's SB 1070.
MISSOURI		
St. Louis	<u>Resolution No. 273 (March 12, 2004)</u>	<ul style="list-style-type: none"> <input type="checkbox"/> "...it is the policy of the City of St. Louis that City employees and its departments shall refrain from profiling based on race, ethnicity, citizenship, religion, national origin, or non-violent political values; and denying any city service on the basis of citizenship...." <input type="checkbox"/> The Police Department shall not participate "...in the enforcement of federal immigration laws, except to prevent persons from a continuing practice of transporting and harboring illegal aliens...."
MONTANA		
Statewide	<u>Senate Joint Resolution No. 19 (April 2005)</u>	<input type="checkbox"/> Agencies and instrumentalities of the state shall not "...use state resources or institutions for the enforcement of federal immigration matters that are the responsibility of the federal government...."
Helena	<u>Resolution No. 19181 (December 6, 2004)</u>	<input type="checkbox"/> "The Commission of the City of Helena, Montana...AFFIRMS its support of policing currently followed by the City of Helena, including how the City...refrains from using city resources to enforce federal immigration laws which are the responsibility of the federal government, except when an alien has been detained or arrested on suspicion of a criminal offense...."
Butte-Silver Bow County	<u>Resolution No. 05-8 (February 16, 2005)</u>	<input type="checkbox"/> "...the Council affirms its support of law enforcement practices currently followed by the City-County, including how the City-

From: Troy McGee
To: Kim Sell
CC: Thomas Jodoin
Date: 3/31/2016 8:12 AM
Subject: Re: JAG Sanctuary Policy Guidance

Hey Kim, when you have time (no hurry) could you send me a copy of the resolution the Commission passed years ago reference sharing information with the Feds among other things. I can't recall what we titled it. I don't recall it fitting into the description as outlined below but want to insure it. Sounds like the below refers to all grants, not just Justice Grants, that the City receives.

Chief

>>> "Justice, BJA" <bjajustice@usdoj.gov> 3/31/2016 5:00 AM >>>
Attention JAG grantees:

Applicants for state and local Edward Byrne Memorial Justice Assistance (JAG) formula grants are required to certify compliance with all applicable Federal laws at the time of application. In that regard, Members of Congress have asked the Department of Justice to examine whether jurisdictions with "sanctuary policies" (i.e., policies that either prevent law enforcement from releasing persons without lawful immigration status into Federal custody for deportation, or that prevent state or local law enforcement from sharing certain information with Department of Homeland Security (DHS) officials), are in violation of 8 U.S.C. section 1373. For that reason, all applicants should understand that if OJP receives information that indicates that an applicant maybe in violation of 8 U.S.C. section 1373 (or any other applicable federal law) that applicant may be referred to the DOJ Office of Inspector General for investigation; if the applicant is found to be in violation of an applicable federal law by the OIG, the applicant may be subject to criminal and civil penalties, in addition to relevant OJP programmatic penalties, including suspension or termination of funds, inclusion on the high risk list, repayment of funds, or suspension and debarment.

Once released later this Spring, this language will also be found within the Fiscal Year 2016 State and Local JAG solicitations.

Thank you.

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19181

A RESOLUTION PROTECTING THE CIVIL LIBERTIES OF THE CITIZENS OF THE CITY OF HELENA, MONTANA

WHEREAS, federal, state and local governments should take rational and deliberate steps to protect our society and our freedoms from terrorist attacks such as those that occurred on September 11, 2001; and

WHEREAS, the preservation of civil rights and liberties is essential to the well-being of a democratic society; and

WHEREAS, various federal policies adopted since September 11, 2001, including certain provisions in the USA PATRIOT Act (Public Law 107-56) and related executive orders, regulations, and actions jeopardize fundamental rights and liberties, examples of which include:

1. chilling constitutionally protected speech through over-broad definitions of "domestic terrorism";
2. permitting the FBI to conduct surveillance of religious services, internet chatrooms, political demonstrations, and other public meetings of any kind without having any evidence that a crime has been or may be committed;
3. authorizing the indefinite incarceration of non-citizens based on mere suspicion, and the indefinite incarceration of citizens designated by the President as "enemy combatants" without providing access to counsel or meaningful recourse to the federal courts;
4. limiting the traditional authority of federal courts to curb abuses by law enforcement of electronic surveillance in anti-terrorism investigations and ordinary criminal investigations;
5. expanding the authority of federal agents to conduct so-called "sneak and peek" or "black bag" searches in which the subject of the search is unaware that his property has been searched; and
6. granting law enforcement and intelligence agencies broad access to personal medical, financial, education, and library records with little, if any, judicial oversight.

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

WHEREAS, many other communities throughout the country have enacted resolutions reaffirming support for civil rights and civil liberties in the face of federal government policies that threaten these values, and demanding accountability from law enforcement agencies regarding their use of these new powers; and

WHEREAS, Helena has a diverse population, including immigrants and students, whose contributions to the community are vital to its economy, culture, and civic character; and

WHEREAS, these new federal powers pose a particular threat to the civil rights and liberties of persons of particular religious, cultural, or ethnic origin; and

WHEREAS, Helena is proud of its long and distinguished tradition of protecting the civil rights and liberties of its residents, and of how the Helena Police Department respects the civil liberties of our population; and

WHEREAS, the Helena City Commission believes that there is no inherent conflict between national security and the preservation of liberty - Americans can be both safe and free; and

WHEREAS, the Helena City Commission does not wish to see the police department put in a position to lose the respect and trust of the citizens of Helena; and

WHEREAS, government security measures that undermine fundamental rights harm the ability of the residents of Helena to participate fully and freely in their community and in the governance of the City.

NOW, THEREFORE, BE IT RESOLVED THAT THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. AFFIRMS its strong support for fundamental constitutional rights and its opposition to federal measures that infringe on human rights and civil liberties;

Section 2. AFFIRMS its opposition to secret detention, secret immigration proceedings, detention without access to counsel, and subjection of non-military personnel to military detention;

Section 3. AFFIRMS its opposition to measures that single out individuals for legal scrutiny or enforcement activity based solely on their particular religious, cultural or ethnic origins, and therefore affirms its strong support for the rights of immigrants;

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Section 4. AFFIRMS its support of policing currently followed by the City of Helena, including how the City:

- a. maintains public records on the names and initial charges of those detained and/or arrested by the City of Helena;
- b. refrains from engaging in the surveillance of individuals or groups of individuals based on their participation in activities protected by the First Amendment, such as political advocacy or the practice of a religion, except when there are reasonable grounds to suspect the subject of the surveillance is or may be involved in criminal activity unrelated to or beyond the activities protected by the First Amendment;
- c. avoids using race, religion, ethnicity or national origin as factors in selecting which individuals to subject to investigatory activities except when seeking to apprehend a specific suspect whose race, religion, ethnicity, or national origin is part of the description of the suspect;
- d. refrains from using city resources to enforce federal immigration laws which are the responsibility of the federal government, except when an alien has been detained or arrested on suspicion of a criminal offense;
- e. refrains from collecting or maintaining information about the political, religious, or social views, associations, or activities of any individual, group, association, organization, corporation, business, or partnership unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct;
- f. has not established a general surveillance network of video cameras deploying facial recognition technology or other biometric identification technology;
- g. provides notice of the execution of a search warrant simultaneous with the search of the property subject to such a warrant;
- h. encourages citizens to report crime and the observable results of crime, through organizations such as Crimestoppers, but does not recruit members of the general public to spy on their neighbors, colleagues, or customers, such as the proposed federal Operation TIPS; and

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

i. refrains from stopping drivers or pedestrians for the purpose of scrutinizing their identification documents without particularized suspicion of criminal activity, except under those limited circumstances specifically authorized by Montana law.

Section 5. DIRECTS the City Manager to report to the City Commission at the next regular meeting subsequent to any change in the policing listed in the previous section, as well as any requests by federal authorities that, if granted, would cause agencies of the City of Helena to exercise powers or cooperate in the exercise of powers in apparent violation of those policing practices, of any city ordinance, or of the laws or Constitution of this state;

Section 6. REQUESTS that public schools and institutions of higher learning within the City of Helena provide notice to individuals whose education records have been obtained by law enforcement agents pursuant to Section 507 of the USA PATRIOT Act;

Section 7. REQUESTS that any public library within the City of Helena post a notice to library uses, in a prominent place within the library, as follows: "**WARNING:** Under Section 215 of the federal USA PATRIOT Act (Public Law 107-56), records of the books and other materials you borrow from this library may be obtained by federal agents. That federal law prohibits librarians from informing you if records about you have been obtained by federal agents. Questions about this policy should be directed to the United States Attorney General, Department of Justice, Washington, DC 20530";

Section 8. DIRECTS the City Manager to seek bi-annually from federal authorities the following information in a form that facilitates an assessment of the effect of federal anti-terrorism efforts on the residents of the City of Helena:

a. the number of all persons who have been arrested or otherwise detained within the City of Helena by federal authorities as a result of terrorism investigations since September 11, 2001; the name of each detainee; the most recent location of each detainee; the circumstances that led to each detention; the charges, if any, lodged against each detainee; and the name of counsel, if any, representing each detainee;

b. the number of search warrants that have been executed in the City of Helena without notice to the subject of each warrant pursuant to Section 213 of the USA PATRIOT Act;

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- c. the extent of electronic surveillance carried out in the City of Helena under powers granted in the USA PATRIOT Act;
- d. the number of instances that federal authorities have monitored political meetings, religious gatherings, or other activities within the City of Helena that are protected by the First Amendment;
- e. the number of times education records have been obtained from public schools and institutions of higher learning in the City of Helena under Section 507 of the USA PATRIOT Act;
- f. the number of times library records have been obtained from libraries in the City of Helena under Section 215 of the USA PATRIOT Act; and
- g. the number of times that records of the books purchased by store patrons have been obtained from bookstores in the City of Helena under Section 215 of the USA PATRIOT Act.

Section 9. DIRECTS the City Manager to transmit to the City Commission a summary of the information obtained pursuant to the preceding section and, based on such information and any other relevant information, an assessment of the effect of federal anti-terrorism efforts on the residents of the City of Helena, including, within three (3) years, a review of the need for requests made pursuant to the preceding section;

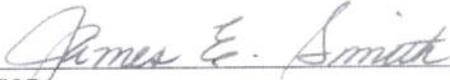
Section 10. DIRECTS the City Manager to transmit a copy of this resolution to Senator Baucus, Senator Burns, and Representative Rehberg, accompanied by a letter from the Helena City Commission urging them to monitor federal anti-terrorism tactics and work to repeal or sunset provisions of the USA PATRIOT Act and other laws and regulations that infringe on civil rights and liberties;

Section 11. DIRECTS the City Manager to transmit a copy of this resolution to the Governor of Montana, the Montana Attorney General, and all appropriate members of the State Legislature, accompanied by a letter from the Helena City Commission urging them to ensure that state anti-terrorism laws and policies be implemented in a manner that does not infringe on civil liberties as described in this resolution;

Section 12. DIRECTS the City Manager to transmit a copy of this resolution to the President of the United States and the United States Attorney General.

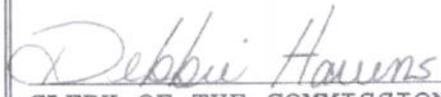
RESOLUTIONS OF THE CITY OF HELENA, MONTANA

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 6 DAY OF December, 2004.



MAYOR

ATTEST:



CLERK OF THE COMMISSION

MEMORANDUM

TO: Randall Camp, Public Works Director
FROM: Phil Hauck, Assistant Public Works Director 
DATE: March 31, 2016
SUBJECT: Long-Term Water Utility Projects/Rate Strategy

In the next few months the City Commission will be reviewing the preliminary FY17 budget requests for the Water Fund. The purpose for the April 6, 2016 administrative meeting will be to discuss those prioritized projects that exceed the current funding capabilities of the water fund for fiscal years 2018-2022. Included in this discussion will be a preliminary look at a long-term rate strategy to accomplish these future challenges.

Staff will be available to discuss the recommended projects and the preliminary rate analysis. This discussion will hopefully aid both the staff and Commission as we move toward rate discussions this fall.

Attachments: Project List
Preliminary Rate Analysis
Utility Rate Survey

Water Fund
 Not Budgeted/Unfunded Capital Projects - Over \$200,000
 Preliminary 5-Year Plan
 3/31/2016

PROJECT DESCRIPTION	Estimated Cost	FY2018	FY2019	FY2020	FY2021	FY2022
Tenmile Transmission Main (Phase I)	\$5,200,000	5,200,000				
Problem Main Replacements	2,000,000	500,000	500,000	500,000	500,000	
Chessman Dam Control Valves	500,000	500,000				
TMTP - Chemical Feed System Improvements	600,000	600,000				
Malben Reservoir - Interior Seal Lining	600,000	600,000				
Winnie #1 Reservoir - Interior Seal Lining	850,000	850,000				
Pressure Reducing Valves (PRV) Telemetry	350,000	350,000				
Fixed Base Radio Read	325,000	325,000				
Red Mountain Flume	5,000,000		5,000,000			
Hale Reservoir/System Improvements	5,000,000		5,000,000			
Tenmile Transmission Main (Phase II)	6,000,000			6,000,000		
TMTP - CAC Valve & Blowers	700,000			700,000		
Undersized Main Replacements (4" and under/10 yrs)	1,500,000			500,000	500,000	500,000
Low Zone Tank/Ancillary Projects	10,000,000				10,000,000	
TMTP - Pre-sedimentation Basin	4,000,000					4,000,000
Undersize Main Replacements (6"/20 Years)	2,550,000					2,550,000
	\$45,175,000	\$8,925,000	\$10,500,000	\$7,700,000	\$11,000,000	\$7,050,000

Potential Unfunded Projects:
 Rimini Road Raw Water Line
 MRTTP - Pumps/Motors
 Westside Annexation Water Projects

Water Utility Fund
Preliminary Rate Analysis
3/31/2016

	5-Year Total					
Net Funding Generated for Capital (CCIP - No Rate Increase)	6,976,779	1,493,141	1,449,071	1,399,804	1,346,021	1,288,742
Less Vehicles	(652,950)	(103,240)	(265,140)	(156,660)	(64,090)	(63,820)
Net Funding Available for Infrastructure	6,323,829	1,389,901	1,183,931	1,243,144	1,281,931	1,224,922
Unfunded Capital	38,851,171	7,535,099	9,316,069	6,456,856	9,718,069	5,825,078
Debt Service Reserve	1,320,940	256,193	316,746	219,533	330,414	198,053
Total Borrowed	40,172,111	7,791,292	9,632,815	6,676,389	10,048,483	6,023,131
Debt Service Payment	1,373,674	266,421	329,391	228,297	343,605	205,959
Current Water Revenue	6,700,000	6,700,000	6,700,000	6,700,000	6,700,000	6,700,000
Increase Required to Fund Debt Service Payment	20.50%	3.98%	4.92%	3.41%	5.13%	3.07%
Five Year Average O&M Rate Increase	15.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Total Rate Increases Needed	35.50%	6.98%	7.92%	6.41%	8.13%	6.07%

Water Rate Comparisons

As of July 1, 2016

Based on 11HCF (748 gallons per HCF)

Rank	City	Meter Size	Average HCF	Monthly Base Fee	Monthly Usage Fee/HCF	Monthly Flat Rate	Average Monthly Charge
1	Missoula*	3/4 Inch	11	\$24.63	\$2.00	\$0.00	\$46.66
2	Bozeman**	3/4 Inch	11	\$15.02	\$2.62	\$0.00	\$43.84
3	Butte	3/4 Inch	11	\$0.00	\$0.00	\$0.00	\$42.90
4	Helena	3/4 Inch	11	\$2.62	\$2.97	\$0.00	\$35.29
5	Billings**	3/4 Inch	11	\$8.00	\$2.29	\$0.00	\$33.19
6	Kalispell**	3/4 Inch	11	\$8.30	\$1.82	\$0.00	\$28.32
7	Great Falls**	3/4 Inch	11	\$6.25	\$1.80	\$0.00	\$26.05
Monthly Average				\$9.26	\$1.93	\$0.00	\$36.61

* Privately owned and operated.

** In some cases the usage fees have been converted to an average based on a usage of 11 HCF.

Wastewater Rate Comparisons

As of July 1, 2016

Based on 7HCF (748 gallons per HCF)

Rank	City	Meter Size	Average HCF	Monthly Base Fee	Monthly Usage Fee/HCF	Monthly Flat Rate	Average Monthly Charge
1	Bozeman	3/4 Inch	7	\$18.09	\$2.99	\$0.00	\$39.02
2	Kalispell**	3/4 Inch	7	\$8.44	\$3.58	\$0.00	\$33.50
3	Billings	3/4 Inch	7	\$6.45	\$3.10	\$0.00	\$28.15
4	Butte	3/4 Inch	7	\$0.00	\$0.00	\$27.75	\$27.75
5	Great Falls*	3/4 Inch	7	\$8.17	\$2.58	\$0.00	\$26.23
6	Helena	3/4 Inch	7	\$6.71	\$2.74	\$0.00	\$25.89
7	Missoula	3/4 Inch	7	\$6.57	\$0.00	\$13.23	\$19.80
Monthly Average				\$7.78	\$3.00	\$20.49	\$28.62

* Privately operated

** In some cases the usage fees have been converted to an average based on a usage of 7 HCF.

Combined Water/Wastewater Rate Comparisons

As of July 1, 2016

Rank	City	Meter Size	Monthly Water Fee	Monthly Wastewater Fee	Average Monthly Charge
1	Bozeman	3/4 Inch	\$43.84	\$39.02	\$82.86
2	Butte	3/4 Inch	\$42.90	\$27.75	\$70.65
3	Missoula	3/4 Inch	\$46.66	\$19.80	\$66.46
4	Kalispell	3/4 Inch	\$28.32	\$33.50	\$61.82
5	Billings	3/4 Inch	\$33.19	\$28.15	\$61.34
6	Helena	3/4 Inch	\$35.29	\$25.89	\$61.18
7	Great Falls	3/4 Inch	\$26.05	\$26.23	\$52.28
Monthly Average			\$36.61	\$28.62	\$65.23

Water Minimum Monthly Service Charge Comparison

As of July 1, 2016

Rank	City	3/4" Meter	1" Meter	1 1/2" Meter	2" Meter	3" Meter	4" Meter	6" Meter	8" Meter
1	Butte	\$38.37	\$50.58	\$55.44	\$72.30	\$142.82	\$214.96	\$352.55	\$520.42
2	Missoula	\$24.63	\$39.29	\$75.93	\$119.91	\$222.52	\$369.10	\$735.55	\$1,175.30
3	Bozeman	\$15.02	\$19.90	\$31.29	\$45.51	\$78.67	\$126.18	\$235.16	\$371.81
4	Kalispell	\$8.30	\$8.88	\$10.18	\$11.25	\$21.60	\$27.38	\$27.38	\$27.38*
5	Billings	\$8.00	\$9.01	\$10.45	\$14.41	\$43.58	\$54.35	\$79.55	\$108.37
6	Great Falls	\$6.25	\$6.66	\$12.08	\$15.30	\$40.80	\$59.04	\$118.99	\$179.12
7	Helena	\$2.62	\$4.22	\$4.22	\$4.22	\$4.22	\$4.22	\$4.22	\$4.22**
Monthly Average		\$17.20	\$23.09	\$33.27	\$47.15	\$92.37	\$142.54	\$258.90	\$397.77

* Kalispell doesn't list rates for 6" and 8" meters

** The City of Helena charges \$2.62 for Residential and \$4.22 for Commercial

MEMORANDUM

TO: Randall Camp, Public Works Director
FROM: Phil Hauck, Assistant Public Works Director 
DATE: March 31, 2016
SUBJECT: Long-Term Street Capital Projects/Rate Strategy

In the next few months the City Commission will be reviewing the preliminary FY17 budget requests for the Street Fund. The purpose for the April 6, 2016 administrative meeting will be to discuss those prioritized projects that exceed the current funding capabilities of the street fund for fiscal years 2018-2022. Included in this discussion will be a preliminary look at a long-term rate strategy to accomplish these future challenges. A possible cost sharing of construction costs with the adjacent property owners could be considered.

Staff will be available to discuss the recommended projects and the preliminary rate analysis. This discussion will hopefully aid both the staff and Commission as we move toward rate discussions this fall.

Attachments: Project List
Preliminary Rate Analysis

Street Maintenance Fund
 Not Budgeted/Unfunded Capital Projects - Over \$200,000
 Preliminary 5-Year Plan
 3/31/2016

PROJECT DESCRIPTION	Total Estimated Cost	FY2018	FY2019	FY2020	FY2021	FY2022
Road Maintenance/ADA Ramps	\$ 1,500,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000
Airport Road (California Street to Carter Drive)	\$ 2,170,425	\$ 2,170,425				
North Benton Avenue (West Lawrence Street to Gilbert Street)	\$ 755,510	\$ 755,510				
Clarke Street (Harrison Avenue to North Park Avenue)	\$ 737,880	\$ 737,880				
North Howie Street (Ming Place to West Lawrence Street)	\$ 408,070			\$ 408,070		
Hamilton Street (Ming Place to Clarke Street)	\$ 247,680	\$ 247,680				
Olive Street (Ming Place to Clarke Street)	\$ 354,535			\$ 354,535		
South Benton Avenue (Adams Street to Clarke Street)	\$ 565,880		\$ 565,880			
Carter Drive (US Highway 12 to Billings Avenue)	\$ 910,955	\$ 910,955				
East 16th Street (Helena Avenue to North Rodney Street)	\$ 238,650		\$ 238,650			
East 14th Street (Helena Avenue to North Ewing Street)	\$ 349,160			\$ 349,160		
North Cruse Avenue (11th Avenue to Last Chance Gulch)	\$ 319,275			\$ 319,275		
North Ewing Street (5th Avenue to East 15th Street)	\$ 2,112,375				\$ 2,112,375	
Logan Street (11th Avenue to 10th Avenue)	\$ 201,670		\$ 201,670			
9th Avenue (North Warren Street to North Montana Avenue)	\$ 3,006,560			\$ 3,006,560		
8th Avenue (North Rodney Street to North Montana Avenue)	\$ 2,821,875					\$ 2,821,875
South Warren Street (Vawter Street to East 6th Avenue)	\$ 667,360		\$ 667,360			
5th Avenue (South Warren Street to North Montana Avenue)	\$ 2,934,320				\$ 2,934,320	
Breckenridge Street (North Ewing Street to North Montana Avenue)	\$ 3,231,235		\$ 3,231,235			
South Ewing Street (State Street to E Broadway Street)	\$ 525,460			\$ 525,460		
South Beattie Street (1st Street to North Davis Street)	\$ 2,532,915					\$ 2,532,915
Totals	\$ 26,591,790	\$ 5,122,450	\$ 5,204,795	\$ 5,263,060	\$ 5,346,695	\$ 5,654,790

* Cost estimates have included the Complete Streets Policy

Street Maintenance Fund
Preliminary Rate Analysis
3/31/2016

	5-Year Total								
Net Funding Generated for Capital (CCIP - No Rate Increase)	\$ 849,801	\$ 296,617	\$ 236,574	\$ 173,295	\$ 106,682	\$ 36,633			
Less Vehicles	(2,794,363)	(607,980)	(330,673)	(678,200)	(514,260)	(663,250)			
Net Funding Available for Infrastructure	(1,944,562)	(311,363)	(94,099)	(504,905)	(407,578)	(626,617)			
Unfunded Capital	24,647,228	4,811,087	5,110,696	4,758,155	4,939,117	5,028,173			
Debt Service Reserve	723,400	170,500	182,000	16,900	176,000	178,000			
Bond Issuance Costs	250,000	50,000	50,000	50,000	50,000	50,000			
Total Borrowed	\$ 25,620,628	\$ 5,031,587	\$ 5,342,696	\$ 4,825,055	\$ 5,165,117	\$ 5,256,173			
Debt Service Payment	876,090	172,054	182,692	164,991	176,620	179,733			
Current St Assessment Revenue	3,233,884	3,233,884	3,233,884	3,233,884	3,233,884	3,233,884			
Increase Required to Fund Debt Service Payment	27%	5%	6%	5%	5%	6%			
Five Year Average O&M Rate Increase	20%	4%	4%	4%	4%	4%			
Total Rate Increases Needed	47%	9%	10%	9%	9%	10%			