City of Cody City Council

AGENDA

Tuesday, December 20, 2011 - 7:00 p.m. (Pre-Meeting 6:30 p.m. in Conference Room A)
Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

Meeting Called to Order
Pledge of Allegiance
Moment of Silence
Roll Call
Agenda Review and Approval
Mayor's Recognitions and Announcements

1. Recognition:
   Greg Gaspers outgoing Planning, Zoning & Adjustment Board member for his years of service.
2. Introduction of New Employee:
   Robyn Fink – Regular Part-Time Recreation Assistant, Recreation Division

1. Consent Calendar: All items under the consent calendar will be acted upon in one motion unless a Councilmember or member of the public requests that an individual item be taken up under Conduct of Business.

   a. Approval of Minutes of the Special Meeting from 12/1/11 and 12/8/11, and Regular Meeting Minutes from 12/6/11.
   b. Approve vouchers and payroll in the amount of $1,192,707.75.
   c. Approve the revised Identity Theft Prevention Program and annual report.
   d. Authorize the Mayor to enter into a lease agreement between the City of Cody and Central Wyoming Neurosurgery, LLC in the amount of $1,100/month for space in the Nicol Mall for a term ending December 31, 2012.

2. Public Comments: The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.

3. Public Hearing

4. Conduct of Business

   a. Consider approval of a Taxi License to Jasen Livermore dba Bighorn Taxi Services from December 21, 2011 through December 31, 2011.
      Staff Reference: Cindy Baker, Administrative Services Officer
      Spokesperson: Jasen Livermore

   b. Consider approval of the financial statements and audit report for fiscal year 2010-2011.
      Staff Reference: Leslie Brumage, Finance Officer
      Spokesperson: Keri Wilson, Stein, Heiser, Wolff & Wilson

   c. **RESOLUTION 2011-15**
      A RESOLUTION AMENDING THE CITY OF CODY FINAL BUDGET FOR FISCAL YEAR 2011-2012.

Staff Reference: Leslie Brumage, Finance Officer

d. Authorize the Mayor to enter into an agreement with Russell+Mills Studio for the Sheridan Avenue Streetscape design services not to exceed $50,000, contingent upon the review and approval of the City Attorney.
Staff Reference: Rick Manchester, Parks, Recreation and Facilities Director

e. Approve the classification modification as recommended by the Cody City Urban Systems Board and authorize the Mayor to sign the Urban Boundary, Functional Classification and Central Business District Boundary Concurrence form.
Staff Reference: Steve Payne, Public Works Director

f. Consider extending the due date for the payment of the Windsor Estate Subdivision Sewer Impact Fees with the condition that 1/3 of the total outstanding balance be paid at the closing of each of the next three lots sold. Staff Reference: Steve Payne, Public Works Director

g. **RESOLUTION 2011-09**
A RESOLUTION AMENDING THE CITY OF CODY DEVELOPMENT FEE SCHEDULE.
Staff Reference: Steve Payne, Public Works Director

h. **ORDINANCE 2011-28 – 2nd READING**
AN ORDINANCE AMENDING THE HEREIN BELOW IDENTIFIED SECTIONS OF CHAPTER 9, ARTICLE III, OF THE CODY CITY CODE TO MODIFY ELECTRICAL RATES.
Staff Reference: Steve Payne, Public Works Director

5. Tabled Items

6. Matters from Staff Members or Council Members

Upcoming Meetings:
Thursday, December 29, 2011 @ 4:15 p.m. – Work session
Tuesday, January 3, 2012 @ 7 p.m. – Regular Meeting

City of Cody
Council Proceedings
Thursday, December 1, 2011

A special meeting of the Cody City Council was held in Council Chambers of City Hall in Cody, Wyoming on Thursday, December 1, 2011 at 4:15 p.m.

Present: Council President Steve Miller, Council Members Bryan Edwards, Donny Anderson, Jerry Fritz, Charles Cloud and Stan Wolz, City Administrator, Jenni Rosencranse, and Administrative Services Officer, Cindy Baker

Absent: Mayor Nancy Tia Brown, City Attorney, Scott Kolpitcke

Council President Miller called the meeting to order at 4:15 p.m.

The Governing Body reviewed and discussed Board Appointment applications received and set Thursday, December 8th for the interview process and will start at 4:15 p.m.

Rick Manchester, Parks, Recreation & Facilities Supervisor, discussed with the Governing Body the concerns that have surfaced from the Veterans Memorial members in reference to the flags at the memorial and the cost of flying those flags. Staffs was directed to fly all six flags at this time and look into possible sponsorship, as well as, contact the memorial member groups to discuss the issues and the cost.

Steve Payne, Public Works Director and Bert Pond, Electrical Engineer provided background information as it relates to the proposed electrical rate increase that is address in the Electrical Ordinance 2011-28 that will be considered at the December 6th Regular Meeting during the conduct of business.

Jenni Rosencranse, City Administrator discussed the letter of support for the Town of Meeteetse in reference to Redistricting. The Governing Body indicated their support of this request and authorized the Mayor to sign.

The Governing Body reviewed the agenda for the Tuesday, December 6th Regular Council Meeting. No action was taken.

In Staff updates Steve Payne, Public Works Director informed and updated the Governing Body of ongoing projects within the City and different departments. Rick Manchester, Parks, Recreation and Facilities Director reported that the deer sub-committee will be meeting next week to work on the deer pamphlet, reported on the WY Game and Fish deer count, updated the Governing Body on the streetscape project and other City projects. He invited Council to attend a retirement party on December 2nd at 1:45 for retiring employee Tim Kindt. Cindy Baker, Administrative Services Officer updated council on current position vacancies a reminded the Governing Body of the Employee Years of Service potluck to be held on Tuesday, December 20th. Jenni Rosencranse, City Administrator informed the Governing Body of the grant that was awarded to the City for the Master Plan.

In Council updates, Council Member Edwards reported on the Airport Board meeting, and Council Member Cloud reported on the Big Horn Basin Transportation Board meeting. Council Member Anderson attended the recent drug court graduation and commented on this program and what an asset it is in our community; and Council Member Fritz reported the liquor committee is still meeting and making progress.

There being no further discussion, the meeting adjourned at 5:54 p.m.

Cindy Baker	Steve Miller
Administrative Services Officer	Council President

City of Cody
Council Proceedings
Thursday, December 8, 2011

A special meeting of the Cody City Council was held in Council Chambers of City Hall in Cody, Wyoming on Thursday, December 8, 2011 at 4:15 p.m.

Present: Mayor Nancy Tia Brown, Council Members Steve Miller, Bryan Edwards, Donny Anderson, Jerry Fritz, Charles Cloud and Stan Wolz, City Administrator, Jenni Rosencranse, and Administrative Services Officer, Cindy Baker

Absent: None

Mayor Brown called the meeting to order at 4:15 p.m.

The Governing Body interviewed applicants for the board vacancies. Applicants and board being interviewed for are as follows:

Ned Frost – Yellowstone Regional Airport Board
Truman Torkelson – Yellowstone Regional Airport Board
Jack Way – Yellowstone Regional Airport Board
Douglas Johnston - Yellowstone Regional Airport Board
Ché Eissenger - Yellowstone Regional Airport Board
Debra Millard - Park County Travel Council
Joel Hunt – Park County Travel Council

There being no further discussion, the meeting adjourned at 7:15 p.m.

Cindy Baker	Nancy Tia Brown
Administrative Services Officer	Mayor

City of Cody
Council Proceedings
Tuesday, December 6 2011

A regular meeting of the Cody City Council was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, December 6, 2011 at 7:00 p.m.

Present: Mayor Nancy Tia Brown and Council Members Jerry Fritz, Stan Wolz, Charles Cloud, Bryan Edwards, Donny Anderson, and City Administrator, Jenni Rosencranse, and Administrative Services Officer, Cindy Baker

Absent: Council Member Steve Miller and City Attorney, Scott Kolpitcke

Mayor Brown called the meeting to order at 7:00 p.m.

Council Member Cloud made a motion seconded by Council Member Fritz to amend the Consent Agenda to increase the voucher total to reflect an additional $5,000 bringing the total to $698,068.83 and add item e in reference of a letter of support for redistricting in the Town of Meeteetse. Vote was unanimous.

Rick Manchester, Parks, Recreation and Facilities Supervisor introduced new employees, Floyd "Mike" Daems, Regular Part-Time Parks Maintenance Worker, and Ryan Selk, Parks Supervisor, with the Parks Division. Steve Payne, Public Works Director introduced new employees Ray Sanders, Lead Master Mechanic, and Micah Kramp, Apprentice Mechanic with the Vehicle Maintenance Division.

Council Member Wolz made a motion seconded by Council Member Anderson to approve the Consent Calendar as amended including approval of Minutes of the Special Meeting from 11/10/11, and Regular Meeting Minutes from 11/15/11, approve vouchers and payroll in the amount of $698,068.83, cast a ballot for Brad Basse, Hot Springs County Commissioner for the 3-year County Commissioner Position and Ronald Crook, Lincoln County Weed & Pest District for the 3 year Special District Position for the two open positions on the Local Government Liability Pool Board of Directors, appoint Leslie Brumage, City Finance Officer, to serve as Treasurer for the Big Horn Basin Transportation Authority Board through December 31, 2012, and authorize the Mayor to sign a letter of support for the Town of Meeteetse in reference to redistricting. Vote was unanimous.

At 7:17 p.m. Mayor Brown began the public hearing to receive comments on the proposed construction of a transmission pipeline for Cody's West Strip. Phil Ogle with the Wyoming Water Development Commission was present to explain the proposed project and to record comments. Steve Payne, Public Works Director, provided further information and explanation of this proposed project. After calling for public comments three times and there being none Mayor Brown closed the Public Hearing at 7:28p.m.

ORDINANCE NO. 2011-22 –THIRD AND FINAL READING
AN ORDINANCE AMENDING TITLE IX, CHAPTERS 1 THROUGH 3 OF THE CODY CITY CODE PERTAINING TO BUILDINGS.
Council Member Cloud made a motion seconded by Council Member Anderson to pass Ordinance 2011-22 on third and final reading. Vote was unanimous.

ORDINANCE 2011-28 – 1st READING
AN ORDINANCE AMENDING THE HEREIN BELOW IDENTIFIED SECTIONS OF CHAPTER 9, ARTICLE III, OF THE CODY CITY CODE TO MODIFY ELECTRICAL RATES.
Council Member Wolz made a motion seconded by Council Member Fritz to pass Ordinance 2011-28 on first reading. Vote was unanimous.

There being no further business, Mayor Brown adjourned the meeting at 8:18 p.m.

Cindy Baker	Nancy Tia Brown
Administrative Services Officer	Mayor

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
125412	813-NCPERS WYOMING	120211	PREMIUM	12/02/2011	400.00	400.00	12/02/2011	
Total 125412					400.00	400.00		
127691	ABSAROKA HEATING & COOLIN	3431	REPAIR ICE MACHINE - AUDITORIUM	11/23/2011	220.00			
Total 127691					220.00	.00		
129158	ACE ELECTRIC, INC.	CHG NO 3	CITY HALL ENERGY RETROFIT	11/28/2011	1,866.10			
Total 129158					1,866.10	.00		
2390	ACE HARDWARE	218801	SUPPLIES	10/19/2011	18.55			
		219643	FALL PROTECTION	11/01/2011	11.98			
		220199	SWEEPER WINTERIZATION	11/09/2011	8.79			
		220483	SLEDGE HANDLE	11/14/2011	9.49			
		220569	SAND TUBES A05	11/15/2011	11.98			
		220749	2" PIPE FLANGE	11/17/2011	15.99			
		220858	SUPPLIES	11/18/2011	13.87			
		220954	SHOP SUPPLIES	11/21/2011	2.99			
		221005	BUNGEE CORDS	11/22/2011	17.99			
		221044	CHRISTMAS LIGHTS - SUPPLIES	11/22/2011	1.99			
		221071	STOVE REPAIRS - AUDITORIUM	11/23/2011	24.98			
		221073	STOVE REPAIRS - AUDITORIUM	11/23/2011	10.49			
		221115	GAS CAN FOR SNOW BLOWER	11/23/2011	11.99			
		221313	SIGN SUPPLIES	11/29/2011	31.99			
		221475	SAFETY GLOVES	12/01/2011	23.99			
		221503	WD 40	12/01/2011	14.97			
		221528	SHOP SUPPLIES	12/01/2011	14.27			
		221552	FURNACE FITTINGS	12/02/2011	103.27			
		221628	ICE SCRAPER	12/03/2011	3.29			
		221838	NUTS & BOLTS	12/07/2011	2.13			
		222063	EXT CORDS TO PLUG IN VEHICLES	12/09/2011	246.95			
Total 2390					601.94	.00		
129162	ADVANCED INFO SYSTEMS	8944	CYCLE 2 OUTSOURCING	11/17/2011	208.55			
		8971	CYCLE 3 OUTSOURCING	11/29/2011	450.60			
		8987	CYCLE 4 OUTSOURCE BILLS	11/30/2011	279.66			
Total 129162					938.81	.00		
126373	ADVANCED VETERINARY CARE	60656	CANINE CARE - ABBY	11/15/2011	364.22			
Total 126373					364.22	.00		
450	ALDRICH LUMBER CO	442835	SUPPLIES	11/03/2011	11.18			
		443315	PREMIX CONCRETE	11/14/2011	8.98			
		443354	INSULATION - WATER TAP	11/15/2011	74.07			
		443598	SUPPLIES	11/22/2011	4.60			
		444192	NUTS, BOLTS, & WASHERS	12/08/2011	42.37			
		4444127	BLDG MAINT.	12/07/2011	7.19			
Total 450					148.39	.00		
126551	ALSCO	782854	RUGS - CITY HALL	11/08/2011	45.95			
		786515	RUGS - CITY HALL	11/22/2011	48.69			
		786516	RUGS - AUDITORIUM	11/22/2011	169.02			
		788003	TOWELS	11/28/2011	31.18			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
		789858	TOWELS	12/05/2011	30.80			
Total 126551					325.64	.00		
550	AMERICAN FAMILY LIFE ASSUR	868019	PREMIUM	12/02/2011	2,258.06	2,258.06	12/02/2011	
Total 550					2,258.06	2,258.06		
128592	AMERICAN WELDING & GAS, IN	0143954	SHARPENER FOR MOWER BLADE	09/19/2011	17.90			
		01492737	CO2	10/31/2011	102.30			
		01509970	SUPPLIES	11/09/2011	46.73			
		01513992	SUPPLIES	11/15/2011	33.01			
		01517450	CO2	11/18/2011	39.42			
		01520760	SUPPLIES	11/23/2011	3.90			
		01522564	CO2	11/28/2011	94.26			
		01523700	SAFETY GLASSES	11/29/2011	62.16			
		01527377	CYLINDER RENTAL	11/30/2011	29.70			
		01527378	CYLINDER RENTAL	11/30/2011	9.90			
		01527379	CO2	11/30/2011	103.62			
		01527380	SUPPLIES	11/30/2011	49.50			
		01527381	CYLINDER RENTAL	11/30/2011	19.80			
		01538001	WELDING ROD	12/01/2011	62.95			
Total 128592					675.15	.00		
127640	ARBOR DAY FOUNDATION	120111	MEMBERSHIP - MONTE BALES	12/01/2011	25.00			
Total 127640					25.00	.00		
126865	ASPHALT ZIPPER INC	21621	ASPHALT ZIPPER BITS	09/28/2011	731.00			
Total 126865					731.00	.00		
126399	BARCO PRODUCTS	111100660	PARKING BLOCKS - BECK AVE	11/21/2011	627.45			
Total 126399					627.45	.00		
972	BARN FEED AND PET	220567	DOG FOOD - ABBY	11/28/2011	40.15			
Total 972					40.15	.00		
1010	BEAR CO, INC	161372	FLAT TIRE REPAIR - BOBCAT	11/08/2011	43.00			
		161774	TIRES DO1	11/23/2011	1,327.84			
Total 1010					1,370.84	.00		
128992	BETTERS, JAIME	250872	REC CENTER REFUND	12/07/2011	85.00			
Total 128992					85.00	.00		
1210	BIG HORN WHOLESALE	133077	SUPPLIES	11/08/2011	23.05			
		133090	CAN LINERS	11/10/2011	18.43			
			CAN LINERS		18.42			
			CAN LINERS		18.43			
			CAN LINERS		18.42			
			CAN LINERS		18.42			
		133210	CLEANING SUPPLIES	11/21/2011	849.54			
		133316	CLEANING SUPPLIES	11/30/2011	149.75			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 1210					1,114.46	.00		
126954	BIOLYNCEUS, LLC	3912	BIO-SCRUBBER II	11/22/2011	4,182.75			
Total 126954					4,182.75	.00		
1320	BLANKENSHIP QUALITY CONCF	246	CONCRETE	11/29/2011	1,920.00			
			CONCRETE		2,376.62			
			CONCRETE		136.40			
Total 1320					4,433.02	.00		
1590	BLOEDORN LUMBER	230359	LUMBER	11/03/2011	75.90			
Total 1590					75.90	.00		
1360	BLUE CROSS BLUE SHIELD OF	112111	INSURANCE PREMIUM	11/21/2011	97,961.39			
			INSURANCE PREMIUM - CREDIT		893.61 -			
			INSURANCE PREMIUM - CREDIT		893.61 -			
Total 1360					96,174.17	.00		
128623	BOBCAT OF BIG HORN BASIN, I	3337	EQUIPMENT REPAIR	12/07/2011	64.04			
Total 128623					64.04	.00		
1400	BOONE'S MACHINE SHOP	2653	RENTAL	10/24/2011	245.00			
		2741	RENTAL - DECORATIONS	11/23/2011	400.00			
		2782	LIFT RENTAL	11/07/2011	900.00			
		2808	MACHINE RENTAL - VALLEY VIEW	11/14/2011	525.52			
		49169	EQUIPMENT MAINTENANCE	11/22/2011	144.00			
Total 1400					2,214.52	.00		
1420	BORDER STATES INDUSTRIES I	903297287	SYSTEM EXPANSION	12/05/2011	559.92			
		903297288	NORTH CODY	12/05/2011	7,074.53			
		903324040	NORTH CODY	12/09/2011	12,778.14			
Total 1420					20,412.59	.00		
123538	BRESNAN COMMUNICATIONS	112011-CH	INTERNET - CITY HALL	11/20/2011	99.95			
		112811-REC	INTERNET - REC CENTER	11/28/2011	65.15			
		20211-SHOP	INTERNET - SHOP	12/02/2011	153.10			
Total 123538					318.20	.00		
1550	BRUCO INC	293156	BRUSHES FOR SCRUBBER	10/25/2011	314.51			
		293644	CLEANING SUPPLIES	11/10/2011	134.67			
Total 1550					449.18	.00		
1690	C & C WELDING	14187	RECYCLING BIN BRACKETS	12/08/2011	189.07			
Total 1690					189.07	.00		
10200	CARQUEST AUTO PARTS	2874-178955	REPAIR PARTS	11/07/2011	3.84			
		2874-179155	REPAIR PARTS	11/09/2011	19.36			
		2874-180521	REPAIR PARTS	11/28/2011	17.28			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
		2874-180700	SUPPLIES	11/30/2011	21.84			
Total 10200					62.32	.00		
2260	CITY OF CODY	113011	UTILITIES	11/30/2011	97.38			
			UTILITIES		813.99			
			UTILITIES		874.78			
			UTILITIES		86.72			
			UTILITIES		81.26			
			UTILITIES		380.32			
			UTILITIES		349.42			
			UTILITIES		7,902.21			
			UTILITIES		262.62			
Total 2260					10,848.70	.00		
129160	CITY OF GILLETTE	120511	TRAINING C08	12/05/2011	100.00			
Total 129160					100.00	.00		
129213	CODEHANDBOOK.COM	8723	SAFETY SUPPLIES	07/18/2011	192.00			
Total 129213					192.00	.00		
129079	CODY CAB	112811	TIPSY TAXI VOUCHERS (16)	11/28/2011	112.00			
		120511	TIPSY TAXI VOUCHERS (15)	12/05/2011	105.00			
Total 129079					217.00	.00		
124707	CODY CHAMBER OF COMMERC	3317	CODY CLUB	12/06/2011	42.00			
			CODY CLUB		63.00			
Total 124707					105.00	.00		
2590	CODY ENTERPRISE	113011	ADVERTISING	11/30/2011	3,337.55			
Total 2590					3,337.55	.00		
125263	CODY SEAMLESS SIDING, LLC	3651	NEW RECYCLING CENTER	11/22/2011	40.00			
Total 125263					40.00	.00		
2850	CODY WINNELSON COMPANY	114128-00	GALV FITTINGS	11/23/2011	5.50			
		114145-00	GALV FITTINGS	11/23/2011	5.81			
		1145265-00	TAPE / MESH CLOTH	11/30/2011	14.43			
Total 2850					25.74	.00		
128750	CROSSFIT CODY	121211	5:30 CROSSFIT CLASSES - NOV 2011	12/12/2011	1,132.40			
			6:30 CROSSFIT CLASSES - NOV 2011		586.40			
			10:00 CROSSFIT CLASSES - NOV 2011		906.00			
			DROP INS CROSSFIT CLASSES - NOV		32.00			
Total 128750					2,656.80	.00		
3300	CRUM ELECTRIC	1286595-00	SUPPLIES	11/15/2011	19.84			
		1291329-00	SUPPLIES	12/01/2011	43.72			
		1292149-00	ST LIGHT REPAIRS	12/05/2011	61.29			
		1292451-00	NEW SERVICE	12/06/2011	140.17			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
		1292609-00	NEW SERVICE	12/06/2011	12.47			
Total 3300					277.49	.00		
3343	CUSTOM DELIVERY SERVICE	47951	SHIPPING WATER SAMPLES	11/30/2011	35.93			
		701087	PICK UP OIL	11/30/2011	75.21			
Total 3343					111.14	.00		
127015	CUSTOM GARAGE DOOR LLC	1815	GARAGE DOORS - EAST BAYS	11/06/2011	580.00			
Total 127015					580.00	.00		
3410	DANA KEPNER COMPANY	2213321-00	Check Valve 3/4" in line	11/28/2011	929.60			1086-W
			Meter Pigtails 3/4"		289.75			1180-W
			Meter Pigtails 1"		124.38			1181-W
			FREIGHT		9.18			
Total 3410					1,352.91	.00		
124470	DIVISION OF VICTIM'S SERVICE	120211	CRIME VICTIM'S COMP - DEC 2011	12/02/2011	464.46			
Total 124470					464.46	.00		
128152	DON F. SHREVE, JR. ESQ.	112311	PROFESSIONAL FEES	11/23/2011	1,318.76			
Total 128152					1,318.76	.00		
128686	ECOLAB PEST ELIM. DIV.	7172872	PEST CONTROL - REC CENTER	12/05/2011	57.50			
			PEST CONTROL - REC CENTER		57.50			
		7172873	PEST CONTROL - AUDITORIUM	12/05/2011	65.00			
Total 128686					180.00	.00		
129214	ELECTRICAL ALLY, INC.	335	EAST BAY ELECTRICAL WORK	10/22/2011	1,092.63			
		336	ELECTRICAL REPAIRS - BREAK ROOM	10/22/2011	58.94			
			ELECTRICAL REPAIRS - BREAK ROOM		58.93			
Total 129214					1,210.50	.00		
2630	ENERGY WEST	112311	UTILITIES - REC CENTER	11/23/2011	3,411.74			
			UTILITIES - REC CENTER		10,235.25			
			UTILITIES		122.95			
Total 2630					13,769.94	.00		
4210	FARM PLAN CORPORATION	702817	BLADE FOR EDGING SIDEWALKS ARC	10/27/2011	36.50			
		713114	BLADE FOR EDGING SIDEWALKS ARC	11/10/2011	36.50			
		723982	FREIGHT FOR BLADE	12/01/2011	10.86			
Total 4210					83.86	.00		
126018	FASTENAL COMPANY 01WYCD\	/YCDY38259	Bolts	11/10/2011	6.92			
		/YCDY38376	Bolts	11/16/2011	9.44			
		/YCDY38423	HARD HAT LINER	11/21/2011	9.98			
		/YCDY38484	SAFETY VESTS	11/23/2011	46.27			
		/YCDY38521	CONCRETE ANCHORS	11/28/2011	52.74			
		/YCDY38581	NUTS & BOLTS	12/01/2011	2.71			
		/YCDY38711	SUPPLIES	12/09/2011	24.08			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 126018					152.14	.00		
123567	FASTENERS	3172703.001	BOLTS	10/21/2011	4.47			
		3192100.001	BOLTS	11/16/2011	7.35			
Total 123567					11.82	.00		
4330	FC ORGANIZATIONAL PRODUC	80549777	DAY PLANNER SUPPLIES	11/17/2011	27.56			
		80566914	DAY PLANNER REFILL	11/25/2011	21.56			
Total 4330					49.12	.00		
4250	FED-EX	7-705-81621	SUPPLIES	11/24/2011	38.00			
Total 4250					38.00	.00		
123727	FOOD SERVICE OF AMERICA	4068189	Plain Pretzels	11/23/2011	38.91			20048
			Nacho Cheese		57.82			20044
			Nacho Chips		22.73			20043
			FUEL SURCHARGE		7.00			
		4072044	Plain Pretzels	11/30/2011	38.91			20048
			Nacho Cheese		57.82			20044
			Nacho Chips		22.73			20043
			Coffee		64.32			20006
			Nacho Trays		57.57			21500
			FUEL SURCHARGE		7.00			
		4077006	SENIOR BRUNCH	12/07/2011	469.33			
Total 123727					844.14	.00		
127301	FREMONT BEVERAGES INC	28427	Drink Syrups	11/23/2011	67.00			20004
			STRAWS		8.00			22000
			32 oz Drink Cups w/ lids		51.00			20003
			FUEL SURCHARGE		3.00			
Total 127301					129.00	.00		
4450	GAMBLES	706186	HOOKS	11/02/2011	3.38			
		706416	OUTLET TESTER TOOL	12/02/2011	11.99			
		706632	SNOWBLOWER FOR ADA RAMP - AUD	11/18/2011	399.99			
Total 4450					415.36	.00		
124850	GENERATOR STARTER SHOP I	15991	CORE RETURN	10/19/2011	105.00 -			
Total 124850					105.00 -	.00		
129221	GONZALEZ, L SHARON	14419018	REFUND UTILITY DEPOSIT	12/05/2011	76.96			
Total 129221					76.96	.00		
129228	GOTTSCHE REHAB	6129014	UTILITY REFUND	12/09/2011	118.71			
Total 129228					118.71	.00		
4780	HARRIS TRUCKING & CONST. C	122216	ASPHALT	11/23/2011	66.69			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 4780					66.69	.00		
129222	HI-LINE	1/744380	TOOLS	11/15/2011	2,961.77			
Total 129222					2,961.77	.00		
5000	HOLIDAY INN	21452	XBP UPGRADE	10/31/2011	182.00			
		21512	CONTRACTORS BOARD	11/17/2011	81.69			
Total 5000					263.69	.00		
129090	HOMAX OIL SALES, INC.	9021-IN	CREDIT	10/01/2011	29.61 -			
		CL30806-IN	FUEL - FAC. MAINT.	10/31/2011	137.73			
		CL31625-IN	FUEL - ELEC DEPT	11/30/2011	984.76			
			FUEL - ELEC DEPT		863.95			
		CL31626-IN	FUEL - SR CENTER	11/30/2011	1,220.19			
		CL31627-IN	FUEL - ADMIN	11/30/2011	273.90			
		CL31628-IN	FUEL - PD	11/30/2011	4,015.90			
		CL31629-IN	FUEL - PARKS	11/30/2011	214.13			
			FUEL - PARKS		818.79			
			FUEL - ELEC DEPT		37.98			
		CL31632-IN	FUEL - ENG. (GAS FOR NON ASSIGNE	11/30/2011	53.11			
		CL31634-IN	FUEL - STREETS	11/30/2011	4,598.05			
			FUEL - STREETS		595.03			
			FUEL - PARKS		91.29			
			FUEL - SANITATION		143.62			
			FUEL - ELEC DEPT		120.18			
			FUEL - ELEC DEPT		626.81			
		CL31635-IN	FUEL - VEHICLE MAINT.	11/30/2011	72.76			
		CL31636-IN	FUEL - SANITATION	11/30/2011	6,571.59			
			FUEL - SANITATION		286.14			
		CL31637-IN	FUEL - WATER DEPT	11/30/2011	327.40			
			FUEL - WATER DEPT		729.60			
			FUEL - PARKS		30.49			
		CL31638-IN	FUEL - WASTE WATER	11/30/2011	320.30			
			FUEL - WASTE WATER		235.88			
Total 129090					23,339.97	.00		
5170	ICMA RETIREMENT-457-#303143	120711	Contribution	12/12/2011	5,395.49	5,395.49	12/12/2011	
Total 5170					5,395.49	5,395.49		
129215	ISKRIC, JEFF	112911	REIMBURSE FOR SAFETY GLASSES	11/29/2011	120.00			
Total 129215					120.00	.00		
127571	JARVIS, GEORGE B	120711	VOLLEYBALL REFEREE	12/07/2011	112.50			
Total 127571					112.50	.00		
5690	K MART	18124	TOILET TISSUE	11/15/2011	12.99			
Total 5690					12.99	.00		
5700	K-B COMMERCIAL PRODUCTS	2972420.004	RADIUS MINI	11/10/2011	150.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 5700					150.00	.00		
126040	KEEGAN & WINSLOW LAW FIRM	120111	PROFESSIONAL FEES	12/01/2011	454.50			
Total 126040					454.50	.00		
129216	KRAMP, MICAH	113011	REIMBURSE FOR CDL FEES	11/30/2011	20.00			
Total 129216					20.00	.00		
127560	L.N. CURTIS & SONS	3116100-00	BALLISTIC VEST C17	11/23/2011	1,080.82			
Total 127560					1,080.82	.00		
129217	LAFOLLETTE, TRISHA	120211	RESTITUTION FROM MC-1101-043	12/02/2011	188.00			
Total 129217					188.00	.00		
127743	LEGEND COMMUNICATIONS OF	11/30/11	ADVERTISING	11/30/2011	173.40			
Total 127743					173.40	.00		
6135	LEXISNEXIS MATTHEW BENDER	25576704	2011 TRAFFIC MANUALS	11/30/2011	1,129.63			
		25855018	WY CODE 2011 CITATOR	12/05/2011	90.94			
Total 6135					1,220.57	.00		
6145	LIGHTMAN, RAY	250408	REC CENTER REFUND	11/30/2011	45.90			
Total 6145					45.90	.00		
125191	LONG BUILDING TECH INC	VCE0056148	HEAT - AUDITORIUM	11/03/2011	150.00			
		VCE0056249	REPAIR CONDENSATE PUMP	11/09/2011	100.00			
Total 125191					250.00	.00		
6390	MC CUMBER LOCKSMITH SHOP	2702A	KEYS	11/02/2011	5.00			
Total 6390					5.00	.00		
123583	MORRIS, SUZANNE	250299	REC CENTER REFUND	11/28/2011	60.00			
Total 123583					60.00	.00		
6820	MOTOR PARTS INC	504351	REPAIR PARTS	11/01/2011	5.85			
		504363	CREDIT - REPAIR PARTS	11/01/2011	28.29 -			
		504446	ORINGS	11/01/2011	2.00			
		504497	REPAIR PARTS	11/02/2011	45.70			
		504512	REPAIR PARTS	11/02/2011	5.69			
		504559	REPAIR PARTS	11/02/2011	4.62			
		504615	BELT	11/03/2011	7.66			
		504691	REPAIR PARTS	11/03/2011	35.53			
		504702	CREDIT - REPAIR PARTS	11/03/2011	5.69 -			
		504922	REPAIR PARTS	11/07/2011	4.62			
		504936	REPAIR PARTS	11/07/2011	12.24			
		504947	REPAIR PARTS	11/07/2011	114.95			
		504971	REPAIR PARTS	11/07/2011	17.91			
		504989	BROOM - RECY CENTER	11/07/2011	3.59			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
		505010	REPAIR PARTS	11/07/2011	4.36			
		505025	CREDIT - REPAIR PARTS	11/07/2011	2.36 -			
		505181	REPAIR PARTS	11/09/2011	130.45			
		505192	REPAIR PARTS	11/09/2011	2.82			
		505197	REPAIR PARTS	11/09/2011	12.87			
		505200	REPAIR PARTS	11/09/2011	4.36			
		505296	REPAIR PARTS	11/10/2011	160.78			
		505368	REPAIR PARTS	11/10/2011	4.62			
		505773	REPAIR PARTS	11/15/2011	4.36			
		506000	REPAIR PARTS	11/17/2011	21.96			
		506041	HOSES	11/17/2011	16.14			
		506049	REPAIR PARTS	11/17/2011	91.68			
		506069	CREDIT - REPAIR PARTS	11/17/2011	12.00 -			
		506332	REPAIR PARTS	11/21/2011	102.28			
		506345	AIR FRESHNER	11/21/2011	3.49			
		506355	REPAIR PARTS	11/21/2011	8.65			
		506414	TOOLS	11/22/2011	8.13			
		506418	REPAIR PARTS	11/22/2011	4.36			
		506424	CREDIT - REPAIR PARTS	11/22/2011	12.00 -			
		506448	TOOLS	11/22/2011	4.05			
		506460	SUPPLIES	11/22/2011	3.40			
		506489	REPAIR PARTS	11/22/2011	4.62			
		506564	REPAIR PARTS	11/23/2011	21.96			
		506596	REPAIR PARTS	11/23/2011	347.53			
		506615	REPAIR PARTS	11/23/2011	7.49			
		506764	TOOLS	11/28/2011	7.43			
		506765	REPAIR PARTS	11/28/2011	4.03			
		506813	REPAIR PARTS	11/28/2011	4.16			
		506870	REPAIR PARTS	11/29/2011	199.79			
		506881	DUSK MASKS	11/29/2011	39.30			
			DUST MASKS		39.31			
		506893	CREDIT - REPAIR PARTS	11/29/2011	12.00 -			
		507010	SHOP SUPPLIES	11/29/2011	2.09			
Total 6820					1,454.49	.00		
6840	MOTOROLA INC	76479061	RADIO REPAIR - MOBILE A09	11/18/2011	465.00			
Total 6840					465.00	.00		
6930	MOUNTAIN WEST INC	0022136	YOUTH BASKETBALL SHIRTS	11/30/2011	87.72			
		022058	UNIFORMS	11/04/2011	92.49			
		022065	UNIFORMS - FAC. MAINT.	11/07/2011	88.56			
		022114	YOUTH BASKETBALL SHIRTS	11/28/2011	128.26			
Total 6930					397.03	.00		
129218	NAT'L LAW ENFORCEMENT SUF	72467	INVESTIGATIONS SUPPLIES	11/22/2011	265.19			
Total 129218					265.19	.00		
7030	NAT'L SOCIETY OF PROF ENGIN	378404	NSPE DUES	11/21/2011	193.00			
Total 7030					193.00	.00		
128948	NORCO, INC.	08971012	SUPPLIES	11/30/2011	10.20			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 128948					10.20	.00		
7320	NORTH CENTRAL LABORATORI	295973	LAB SUPPLIES	11/17/2011	772.52			
Total 7320					772.52	.00		
7340	NORTHERN GARDENS	102711	PLANT DONATED TREE - CHAMBER	10/27/2011	30.40			
Total 7340					30.40	.00		
129219	NORTHLAND AUTOMOTIVE	IS152110	SEAT COVERS	11/21/2011	163.24			
Total 129219					163.24	.00		
7355	NORTHWEST COLLEGE	CC2012-03	MSHA TRAINING (ANDREW)	09/12/2011	160.00			
Total 7355					160.00	.00		
7400	NORTHWEST PIPE	1859367	HYDRANT METER VALVES	11/28/2011	469.08			
		1863098	Valve Box Top	11/21/2011	294.54			1014-W
Total 7400					763.62	.00		
125181	OWEN, DON	120711	VOLLEYBALL REFEREE	12/07/2011	87.50			
Total 125181					87.50	.00		
5120	PARK COUNTY ANIMAL SHELTE	120111	ANIMAL SERVICE CONTRACT	12/01/2011	3,750.00			
			PAYMENT #26 ON UTILITY PERMIT		100.00 -			
Total 5120					3,650.00	.00		
129116	PARK COUNTY CLERK	112111	FILING FEE - TITLE	11/21/2011	18.00			
Total 129116					18.00	.00		
129053	PARK COUNTY LANDFILL	113011	LANDFILL CHARGES	11/30/2011	66,712.00			
			LANDFILL CHARGES		30.00			
Total 129053					66,742.00	.00		
7730	PARK COUNTY READY MIX	42233	HORSESHOE PARK	11/08/2011	349.84			
		42235	N CODY	11/08/2011	699.68			
		42239	N CODY	11/09/2011	175.34			
Total 7730					1,224.86	.00		
127000	PARK SUPPLY OF AMERICA	38510000	TOILET REPAIR PARTS	11/28/2011	155.66			
Total 127000					155.66	.00		
129220	PAULEY, KATHERINE	14240030	REFUND UTILITY DEPOSIT	11/29/2011	66.49			
Total 129220					66.49	.00		
123444	PETERSON, SCOTT	250814	REC CENTER REFUND	12/05/2011	25.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 123444					25.00	.00		
128149	PRO-BUILD	902141	CURING COMPOUND / REBAR	09/08/2011	160.97			
Total 128149					160.97	.00		
128033	PROVIDENT LIFE & ACCIDENT I	120211	UNUM OPTIONAL POLICIES PREMIUM	12/02/2011	216.22	216.22	12/02/2011	
Total 128033					216.22	216.22		
430	PURCHASE ADVANTAGE CARD	017416	REC CENTER PROGRAMS	11/17/2011	9.49			
		017722	TEEN NIGHT - PROGRAM SUPPLIES	11/17/2011	6.17			
		023913	ASAP PROGRAM - REC CENTER	11/23/2011	5.98			
Total 430					21.64	.00		
127690	R & A SAFETY	1526	RANDOM TESTING	12/04/2011	60.00			
			RANDOM TESTING		30.00			
			RANDOM TESTING		120.00			
			RANDOM TESTING		30.00			
Total 127690					240.00	.00		
128273	RAMADA PLAZA RIVERSIDE	950432	WCBO MEETINGS	11/16/2011	154.00			
		950433	WCBO MEETINGS	11/16/2011	154.00			
Total 128273					308.00	.00		
129229	RAY LEE LLC	7183029	UTILITY REFUND	12/09/2011	57.09			
Total 129229					57.09	.00		
129212	RENKEMEYER, ALESHA ENTZ	120711	BASKETBALL REFEREE	12/07/2011	48.00			
Total 129212					48.00	.00		
125802	RHONDA'S CAKES	651916	ALL STAFF MEETING / RETIREMENT P	12/02/2011	82.00			
Total 125802					82.00	.00		
7570	ROCKY MOUNTAIN POWER	112811	UTILITIES	11/28/2011	370.43			
			UTILITIES		2,791.36			
Total 7570					3,161.79	.00		
123882	ROCKY MOUNTAIN SPORTS	490734-00	RACQUET BALL SUPPLIES	11/21/2011	40.64			
Total 123882					40.64	.00		
129230	ROTE, BRAD	250874	REC CENTER REFUND	12/07/2011	15.00			
Total 129230					15.00	.00		
123147	SCHOENING, WILLIAM D	120711	VOLLEYBALL REFEREE	12/07/2011	137.50			
Total 123147					137.50	.00		
8980	SCHRADER METAL & DESIGN	5315	COVER PIECES - RECYL. SHOP	11/30/2011	36.40			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 8980					36.40	.00		
9130	SHOSHONE MUNICIPAL PIPELIN	120111	SMP WATER PURCHASE - NOV 2011	12/01/2011	91,728.80			
Total 9130					91,728.80	.00		
9140	SHOSHONE OFFICE SUPPLY	0085596	CHAIRS, CHAIRMAT	11/21/2011	1,119.09			
		0085638	OFFICE SUPPLIES	11/18/2011	30.37			
			OFFICE SUPPLIES		60.74			
			OFFICE SUPPLIES		159.11			
			OFFICE SUPPLIES		83.37			
		0085746	PENS	12/12/2011	4.28			
		0085791	OFFICE SUPPLIES	11/28/2011	14.46			
		0085797	SUPPLIES	11/29/2011	13.60			
		0085812	MATERIAL AND SUPPLIES	11/29/2011	68.65			
		0085825	LABELS	11/30/2011	2.69			
		0085841	TONER	11/29/2011	179.98			
		0085851	LABELS	11/30/2011	53.38			
		0085916	SUPPLIES	12/05/2011	9.03			
		0086364	RECORD BOOK - CO2	12/08/2011	84.99			
		0086384	LEGAL PAPER	12/09/2011	396.60			
Total 9140					2,280.34	.00		
126460	SOUTHFORK ELECTRIC	3441	OUTSIDE ELEC OUTLETS - PD	12/06/2011	2,690.00			
Total 126460					2,690.00	.00		
126902	SPECIAL OPERATIONS GROUP	112811	REPAIR TO COMMAND TRAILER	11/28/2011	176.42			
Total 126902					176.42	.00		
129223	STEWART, JANET	120211	RESTITUTION FROM MC-1110-033	12/01/2011	110.00			
Total 129223					110.00	.00		
9635	STROUPE PEST CONTROL CO	120111-CH	PEST CONTROL - CH	12/01/2011	60.00			
		120111-EL	PEST CONTROL - EL SHOP	12/01/2011	55.00			
Total 9635					115.00	.00		
6240	THE UPS STORE	0852	EVIDENCE SHIPPING	12/06/2011	8.64			
		5862	RETURN STOLEN PROPERTY - CASE :	11/30/2011	15.44			
		5962	RETURN FOUND PROPERTY CASE 11	12/02/2011	11.44			
Total 6240					35.52	.00		
129224	TOMKINSON, LOUISE	120511	PARTIAL REFUND OF LANDSCAPE BO	12/05/2011	1,450.00			
Total 129224					1,450.00	.00		
9980	TRIPLE L SALES	I-20193	CLEAN OUT - VALLEY VIEW	11/15/2011	71.90			
		I-20294	CLEAN OUT - VALLEY VIEW	12/06/2011	26.55			
Total 9980					98.45	.00		
10050	U S POST OFFICE	112011	PRESORT POSTAGE FEE	11/20/2011	190.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 10050					190.00	.00		
127843	UNUM LIFE INS - LTD	120211	LTD	12/02/2011	2,365.79	2,365.79	12/02/2011	
Total 127843					2,365.79	2,365.79		
127935	UNUM LIFE INSURANCE - LIFE	120211	PREMIUM	12/02/2011	1,342.25	1,342.25	12/02/2011	
Total 127935					1,342.25	1,342.25		
10150	V F W CLUB	120711	FLAGS	12/07/2011	204.00			
Total 10150					204.00	.00		
10180	V-1 PROPANE	851725	FORK LIFT PROPANE	11/02/2011	26.39			
		851789	FORKLIFT PROPANE	11/10/2011	23.75			
		851916	FORKLIFT PROPANE	11/30/2011	18.80			
Total 10180					68.94	.00		
124442	VERIZON	1032537930	CELL PHONE SERVICE	11/20/2011	1,619.10			
			POLICE WIRELESS DEVICES		90.06			
Total 124442					1,709.16	.00		
10280	VISA	DEC 3444	MEETING EXPENSE - MAYOR	12/02/2011	48.99			
			MEETING EXPENSE - MAYOR		31.92			
			MEETING EXPENSE - MAYOR		12.80			
			MEETING EXPENSE - MAYOR		13.52			
			MEETING EXPENSE - MAYOR		25.54			
			MEETING EXPENSE - MAYOR		47.00			
		DEC 7933	TRAVEL EXPENSE - ENG.	12/02/2011	77.00			
			TRAVEL EXPENSE - FUEL (ENG)		40.03			
		DEC 8377	EMPLOYEE CARDS - CITY ADMIN.	12/02/2011	110.35			
			EMPLOYEE CARDS - CITY ADMIN.		36.40			
		DEC 8385	EDUCATION - PD	12/02/2011	75.00			
			FINANCE CHARGE - PD		2.80			
			REPAIR PARTS FOR EQUIP. - PD		24.97			
			UNIFORMS C06, C19 - PD		163.89			
		DEC 8401	XBP TEST - ADMIN	12/02/2011	1.00			
			TAX FORMS - ADMIN		163.12			
			TRAINING - ADMIN		85.00			
		DEC 8419	SUPPLIES - REC CENTER	12/02/2011	9.17			
			SUPPLIES - REC CENTER		9.18			
			DUES - PARKS		177.00			
			REC CENTER PROGRAM		30.00			
			REC CENTER PROGRAM - AQUATICS		84.50			
			REC CENTER PROGRAM - AQUATICS		32.97			
		DEC 8435	SUPPLIES - AQUATICS	12/02/2011	12.98			
		DEC 8468	TRAVEL EXPENSE - BLDG INSP	12/02/2011	27.90			
			TRAVEL EXPENSE - BLDG INSP		19.10			
			TRAVEL EXPENSE - BLDG INSP		19.70			
			TRAVEL EXPENSE - BLDG INSP		12.58			
		DEC 8476	SUPPLIES - REC CENTER	12/02/2011	49.90			
			SUPPLIES - REC CENTER		3.16			
			SUPPLIES - REC CENTER		39.96			
			MEMBERSHIP - REC CENTER		192.41			
			MEMBERSHIP - AQUATICS		192.40			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
			SUPPLIES - AQUATICS		127.04			
			REC CENTER PROGRAM - AQUATICS		11.92			
			SUPPLIES - REC CENTER		149.75			
			REC CENTER PROGRAM - AQUATICS		39.00 -			
			REC CENTER PROGRAM - AQUATICS		123.81			
			SAFETY SUPPLIES - AQUATICS		459.81			
			REC CENTER PROGRAM - AQUATICS		63.94			
			REC CENTER PROGRAM - AQUATICS		118.92			
			TRAINING - REC CENTER		110.00			
			FINANCE CHARGE - REC CENTER		22.69			
			SAFETY SUPPLIES - AQUATICS		112.50			
			REC CENTER PROGRAM - AQUATICS		518.10			
Total 10280					3,651.72	.00		
10285	VISIONARY COMMUNICATION	1738228	EMAIL HOSTING	11/23/2011	119.02			
Total 10285					119.02	.00		
10330	WAL MART COMMUNITY BRC	004583	SKI BUS	11/29/2011	21.44			
		00569	ASAP SUPPLIES	12/07/2011	62.18			
		01814	LAB SUPPLIES	12/01/2011	95.51			
		02437	Fruit Snacks	11/14/2011	8.43			20026
			Pizza		39.82			20045
			Ramen Soup		30.72			20050
			Snack Cakes		19.39			20027
		03822	ASAP SUPPLIES	12/08/2011	21.86			
		04442	ASAP SUPPLIES	11/28/2011	86.10			
		04504	ASAP SUPPLIES	11/14/2011	62.08			
		04584	Fruit Snacks	11/29/2011	4.96			20026
			Pizza		38.50			20045
			Ramen Soup		11.76			20050
			Snack Cakes		22.00			20027
			Chips		9.47			20031
			Hot Dogs		9.88			20053
			KETCHUP		1.68			23000
			MUSTARD		1.26			23001
			Applesauce		3.00			20055
		04672	REC CENTER PROGRAMS	11/16/2011	8.74			
			OFFICE SUPPLIES		58.02			
		05160	SUPPLIES	12/06/2011	10.79			
		05316	SAFETY SUPPLIES	11/22/2011	33.58			
			CLEANING SUPPLIES		23.35			
			SUPPLIES		37.05			
		05366	ASAP SUPPLIES	12/05/2011	147.05			
		05738	SENIOR BRUNCH	12/08/2011	48.73			
		06747	BATTERIES	12/07/2011	7.94			
		07151	OFFICE SUPPLIES	11/22/2011	16.62			
			OFFICE SUPPLIES		24.46			
			OFFICE SUPPLIES		9.15			
			OFFICE SUPPLIES		3.17			
		08082	RETIREMENT PARTY FOR TIM / MEETI	11/30/2011	27.47			
		02211-STMT	LATE FEE	10/22/2011	8.02			
		12211-STMT	LATE FEE	11/22/2011	3.46			
Total 10330					1,017.64	.00		
129225	WALGREENS	120211	RESTITUTION FROM MC-10050-022	12/02/2011	25.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 129225					25.00	.00		
10370	WATCO POOLS	13333	POOL CHEMICALS	11/29/2011	1,210.04			
Total 10370					1,210.04	.00		
125907	WCDA	13701713	UTILITY REFUND	12/09/2011	96.65			
Total 125907					96.65	.00		
10460	WEBSTER MOTORS, INC	29174	TRAIL BLAZER REPAIRS	11/15/2011	371.60			
		29205	TRAIL BLAZER REPAIRS	11/15/2011	201.25			
		7841	GLASS	11/03/2011	55.07			
		7842	PARTS	11/01/2011	80.02			
		7849	PARTS	11/03/2011	23.18			
		7851	PARTS	11/02/2011	30.62			
		7852	PARTS	11/04/2011	114.95			
		7876	NOZZLE	11/10/2011	19.67			
		7884	SWITCH	11/09/2011	177.33			
Total 10460					1,073.69	.00		
10480	WESCO DISTRIBUTION INC	603126	TOOLS	11/14/2011	198.03			
Total 10480					198.03	.00		
10568	WESTERN ENGINEERING	2244	NORTH CODY DESIGN	11/23/2011	5,357.25			
Total 10568					5,357.25	.00		
10570	WESTERN PATHOLOGY CONSU	CP1644	RANDOM TESTING	11/30/2011	81.00			
			RANDOM TESTING		31.50			
			RANDOM TESTING		36.00			
			RANDOM TESTING		4.50			
			RANDOM TESTING		36.00			
			RANDOM TESTING		22.50			
			RANDOM TESTING		13.50			
			RANDOM TESTING		18.00			
Total 10570					243.00	.00		
10645	WINDSHIELD DOCTOR	034421	REPAIR WINDSHIELD	11/14/2011	45.00			
Total 10645					45.00	.00		
128944	WOMACK MACHINE SUPPLY CC	0098801	FITTINGS	11/07/2011	164.57			
		0098802	RETURNS - FITTINGS	11/11/2011	121.12 -			
Total 128944					43.45	.00		
10660	WOODWARD TRACTOR CO	74110	2 STROKE OIL	10/12/2011	14.94			
		74138	HOSE FOR COMPRESSOR	10/13/2011	87.15			
		74749	CHAIN SAW FUEL MIX	11/15/2011	5.99			
			CHIPPING GLOVES		5.99			
		74993	TREE AND BRUSH CUTTING	12/06/2011	28.80			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 10660					142.87	.00		
10670	WORKERS COMPENSATION DI\	120211	WORKERS COMPENSATION	12/02/2011	12,339.01	12,339.01	12/02/2011	
			WORKERS COMPENSATION		23.12	23.12	12/02/2011	
			WORKERS COMPENSATION		339.04	339.04	12/02/2011	
Total 10670					12,701.17	12,701.17		
127631	WY CHILD SUPPORT #167207	120711	CHILD SUPPORT #167207/CV 1124836	12/07/2011	159.23	159.23	12/12/2011	
Total 127631					159.23	159.23		
10805	WYOMING DEPT OF TRANSPOF	000046060	SHERIDAN AVE	11/30/2011	187.24			
Total 10805					187.24	.00		
10830	WYOMING FIRE SAFETY	30837	SEMI ANNUAL HOOD INSPECTION	10/21/2011	81.00			
Total 10830					81.00	.00		
10920	WYOMING MUNICIPAL POWER /	113011	POWER PURCHASE - NOV 2011	11/30/2011	486,369.46			
Total 10920					486,369.46	.00		
10950	WYOMING RETIREMENT SYSTE	120211	CONTRIBUTIONS -	12/02/2011	57,966.28	57,966.28	12/02/2011	
Total 10950					57,966.28	57,966.28		
128282	YANKEE CAR WASH	113011	CAR WASHES - ADMIN	11/30/2011	8.00			
			CAR WASHES - PD		41.62			
Total 128282					49.62	.00		
129226	YELLOWSTONE QUAKE INC	14027017	REFUND UTILITY DEPOSIT	12/05/2011	151.26			
Total 129226					151.26	.00		

Total Paid:	82,804.49
Total Unpaid:	888,709.61
Grand Total:	971,514.10

Payroll $221.193.65

Total $1,192,707.75

MEETING DATE: DECEMBER 20, 2011
DEPARTMENT: ADMINISTRATIVE SERVICES
PREPARED BY: LESLIE BRUMAGE, FINANCE OFFICER
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____

AGENDA ITEM SUMMARY REPORT

Identity Theft Prevention Program Annual Report

BACKGROUND

In compliance with the Fair Credit Reporting Act all utility companies are required to develop and implement an Identity Theft Prevention Program. In November 2008 the City Council adopted a program designed to identify red flags that will alert City employees to potential identity theft incidents and provide for an appropriate response in dealing with such incidents.

SUMMARY

This program requires an annual review of the program to determine whether all aspects of the program are up to date and applicable to the current business environment. Additionally, an annual report must be submitted to the City Council which shall include a summary of the oversight and effectiveness of the program, a summary of any identity theft incidents, the response to those incidents and recommendations for substantial changes to the program if any. In compliance with this requirement, attached is the summary report.

There is one proposed change to the policy at this time. We have had several situations where a commercial customer has signed up for utility services but their company policy prohibits their employees from providing personal information. Our Identity Theft policy requires that the person signing the service application provide a driver's license or U.S. Government issued photo ID to verify their identity. In order to comply with our policy and respect the employee-privacy policies of our commercial customers I recommend changing the requirement as follows:

> *For accounts where the account holder is a corporation or LLC a company photo ID and/or letter of authorization on company letterhead authorizing the signer of the application to open the account is permitted in lieu of a driver's license or U.S. Government issued photo ID*

FISCAL IMPACT

None

ALTERNATIVES

At its discretion the City Council may accept or reject the recommendations and report.

AGENDA ITEM NO. _____

RECOMMENDATION

Accept the recommendation and report as presented.

ATTACHMENTS

1. Annual Summary Report & Policy

AGENDA & SUMMARY REPORT TO:

1. NONE

AGENDA ITEM NO. _____

City of Cody
Annual Identity Theft Report 2011

Pursuant to the Identity Theft Prevention Program (ITPP) adopted by the City of Cody this report is submitted to the City Council by the Administrative Services Director and staff responsible for the development, implementation, and administration of the program.

1. ITPP Adoption and Implementation

The ITPP was approved by the City Council in November 2008. This is the third annual report since the initial policy adoption.

2. Red Flag Report Summary – City Hall

The following is a summary of red flag reports involving potential identity theft at City Hall occurring since the effective date of the ITPP.

February 17 2011

INCIDENT: We received an application for utility service from an individual who used a SSN number that was in our utility billing system under a different name.

RESPONSE: A Red Flag report was initiated by staff and forwarded to the Administrative Services Director. The police department was contacted regarding this person and they notified us that this person used both names. It was determined that the application was not fraudulent and no further action was taken.

February 18, 2011

INCIDENT: We received an application for utility service from an individual who provided an out of state driver's license for verification of identity. The plastic coating had been peeled off and the expiration date appeared to be so far in the future that it seems unreasonable.

RESPONSE: A Red Flag report was initiated by staff and forwarded to the Administrative Services Director. Upon review of the license it was determined that it was a valid license and not a forgery. No further action was taken.

August 2, 2011

INCIDENT: We received an application for utility service from an individual who had a previous unpaid utility account. When asked about the unpaid account the individual claimed he had not lived at the address where the charges were incurred. He was shown the application for the unpaid account and he claimed the signature was not his. We notified him of a possible fraudulent situation and requested he wait for the police to arrive to file an identity theft report. At that time the individual changed his story and said the address was his girlfriends and he now thought that he might have given permission to his father to sign his name on his behalf. He declined to file an identity theft report.

RESPONSE: A Red Flag report was initiated by staff and forwarded to the Administrative Services Director. After discussion with the applicant and his decision not to file a police report for identity no further action was taken.

3. Red Flag Report Summary – Recreation Center

November 16, 2011

INCIDENT: A health management company twice requested proof of membership on an individual.

RESPONSE: A Red Flag report was initiated by staff and forwarded to the Recreation Supervisor. The health management company was informed the information would be given to the member and they needed to contact the member directly. No further action was taken.

4. Evaluation of Effectiveness of ITPP

The annual staff training sessions were held on July 27th for City Hall staff and November 16th for Rec Center staff.

An area of concern was identified in November – the copiers at the Rec Center and City Hall have hard drives that store images of copied and scanned documents. This could pose a potential identity theft weakness regarding the storage of sensitive customer information. The severity of the weakness is being evaluated and solutions are being researched.

5. Recommendations for Changes to the ITPP

After considering the information identified above, the absence of any material identity theft incident suggests that the policies and procedures set forth in the ITPP are effective at the present time in addressing the risk of identity theft.

There is one proposed change to the policy at this time. We have had several situations where a commercial customer has signed up for utility services but their company policy prohibits their employees from providing personal information. Our Identity Theft policy requires that the person signing the service application provide a driver's license or U.S. Government issued photo ID to verify their identity. In order to comply with our policy and respect the employee-privacy policies of our commercial customers I recommend changing the requirement as follows:

> *For accounts where the account holder is a corporation or LLC a company photo ID and/or letter of authorization on company letterhead authorizing the signer of the application to open the account is permitted in lieu of a driver's license or U.S. Government issued photo ID*

Identity Theft Prevention Program

CITY OF CODY
WYOMING

Revised 12/11

Introduction

In compliance with the Fair Credit Reporting Act all utility companies are required to develop and implement an Identity Theft Prevention Program. The program must include reasonable policies and procedures for detecting, preventing, and mitigating identity theft and protecting sensitive information. The rule was issued by the Federal Reserve System, the Federal Deposit Insurance Corporation, the Federal Trade Commission, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision.

This program is intended to identify red flags that will (1) alert City employees when accounts are opened using false information; (2) protect against the establishment of false accounts: (3) develop methods to ensure existing accounts were not opened using false information; (4) to protect sensitive information contained in existing accounts; and (5) develop measures to respond to fraudulent activity.

The steps required to develop an Identity Theft Prevention Program are:

- Assess existing identity theft risk (risk assessment) for new and existing accounts.
- Use the risk assessment to select measures (red flags) that may be used to detect attempts to establish fraudulent accounts.
- Identify procedures for employees to prevent the establishment of false accounts and procedures for employees to implement if existing accounts are being manipulated.
- Obtain program approval by the City Council.
- Train the appropriate employees on the program's policies and procedures.
- Update the plan annually with review and approval by the City Council.

Scope

All utility companies are required to comply with this rule even if only nominal information such as name, phone number and address are collected. Since the City of Cody collects customer information for a variety of purposes not related to utilities other City departments have been evaluated and included in this program.

Sensitive Information

Sensitive information includes the following, whether stored in electronic or printed format:

- Credit Card Information – credit card number, expiration date, cardholder name, cardholder address
- Bank Account Information – bank account number, account holder name, account holder address
- Tax Identification Numbers – social security number and federal employer ID number

- Other Personal Information – name, date of birth, mailing and physical address, driver's license number, government ID number, phone number and medical information

Detection (red flags)

The City of Cody adopts the following red flags to detect potential fraud. These are not intended to be all-inclusive and other suspicious activity may be investigated as necessary. City staff will use the following criteria to determine if the potential for fraud or identity theft exists on new and existing accounts:

Alerts & Notifications

- Alerts, notifications, or other warnings received from customers or law enforcement regarding possible identity theft.
- Identity theft is discovered by City employees

Suspicious Documents & Information

- Documents provided for identification appear to be forged or altered
- The photograph or physical description on the identification is not consistent with the appearance of the person providing the information
- Other information on the identification is not consistent with the information provided by the person associated with the account.
- Customer fails to provide all information requested

Suspicious Activity Related to the Account

- Request for frequent mailing address changes.
- Request to add, remove or change the name on the account and requestor cannot or will not provide adequate verification of identity
- Mail sent to the address on file is returned repeatedly as undeliverable although transactions continue to occur on the account.

Suspicious Personal Indentifying Information

- Personal information provided by applicant does not match other sources of information on file.
- Information provided is associated with known fraudulent activity (e.g. address or phone number provided is same as that of a fraudulent application)
- Information commonly associated with fraudulent activity is provided by applicant (e.g. address that is a mail drop or prison, non-working phone number or associated with answering service/pager)

- Social security number or driver's license number is the same as that of another customer

- Applicant cannot provide information requested beyond what could commonly be found in a purse or wallet

Response

Upon detecting a red flag the City must take specific actions to mitigate the threat. Any employee that may suspect fraud or detect a red flag will take the following actions, as applicable:

- Gather all related documentation and prepare a summary of the situation.

- Provide initial research to the Director of Administrative Services, or his/her designee.

- The Director of Administrative Services or his/her designee shall determine the merits of the potential red flag.

- If the situation is determined to be fraudulent, the appropriate action shall be taken which may include but is not limited to:
    a. Cancelling the account
    b. Notifying and cooperating with legal counsel and law enforcement
    c. Determining the extent of the liability to the City of Cody
    d. Notifying the actual customer that fraud has been attempted

In determining an appropriate response, the City should consider aggravating factors that may heighten the risk of identity theft, such as a data security incident that results in unauthorized access to a customer's account records. Such incidents may require additional action.

Sensitive Information Security Procedures

The City of Cody adopts the following security procedures for all functions which are identified as high-risk functions:

New Accounts

- Obtain identifying information about and verifying the identity of the person opening the account
    a. Copy of valid driver's license or U.S. Government issued photo ID
    b. For accounts where the account holder is a corporation or LLC a company photo ID and/or letter of authorization on company letterhead authorizing the signer of the application to open the account is permitted in lieu of a driver's license or U.S. Government issued photo ID
    ~~a.~~

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Existing Accounts

- Authenticating customer identity prior to providing account information
    a. Use of account passwords or verification of personal data listed on the account (SSN, EIN, or driver's license number)

- Authenticating customer identity prior to changing personal information such as name, mailing address and phone number
    a. Use of account passwords or verification of personal data listed on the account (SSN, EIN, or driver's license number)

Access to Customer Records

- Paper documents, files, and electronic media containing sensitive information will be stored in a secure file room or locked filing cabinets. Storage rooms containing documents with sensitive information and record retention areas shall be locked after business hours or when unsupervised. After-hours access is restricted to specifically identified employees. Access to areas in which sensitive information is stored is restricted to authorized City employees only.

- Files containing sensitive information shall be kept in the secure file room or locked filing cabinet except when an employee is working on the file.

- Desks, workstations, work areas, printers, fax machines and common work areas will be cleared of all documents containing sensitive information when not in use.

- Employees will log out of computer programs containing sensitive information when they will be away from their work areas for more than 5 minutes.

- Visitors who must enter areas where sensitive information is kept must be escorted by an employee of the City.

- Background checks will be done before hiring employees who will have access to sensitive information.

- Access to sensitive information is limited to employees with a "need to know."

- Paper records containing sensitive information will be shredded before being placed into the trash.

- Electronic storage devices shall be purged and overwritten according to IT policy prior to disposal.

- Sensitive information shall not be stored on laptops unless the information is encrypted or password protected.

- Computer passwords will be required for all employees using programs containing sensitive information.

- Passwords will not be shared or posted near workstations.
- Passwords will be changed periodically.

Periodic Updates to the Program

An annual review will be performed each November to determine whether all aspects of this program are up to date and applicable to the current business environment. This review will include:

- An assessment of the sensitive information covered under this program
- A review of red flags, which may be revised, replaced or eliminated
- A review of actions to take in the event fraudulent activity is discovered
- A review of staff training status and content

Reporting Requirements

A report will be prepared annually and submitted to the City Council. T his report shall include a summary of the oversight and effectiveness of the program, a summary of any identity theft incidents and the response to the incidents, and recommendations for substantial changes to the program, if any.

Staff Training

Staff training shall be conducted for all employees that have access to or come into contact with sensitive information. Employees shall receive annual training in all elements of this program and to ensure maximum effectiveness employees shall receive additional training as changes to the program are made. All new employees that will have access to or come into contact with sensitive information shall receive training on this policy within 1 month of their hire date. The employee's supervisor and the employee shall both sign an acknowledgement of training form which shall be submitted to Administrative Services.

Program Administration

This program is the responsibility of the City Council to implement and adopt annually. The operational responsibility of the program is delegated to the Administrative Services Director or his/her designee.

MEETING DATE: DECEMBER 20, 2011

DEPARTMENT: PUBLIC FACILITIES

PREPARED BY: RICK MANCHESTER
PRESENTED BY: RICK MANCHESTER

AGENDA ITEM SUMMARY REPORT
Nichol Mall Rental

ACTION TO BE TAKEN:

Pending final legal review approve the Mayor signing an agreement to enter into a 1-year lease with Central Wyoming Neurosurgery, LLC. The lessee is interested in renting the vacant suite in the Nichol Mall.

SUMMARY OF INFORMATION:

The space is approximately 1,600 square feet upstairs and 350 square feet in the basement. If approved, the lease will start on January 1, 2012 and is renewable for two additional years without further action. The rent is due the first of each month. Rent is based on square footage of the rental space; $6.89/sq ft upstairs and $5.00/sq ft for the basement, making rent a round number of $1,100/month. Rent includes water and sewer but all other utilities are paid for by the lessee/renter.

FISCAL IMPACT

The City has budgeted for the revenue from the rental to start in July 2011. We have not been receiving any rent from the space since Meeker moved out of the unit. It has been advertised a couple times in the Cody Enterprise without interest from potential renters.

ALTERNATIVES

1. Pending final attorney approvals enter into a lease agreement with Central Wyoming Neurosurgery LLC for $1,100 per month.
2. Do not lease the space and keep if for City uses.
3. Wait for other proposals and consider them when and if presented.

ATTACHMENTS

Lease draft

AGENDA & SUMMARY REPORT TO:
Starla Atkinson Clinic Manager
Mountain View Clinic, Central Wyoming Neurosurgery
6600 E. 2nd Street
Casper, WY 82609
Direct - 307-473-6724
starla@cwnsurgery.com

AGENDA ITEM NO. _____

LEASE

THIS LEASE is made and entered into this 1st day of January, 2012, by and between the City of Cody, a Wyoming municipal corporation, hereinafter referred to as CITY, and Central Wyoming Neurosurgery, LLC, hereinafter referred to as LESSEES:

WITNESSETH

For good and valuable consideration, including but not limited to the promises and covenants herein made by each party below, the CITY hereby leases to LESSEES the following-described property, to-wit:

> That portion of the Nichol Mall located at 1008 13th Street, Cody, Park County, Wyoming, known as Suite "A" and consisting of 1,661 square feet, more or less, on the main level and 350 square feet, more or less, on the basement level, and hereinafter referred to as the PROPERTY.

1. TERM OF LEASE. LESSEES shall be entitled to lease said premises for the period of one (1) year commencing on January 1, 2012, and continuing through December 31, 2013.

2. OPTION TO RENEW. If at the expiration of the above-mentioned term of this Lease, the LESSEES have complied in all respects with the agreements, conditions and terms of this Lease, this Lease shall be renewed for another one-year term upon the terms and conditions described herein. This lease may be renewed for up to two terms. No action shall required by either party to renew this lease. If either party wishes not to renew the lease, that party shall give written notice of their intent not to renew the lease to the other party at least 60 days prior to the end of the then current lease term.

3. RENT.

> A. During the term of this Lease, LESSEES shall pay to CITY the sum of One Thousand, One Hundred Dollars ($1,100) per month for the one year period beginning January 1, 2012, and ending December 31, 2012. Said rent shall be payable on or

before the tenth day of each month commencing on January 1, 2012, and continuing thereafter on the tenth day of each month. The rent shall be paid to the City of Cody, 1338 Rumsey Avenue, Cody, Wyoming 82414, unless the CITY shall otherwise notify the LESSEES in writing of another place for the payment of rent.

B. The rent shall be received by CITY on or before the tenth day of each month. A penalty of Five Dollars ($5) per day will be assessed to LESSEES for each day beyond the tenth until the rent is received by the CITY. It is LESSEES responsibility to deliver said rent to CITY.

4. UTILITIES. LESSEES agree to pay all public utilities, including but not limited to electricity, water and garbage, used or consumed by the LESSEES for the PROPERTY when due and payable. LESSEES further agree to maintain a minimum daytime temperature within the PROPERTY of 65 degrees and a minimum nighttime temperature within the PROPERTY of 55 degrees.

5. CONDITION OF PROPERTY. LESSEES acknowledge that they have examined and know the condition of the PROPERTY, and the building and improvements thereon, and agree that they have been received in good condition and in good order and repair, and that no representations as to the condition or repair thereof have been made by the CITY or by anyone representing the CITY. Prior to LESSEE'S use of the PROPERTY, CITY agrees to clean the carpets and vents of the upstairs portion of the PROPERTY, and will paint the interior walls of the upstairs portion of the PROPERTY.

6. MAINTENANCE AND REPAIR. LESSEES covenant and agree to keep PROPERTY in good condition and safe and proper repair, and in clean and tenable order during the term of this Lease, free from encumbrances. All repairs shall be equal in quality to the original work and accomplished in a timely manner. At the expiration of this Lease or upon termination as herein provided, the LESSEES shall surrender the leased PROPERTY in as good condition as it was in at the beginning of the term, reasonable wear and tear

and damages by the elements excepted.

7. IMPROVEMENTS OR ALTERATIONS. No alteration, addition or improvement to the leased PROPERTY shall be made by LESSEES without the prior written consent of the CITY, which consent shall not be unreasonably withheld. Any fixtures installed as a part thereof shall, at CITY's OPTION, become the property the CITY upon the expiration or other sooner termination of this Lease, provided however, that the CITY shall have the right to require LESSEES to remove such fixtures at LESSEES' expense upon termination of the Lease. Notwithstanding anything to the contrary herein, LESSEES may remove any fixture placed on the premises by LESSEES so long as any damage caused by such removal is repaired by and at LESSEES' expense.

8. RIGHT OF ENTRY. The CITY or their representative may enter the leased PROPERTY at any reasonable time for the purpose of inspection of the leased PROPERTY, performing any work which the CITY elects to undertake, exhibit the leased PROPERTY for sale, lease, mortgage financing or posting notices of non-responsibility under any mechanics lien law.

9. USE OF PREMISES. LESSEES agree that the PROPERTY is leased for the purpose of a medical office space. LESSEES will use the PROPERTY solely for patient consultation, and not for medical procedures. LESSEES agree that they will not make any other use nor unlawful use of the PROPERTY. CITY hereby agrees not to unreasonably withhold consent to other lawful uses which would not increase the wear and tear or increase risk of damages to the premises.

10. SIGNAGE. Mall interior: LESSEES agree to place no signage within or on any existing wall of the main central hallway of Nichol Mall. All signage shall be placed within the PROPERTY and shall be approved in advance by the CITY.

11. SUBLETTING AND LIENS. LESSEES shall not assign, mortgage or encumber this Lease or sublet the PROPERTY and improvements or any part thereof without the prior written consent of the CITY.

12. COMPLIANCE WITH LAWS. LESSEES shall comply at all times with all federal, state, county and municipal statutes, laws, ordinances, rules, regulations or requirements concerning the use and occupancy of the PROPERTY and save the CITY harmless from all fines, penalties, costs, claims, liabilities, loss or damage for violation or noncompliance with the same.

13. LIABILITY FOR INJURY OR DAMAGE. The CITY, except for its own or its employees' negligence, shall not be liable for injury or damage to any person or property occurring within or on the leased PROPERTY. LESSEES agree to indemnify, save and hold harmless CITY from any claims for personal injury or property damage incurred in or on said PROPERTY by any employees, agents, servants, guests or invitees of LESSEES. Provided further, that if CITY shall be required to pay a sum of money for property damage or personal injury resulting from LESSEE's use of the property, or resulting from any negligent act, error or omission of LESSEES or LESSEES' employees, agents, servants, guests or invitees, the amounts paid by CITY, together with all costs, damages and reasonable attorney's fees, shall be considered additional rent due in the month succeeding such payment, collectable at such time or upon expiration or termination of this Lease as herein provided, whichever shall first occur.

14. INSURANCE. LESSEES shall secure and maintain at LESSEES' cost and expense during the full term of this Lease and any extension or renewal thereof, public liability and property damage insurance issued by an insurance company approved by CITY, against all liabilities arising on account of injuries to all persons caused directly or indirectly by the use, disuse or operation of the leased premises by LESSEES or LESSEES' employees, agents, customers and invitees, including the interior and exterior of said premises and including all

adjacent sidewalks, entry ways, hallways and stairways in an amount not less than One Million Dollars ($1 million). Such insurance and all renewals thereof shall be so written as to cover and protect both CITY and LESSEES. The proper evidence thereof shall be submitted by LESSEES to CITY when and at such times as such policies are issued and renewed. Should LESSEES fail to obtain or maintain any such insurance, CITY, at its option, may procure such insurance and maintain the same in force and any sum paid out by CITY for any such insurance shall be repaid by LESSEES to CITY as so much additional rent on or before the next day after the payment thereof by CITY.

CITY shall at all times during the term hereof maintain in effect a policy or policies of fire insurance covering the premises. CITY WILL NOT INSURE LESSEES' personal property. LESSEES shall keep and maintain proper fire and extended coverage insurance on all contents belonging to LESSEES within the leased PROPERTY.

15. DEFAULT. LESSEES agree that in the event that LESSEES shall fail to make payment at the time and in the manner herein prescribed, or shall fail to strictly comply with the other conditions and covenants herein contained, or shall file a petition in bankruptcy, or shall have a petition in bankruptcy filed against him, or shall make an assignment of the benefit of creditors, such act or acts shall constitute a default hereunder. Provided further that upon the occurrence of any such default, CITY may, at its option, terminate this Lease by delivering or posting written notice to LESSEES specifying the date of termination, which date shall be no earlier than twenty (20) days after delivery of said written notice. LESSEES shall have twenty (20) days after delivery of such notice to cure default.

16. REMEDIES. Upon termination of this Lease, pursuant to Paragraph 16 hereof, LESSEES shall:

A. Peacefully surrender the leased PROPERTY to CITY and LESSEES agree that if it should become necessary for CITY to

employ an attorney to affect any of the CITY's rights in the event of LESSEES' default hereunder, LESSEES shall pay CITY's reasonable attorney's fees incurred thereby.

B. At any time after such termination, CITY shall make a reasonable effort to re-let the leased PROPERTY or any part thereof, in the name of the CITY, or otherwise for such terms (which may be greater or less than the period which would otherwise have constituted the balance of the term of this Lease) and on such conditions as the CITY, in its sole discretion, may determine and may collect and receive the rent therefore. If CITY has made a reasonable effort to re-let the premises, CITY shall not be liable for any failure to re-let the leased PROPERTY, or any part thereof, or for failure to collect rent due upon any such re-letting.

C. No such termination of this Lease shall relieve LESSEES of their liability and obligations under this Lease, and such liability and obligations shall survive any such termination. In the event of any such termination, LESSEES shall continue to pay to CITY the monthly rental amount as provided for herein, less the net proceeds of any re-letting effected pursuant to the provisions of Subparagraph B of this paragraph after deducting all of CITY's expenses in connection with such re-letting, including without limitation, all repossession costs, court costs, reasonable attorney's fees, expenses and repair and advertisement for such re-letting.

D. No waiver at any time of the right to terminate this Lease shall impair the right of CITY to insist upon such termination in the event of the CITY subsequently acquiring such right, nor shall the acceptance of rent at any time constitute such waiver or waiver of damages.

17. MODIFICATION. No provision of this Lease shall be waived, altered amended or modified except by written endorsement hereon or attached hereto and signed by CITY and LESSEES.

18. DESTRUCTION OF PREMISES. In the event that the leased premises are damaged or destroyed by fire or other cause to such an extent that the same cannot, with reasonable diligence, be repaired to the condition said premises were in immediately prior to the happening of such an event within

ninety (90) days from the date such damage or destruction strikes, or in the event the loss payable under the terms of the fire insurance policies herein above provided is insufficient to reconstruct the demised premises to approximately the same condition said premises were in immediately prior to the happening of such event, then this Lease shall terminate as of the date of such damage or destruction and the rent shall be apportioned pro rata. Provided further, in the event that said premises are damaged to such an extent that they can be repaired or replaced with reasonable diligence within ninety (90) days after such damage or destruction, or if the loss payable under the terms of said fire insurance policies on said premiss are sufficient to complete the reconstruction of the premises to the approximate condition that the said premises were prior to the happening of such event, then CITY shall cause such damage to the building to be repaired at their own expense. During the period of such reconstruction the rent shall be abated in the event that LESSEES cannot conduct their business in the demised premises, the rental from the date of the happening of such damage or destruction to the date when the repairs are substantially completed shall be an amount equal to ten percent (10%) of LESSEES' gross sales in the demised premises on demand of CITY, but not oftener than once a month.

19. CITY's OBLIGATION. CITY covenants and agrees at its own cost and expense to keep the roof, mechanical, electrical and structural portions of the building of which the demised premises are a part, in good repair and condition. Provided however, CITY shall not be held liable for damage by reason of any latent or other defect in the demised premises, nor shall CITY be liable for any damage to the goods of LESSEES caused by leakage or stoppage of steam, water, gutter, sewer or drain pipes or from any other cause whatsoever.

20. NOTICES. Any notice given under the terms of this Lease shall be deemed given five (5) days after depositing said notice in United States Postal

Service or when hand delivery of such notice is made or when posted on LESSEES' door. For the purposes of delivery, CITY's address is 1338 Rumsey Avenue, Cody, Wyoming 82414. LESSEE'S address is 6600 E. 2nd Street, Casper, WY 82609.

21. This Lease binds upon and inures to the benefit of the heirs, legatees and beneficiaries of CITY and LESSEES.

22. Nothing in this agreement shall be construed to act as a waiver of the CITY's sovereign immunity and other immunities provided to the CITY under federal and state law. The CITY expressly reserves the right to assert immunity as a defense to any claim arising under this agreement.

CITY OF CODY, WYOMING
A Wyoming Municipal Corporation

_____ Date:_____
Nancy Tia Brown, Mayor

ATTEST:

_____ Date:_____
Cynthia D. Baker, Administrative
Services Officer

LESSEES:

_____ Date:_____
Thomas Kopitnik, MD
Manager, Central Wyoming Neurosurgery, LLC

City of Cody
Taxi License Application
NEW LICENSE

License Period: January 1, 2011 through December 31, 2011

Name of Applicant/Business: Bighorn Taxi Services

Name(s) of Principal Business Owner(s): Jasen J Livermore

Street Address of Applicant: 54 Belfry Hwy #32 Cody Wy 82414

Mailing Address of Applicant: 54 Belfry Hwy #32 Cody Wy 82414

Phone No. of Applicant: 307-213-0077 Email: jasenLivermore@Yahoo.com

Please list vehicle descriptions and license plate numbers of all taxicabs operating under this license: (attach additional sheets if necessary). If the vehicle is not required under State law to have a license place to operate please provide another identifying number (VIN, fleet number, etc). **A license plate or other unique identifying number is required.**

Vehicle Description (year, make, model)	License Plate Number
2005 Dodge Durango	125935 Wy (Temp)

Signature of Applicant

12/1/11
Date

Required Attachments:

- ✓ **Driving record for each taxicab operator**
- ✓ **Background check for each taxicab operator**
- ✓ **Rate structure**
- ✓ **Public liability insurance policy**

For City Use Only

License Fee $_____

Date Paid _____

License No _____

Bighorn Taxi Services

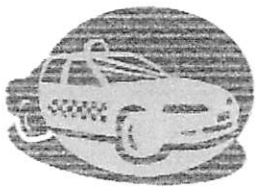
2526 Sheridan Av.
Cody, WY 82414
Phone: 307-899-8294

Our establishment would not only like to transport products from one place to another, but would also be willing to shuttle Cody's residents and visitors to their destinations. We would like the opportunity to contribute to the community by providing reliable public transportation, at a reasonable price, to potential customers. With the growing need for economical public transportation and the rising price of fuel, it is essential that Cody's public have a variety of choices available to them when in need of transportation services. With the permission to go forward with the licensing of Bighorn Taxi Services it will give the consumer a broader variety of choices when looking for these services. It will also keep a competitive edge on the market so each service provider will keep the customers needs and wants in mind.

Our trip rates will be a flat fee of $6.00 a fare for in-town customers and a $6.00 plus $1.00 a mile fare for out of town customers, wait time $1.00 per five min. We will be using our trip meter in the vehicle to calculate mileage for our out of town customer. We will also have a flat rate of $10.00 from the airport to any lodging in Cody.

We look forward to providing a safe driving experience to our customers and look forward to working with local establishments to ensure a safe ride home for their patrons.

Thank you for looking over our proposal,
Jasen Livermore



State of Wyoming	Department of Revenue	Excise Tax Division

Sales/Use Tax License No: 11005543 Business Start Date : 12/01/2011 Certificate Print Date: 11/21/2011

The vendor shown below has registered with the Department of Revenue and has been authorized to collect the sales/use tax imposed by the sales/use Tax Act of 1937, as amended and to furnish receipts therefore. This license shall be valid and effective until canceled or revoked and is not transferable.

Location: **2526 E SHERIDAN AVE**
CODY WY 82414

Issued To:
BIGHORN TAXI SERVICES
LIVERMORE, JASEN
54 BELFRY HWY #32
CODY WY 82414

Display Conspicuously at the Place of Business for Which Issued

---

Cut along this line to separate license certificate. Please retain the information below for your reference.

WYOMING SALES/USE TAX REPORTING INFORMATION

1. Your filing frequency is Quarterly beginning: 12/01/2011. Quarterly filers will be setup on calender quarters. If you are a quarterly filer, your first return may be for a portion of a calender quarter.

2. You will receive your return approximately the first week of the month in which it is due. Example: MONTHLY filers; January return will be received first half of February and it must be post marked on or before the last day of February. QUARTERLY filers; January, February, and March returns will be received first half of April and must be post marked on or before the last day of April.

3. **Failure to receive a return from the Department of Revenue does not relieve you from the responsibility of filing and paying the tax due on or before the due date. Returns must be filed even if no sales were made or any tax due.**

4. The postmark date determines the timeliness of your return. Returns with a late postmark are subject to penalty and interest.

5. Please notify the Excise Tax Division at the Cheyenne Office in writing if there is a change of address or ownership. Be sure to include your Wyoming Sales/Use tax license number on any correspondence and/or remittance sent to the Department to ensure timely processing.

Wyoming
(STATE)

INSURANCE IDENTIFICATION CARD

COMPANY NUMBER

COMPANY
National Indemnity Company

[X] COMMERCIAL [ ] PERSONAL

POLICY NUMBER
70APS033171

EFFECTIVE DATE
12/01/11

EXPIRATION DATE
12/01/12

YEAR
2005

MAKE/MODEL
Dodge Durango

VEHICLE IDENTIFICATION NUMBER
1D8HB48D15F520161

AGENCY/COMPANY ISSUING CARD
Wyoming Financial Insurance
Walter Braunschweig
P.O. Box 1898
Cody, WY 82414
307-527-6201

INSURED
Jasen J. Livermore
dba Bighorn Taxi Services
54 Belfrey Highway #32
Cody, WY 82414

SEE IMPORTANT NOTICE ON REVERSE SIDE

THIS CARD MUST BE KEPT IN THE INSURED
VEHICLE AND PRESENTED UPON DEMAND

IN CASE OF ACCIDENT: Report all accidents to your Agent/Company as soon as possible. Obtain the following information:

1. Name and address of each driver, passenger and witness.
2. Name of Insurance Company and policy number for each vehicle involved.

ACORD 50 (2007/02)

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Risk Placement Services, Inc.
Knowledge. Relationships. Trust. Confidence.

Risk Placement Services, Inc

8700 E. Northsight Blvd., Suite 100
Scottsdale , AZ 85260
Phone: 480-860-5555
Fax: 480-860-5561

INSURANCE BINDER

DATE ISSUED: December 1, 2011 **EXPIRES ON:** 2/1/2012

AGENT: Wyoming Financial Insurance - Cody
P O Box 1898,
Cody, WY 82414

INSURED: Jasen J. Livermore
DBA (if any): Bighorn Taxi Services
54 Belfrey Highway #32

Cody, WY 82414

PHYSICAL LOCATION:
54 Belfrey Highway #32

Cody, WY 82414

INSURER: National Indemnity Company
Admitted AM Best Rating: A++ XV

POLICY NUMBER: 70APS033171

PRODUCT: Public Auto **BUSINESS TYPE:** Taxi Operation

If this is a Claims Made Coverage, the Retro Date is:

POLICY PERIOD: 12/1/2011 TO 12/1/2012

PREMIUM: $2,876.00 **MINIMUM EARNED:**

TRIA ACT PREMIUM:
Included above (if accepted) NOT APPLICABLE

FEES:
(Fees, if any, are fully earned)
TAXES:

TOTAL: (incl Tax and fee) $2,876.00

LIMITS

$ 500,000	Auto Liability - Each Accident
$ 500,000	Uninsured Motorists- BI Only
$ 500,000	Underinsured Motorists - BI Only
$ 5,000	Medical Payments
$ 14,500	Comprehensive
$ 14,500	Collision
$ 10,000	Motor Truck Cargo

DEDUCTIBLE

$ 500	Each Loss - Comprehensive
$ 500	Each Loss - Collision
$ 500	Each Loss - Cargo

ENDORSEMENTS/FORMS

CONDITIONS

Specifically Described Autos only (Symbol 7)
This carrier SURCHARGES FOR ALL CITATIONS AND DRIVERS UNDER AGE 35, credits driver 36 & older.
Subject to clean MVR(s), any citations will increase premium.
Drivers Must Have 2 Years Experience in Similar Units, Be 25+ Years old
Drivers must be reported on date of hire
FORM E & H FILINGS - WY

RATING BASIS:

Power unit (1), territory 13, radius up to 100 miles

PAYMENT TERMS: **PREMIUM PAYMENT IS DUE WITHIN THE TERMS OF THE INVOICE ATTACHED.**

CERTIFICATES OF INSURANCE: **A certificate template is located at www.rpsins.com. Enter your Agent Code and the policy number along with the Certificate Holders name and address to create a new certificates**

Brenda McCann, Underwriter/Broker
AUTHORIZED REPRESENTATIVE

INSURED: Bighorn Taxi Services Jasen J. Livermore
DATE ISSUED: December 1, 2011

If you elect to bind coverage with a non-admitted carrier, surplus lines taxes must be collected and remitted to your Home State, as defined in The Nonadmitted and Reinsurance Reform Act (NRRA). Many states have not yet addressed the impact of the NRRA, and surplus lines tax rates and regulations are subject to revision. Accordingly, additional taxes may be levied and RPS would require immediate remittance from you. In addition, if you have a multi-state risk, we intend to bill the surplus lines taxes for the non-Home States, and hold these taxes until a process for remittance is established and payment to the non-Home State may be made. If no such process is established by the Home State, and the risk of a future claim by the non-Home State is determined to no longer exist, then the taxes will be returned to you.

reference #:0080040C

OP ID: WB

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 12/07/11

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Wyoming Financial - Cody
P.O. Box 1898
Cody, WY 82414
Walter Braunschweig
307-527-6201
307-527-6853

CONTACT NAME:
PHONE (A/C, No, Ext): FAX (A/C, No):
E-MAIL ADDRESS:
PRODUCER CUSTOMER ID #: LIVER-1

INSURED
Jasen J. Livermore
dba Bighorn Taxi Services
54 Belfrey Highway #32
Cody, WY 82414

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : National Indemnity Company	
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY						EACH OCCURRENCE	$
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
	CLAIMS-MADE OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$
								$
A	AUTOMOBILE LIABILITY			70APS033171	12/01/11	12/01/12	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	X SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	HIRED AUTOS							$
	NON-OWNED AUTOS							$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DEDUCTIBLE							$
	RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Cargo			70APS033171	12/01/11	12/01/12	Liability	10,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER

CITOCO3

City of Cody
PO Box 2200
Cody, WY 82414

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Walter Braunschweig

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Wyoming
Department of Transportation

"Providing a safe, high quality, and efficient transportation system"

Matthew H. Mead
Governor

5300 Bishop Boulevard
Cheyenne, Wyoming 82009-3340

John F. Cox
Director

LIVERMORE, JASEN J
BIGHORN TAXI SERVICES
2526 SHERIDAN AVENUE
CODY, WY 82414

2011

DOCKET NO: M-000161069 US DOT #: ISSUE DATE: December 01, 2011

PERMANENT CONTRACT MOTOR CARRIER AUTHORITY

By application filed, the applicant above-named seeks authority to operate as a contract motor carrier of persons or property by motor vehicle in Wyoming intrastate commerce.

It APPEARING that applicant has the prescribed evidence of insurance on file with the Department; and applicant has otherwise complied with the applicable provisions contained in Chapter 18 of Title 31, Wyoming Statutes, 1977, as amended, and the rules, regulations and requirements of the Department issued pursuant thereto and related to contract motor carriers: THEREFORE

IT IS ORDERED that said application be, and the same is hereby, granted; that a Contract Motor Carrier Authority be, and the same is hereby, issued.

IT IS FURTHER ORDERED that operations pursuant to this order shall be subject to the provisions of the Commercial Vehicle Act, as amended, and to such rules, regulations and requirements as are now, or may hereafter be prescribed or adopted by the Department thereunder; and that said Authority is permanent and shall remain valid and in effect unless revoked by the Department for good cause, or cancelled at the request of the holder.

A COPY OF THIS AUTHORITY SHALL BE CARRIED IN EACH POWER UNIT.

Dated and mailed at Cheyenne, Wyoming on December 01, 2011.

Motor Vehicle Services
Regulatory Section (777-4850)

MEETING DATE: DECEMBER 20, 2011
DEPARTMENT: ADMINISTRATIVE SERVICES
PREPARED BY: LESLIE BRUMAGE, FINANCE OFFICER
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____

AGENDA ITEM SUMMARY REPORT

Acceptance of the FY2010-11 Audit Report

BACKGROUND

In response to an RFP for auditing services issued in 2011 the City engaged the services of Stine, Buss, Wolff, Wilson & Associates for a 3-year term. They have been the City's auditors since 2006.

SUMMARY

Stine, Buss, Wolff, Wilson & Associates completed the audit of the City's financial statements for the fiscal year ended June 30, 2011 and issued an Independent Auditor's Report and Report on Internal Controls as of December 7, 2011. These reports are included with the City's basic financial statements. They also performed a single audit in accordance with Circular A-133 due to the amount of Federal grants the City expended during the fiscal year audited. Included with the financial statements is their report on compliance with these requirements.

An audit workshop was held on December 7th to present the draft to a committee of Council and staff members. The committee approved presenting the report to the Council for acceptance.

FISCAL IMPACT
None

ALTERNATIVES
At its discretion the City Council may accept or reject the auditor's report and related financial statements.

RECOMMENDATION
Accept the auditor's report and related financial statements as presented.

ATTACHMENTS

1. Basic Financial Statements for the fiscal year ended June 30, 2011

AGENDA & SUMMARY REPORT TO:

1. Keri Wilson 527-6161

AGENDA ITEM NO. _____

City of Cody, Wyoming

Basic Financial Statements
June 30, 2011

CITY OF CODY
WYOMING

City of Cody, Wyoming
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For the fiscal year ended June 30, 2011

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SBWW
STINE BUSS WOLFF WILSON
&
ASSOCIATES, P.C.

Worland: Stephen L. Stine, C.P.A.

Cody: Keven L. Buss, C.P.A.
Reanne N. Wolff, C.P.A.
Keri J. Wilson, C.P.A.

INDEPENDENT AUDITOR'S REPORT

To the Mayor and City Council
City of Cody, Wyoming
PO Box 2200
Cody, Wyoming 82414

We have audited the accompanying financial statements of the governmental activities, the business-type activities, discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Cody, Wyoming, as of and for the year ended June 30, 2011, which collectively comprise the City's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the City of Cody, Wyoming's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Cody, Wyoming as of June 30, 2011, and the respective changes in financial position, and cash flows, where applicable, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 7, 2011, on our consideration of the City of Cody's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3 through

1015 Robertson Avenue • P.O. Box 168 • Worland, Wyoming 82401 • Phone (307) 347-4555

931 Rumsey Avenue • P.O. Box 657 • Cody, Wyoming 82414 • Phone (307) 527-6161

10 and 64 through 66 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Cody, Wyoming's financial statements as a whole. The combining non-major fund financial statements are presented for the purposes of additional analysis and are not a required part of the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for the purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations,* and is also not a required part of the financial statements. The combining non-major funds financial statements and the schedule of expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

Stine, Buss, Wolff, Wilson & Assoc., P.C.

Stine, Buss, Wolff, Wilson & Associates, P.C.
Certified Public Accountants

December 7, 2011
Cody, Wyoming

MANAGEMENT'S DISCUSSION AND ANALYSIS

The management of the City of Cody, Wyoming offers the readers of Cody's financial statements this narrative overview and analysis of the financial activities for the fiscal year ended June 30, 2011.

Financial Highlights

- The assets of the City of Cody exceeded its liabilities at the close of the most recent fiscal year by $75,823,735. Of this amount $15,032,641 is unrestricted and may be used to meet the City's ongoing obligations.

- Total net assets increased by $5,665,352. The governmental-type net assets increased by $2,471,282 and the business-type net assets increased by $3,194,070.

- As of June 30, 2011, the governmental funds reported a combined ending fund balance of $5,654,129, an increase of $311,558 in comparison with the prior year.

- At June 30, 2011, the unassigned fund balance for the governmental funds was $3,477,176 or approximately 61% of the total governmental funds balance.

- The City's total debt decreased by $231,843. This is mainly a result of principal payments on the Water and Electric Fund bonds and notes payable made during the fiscal year and changes in compensated absences accruals.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. Cody's basic financial statements are comprised of three components (1) Government-Wide Financial Statements, (2) Fund Financial Statements, and (3) Notes to the Financial Statements.

This report also contains supplemental schedules and information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the City of Cody's finances, in a manner similar to a private-sector business. The *statement of activities* presents information reflecting how Cody's net assets have changed during the fiscal year just ended.

The government-wide financial statements distinguish the functions of Cody that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities include general government,

administrative services, public safety, parks, public facilities, recreation, and public works. The business-type activities include solid waste collection, water, wastewater and electric.
The government-wide financial statements include not only the City of Cody but also the Yellowstone Regional Airport, a discretely presented component unit. See Note 5 in the notes to the financial statements for more details regarding this entity.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City of Cody, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City of Cody can be divided into two categories: governmental funds and proprietary funds.

- Governmental Funds. Governmental funds are used to account for essentially the same functions reported in governmental activities in the government-wide financial statements. These funds focus on (1) how cash and other financial assets that can readily be converted to cash flow in and out and (2) the balances left at year-end that are available for spending. Consequently, the governmental funds statements provide a detailed short-term view that helps you determine whether there are more or fewer financial resources that can be spent in the near future to finance the City's programs. Because this information does not encompass the additional long-term focus of the government-wide statements, we provide additional information at the bottom of the governmental funds statement, or on the subsequent page, that explains the relationship (or differences) between them.

- Proprietary funds. Services for which the City charges customers a fee are generally reported in proprietary funds. Proprietary funds, like the government-wide statements, provide both long- and short-term financial information.

Notes to the Financial Statements

The notes to the financial statements are considered an integral part of the basic financial statements since they provide additional information needed to gain a full understanding of the data provided in both the government-wide and fund financial statements.

Supplemental Information

In addition to the basic financial statements, which include the accompanying notes, this report also presents *required supplemental information.* Included is a budgetary comparison for the General Fund and the Lodging Tax Fund comparing actual results (using the basis of budgeting) with the original budget and the final amended budget.

Other supplemental information included with the basic financial statements are the combining balance sheet and combining statement of revenues, expenditures and changes in fund balance schedules for the non-major governmental funds (special revenue and capital projects).

Government-Wide Financial Analysis

As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. At the close of the most recent fiscal year, the City of Cody's assets exceeded liabilities by $75,823,735. The following summaries of net assets and changes in net assets are presented for the current fiscal year with comparison totals for the fiscal year 2009-2010.

City of Cody
Statement of Net Assets (condensed)
As of June 30 each year

	Governmental Activities		Business-type Activities		Total Primary Government	
	2011	2010	2011	2010	2011	2010
Current and other assets	$ 8,169,576	$ 7,613,425	$10,358,420	$10,940,846	$18,527,996	$18,554,271
Capital assets	27,931,578	25,642,469	34,164,246	30,680,931	62,095,824	56,323,400
Total assets	$36,101,154	$33,255,894	$44,522,666	$41,621,777	$80,623,820	$74,877,671
Long-term debt outstanding	$ -	$ -	$ 1,872,812	$ 1,899,480	$ 1,872,812	$ 1,899,480
Other current liabilities	2,551,621	2,177,643	375,652	642,165	2,927,273	2,819,808
Total liabilities	$ 2,551,621	$ 2,177,643	$ 2,248,464	$ 2,541,645	$ 4,800,085	$ 4,719,288
Net assets						
Invested in capital assets, net of debt	$27,931,578	$25,642,469	$32,281,544	$28,364,656	$60,213,122	$54,007,125
Restricted	105,664	105,127	472,308	479,700	577,972	584,827
Unrestricted	5,512,291	5,330,655	9,520,350	10,235,776	15,032,641	15,566,431
Total net assets	$33,549,533	$31,078,251	$42,274,202	$39,080,132	$75,823,735	$70,158,383

The largest portion of Cody's net assets (77%) reflects its investment in capital assets (e.g. land, buildings, machinery & equipment, and infrastructure), less any debt used to acquire those assets that is still outstanding. Cody uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although Cody's net assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources since the capital assets themselves cannot be used to liquidate these liabilities.

The total net assets reported for the Primary Government increased by $5,665,352 during the current fiscal year. The current change in net assets is attributed mostly due to an expansion in capital assets.

City of Cody Changes in Net Assets As of June 30 each year						
	Governmental Activities		Business-type Activities		Total Primary Government	
	2011	2010	2011	2010	2011	2010
Revenues:						
Program revenues						
Charges for services	$ 1,800,324	$ 1,777,524	$15,737,301	$15,001,745	$17,537,625	$16,779,269
Operating grants/contributions	472,418	348,530	10,000	20,000	482,418	368,530
Capital grants/contributions	4,828,436	1,519,935	2,820,650	1,645,975	7,649,086	3,165,910
General revenues						
Sales & use taxes	2,477,700	2,485,647	-	-	2,477,700	2,485,647
Property taxes	538,624	560,057	-	-	538,624	560,057
Other taxes & fees	2,274,794	2,522,535	-	-	2,274,794	2,522,535
Investment earnings	66,480	63,401	81,078	105,100	147,558	168,501
Other	19,640	23,435	123,280	174,083	142,920	197,518
Total Revenues	12,478,416	9,301,064	18,772,309	16,946,903	31,250,725	26,247,967
Expenses:						
Mayor and Council	268,534	370,501	-	-	268,534	370,501
City Attorney	76,067	83,240	-	-	76,067	83,240
City Administrator	149,017	125,359	-	-	149,017	125,359
Administrative Services	3,250,507	2,350,240	-	-	3,250,507	2,350,240
Police Department	2,665,589	2,460,774	-	-	2,665,589	2,460,774
Parks Maintenance	917,174	893,936	-	-	917,174	893,936
Public Facilities	450,258	468,678	-	-	450,258	468,678
Recreation Center	2,008,562	1,967,158	-	-	2,008,562	1,967,158
Engineering	326,929	417,303	-	-	326,929	417,303
Building Inspection	153,122	150,317	-	-	153,122	150,317
Streets	1,684,331	1,737,440	-	-	1,684,331	1,737,440
Public Transportation	12,187	30,650	-	-	12,187	30,650
Vehicle Maintenance	234,435	163,353	-	-	234,435	163,353
Interest on long-term debt	-	-	-	-	-	-
Solid Waste	-	-	1,550,003	1,376,638	1,550,003	1,376,638
Water	-	-	2,428,139	2,350,304	2,428,139	2,350,304
Wastewater	-	-	916,922	847,881	916,922	847,881
Electric	-	-	8,312,840	7,588,282	8,312,840	7,588,282
Total Expenses	12,196,712	11,218,949	13,207,904	12,163,105	25,404,616	23,382,054
Transfers:						
Transfers-internal activity	2,370,335	1,783,667	(2,370,335)	(1,783,667)	-	-
Transfers-to component unit	(180,756)	(167,078)	-	-	(180,756)	(167,078)
Total Transfers	2,189,579	1,616,589	(2,370,335)	(1,783,667)	(180,756)	(167,078)
Change in net assets	2,471,283	(301,296)	3,194,070	3,000,130	5,665,353	2,698,834
Net assets - July 1	31,078,250	31,379,546	39,080,132	36,080,002	70,158,382	67,459,549
Net assets - June 30	$33,549,533	$31,078,251	$42,274,202	$39,080,132	$75,823,735	$70,158,383

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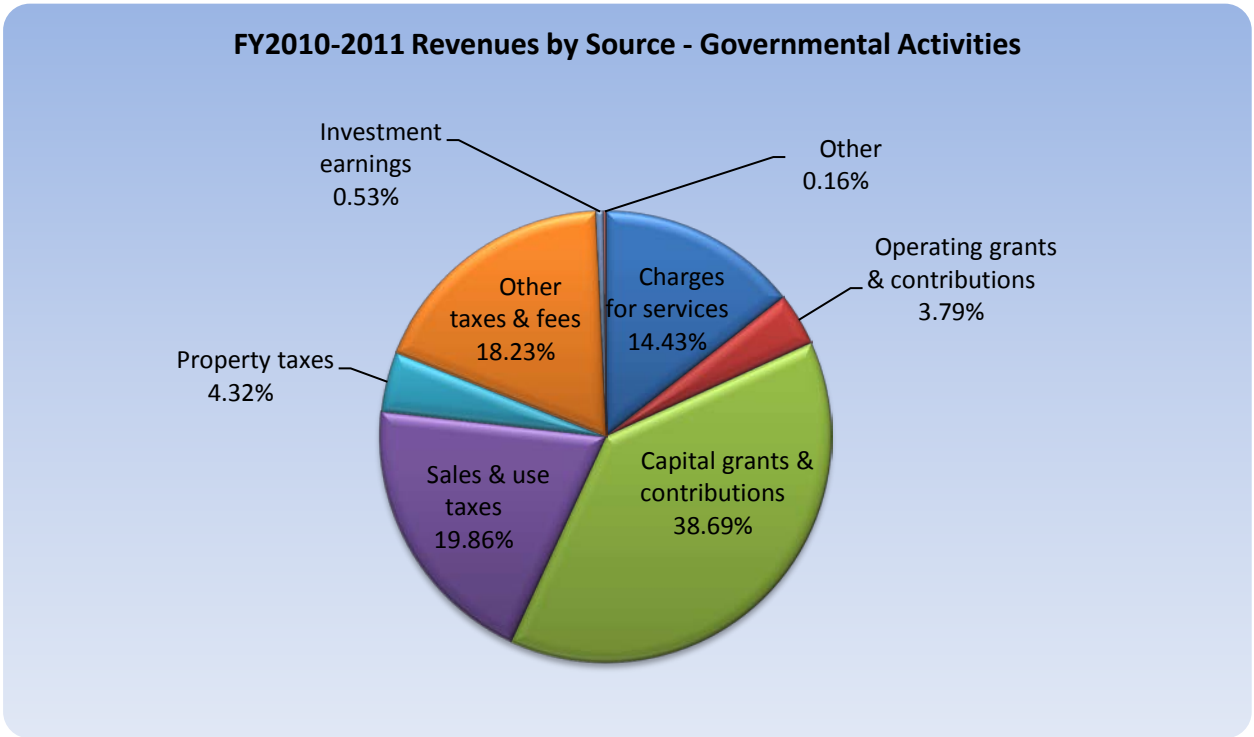
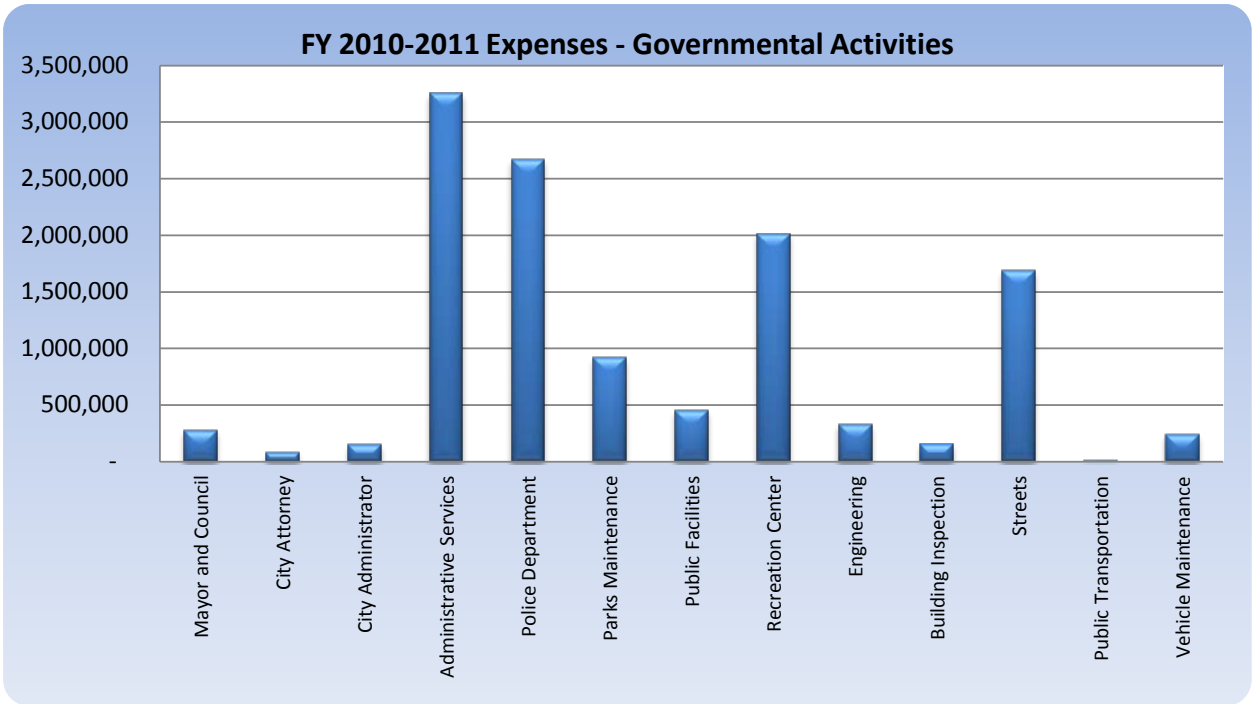
Governmental Activities

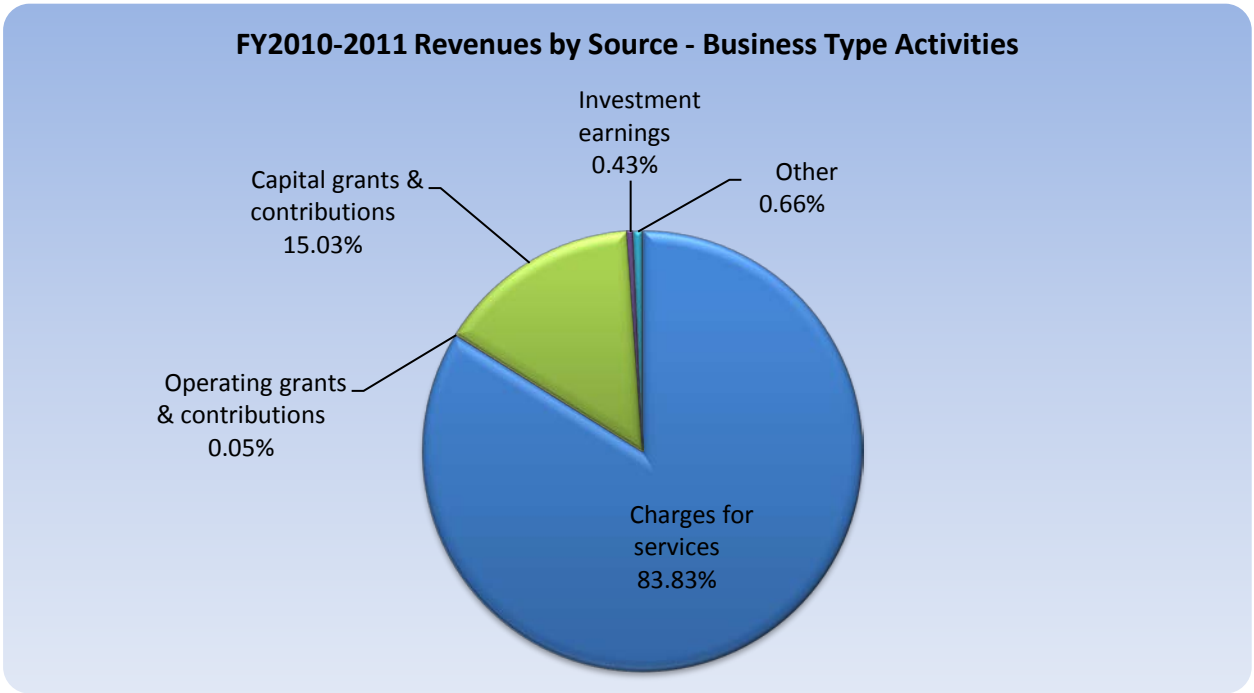
The following charts illustrate governmental revenues by source and the governmental expenses by function as reported on the statement of changes in net assets.

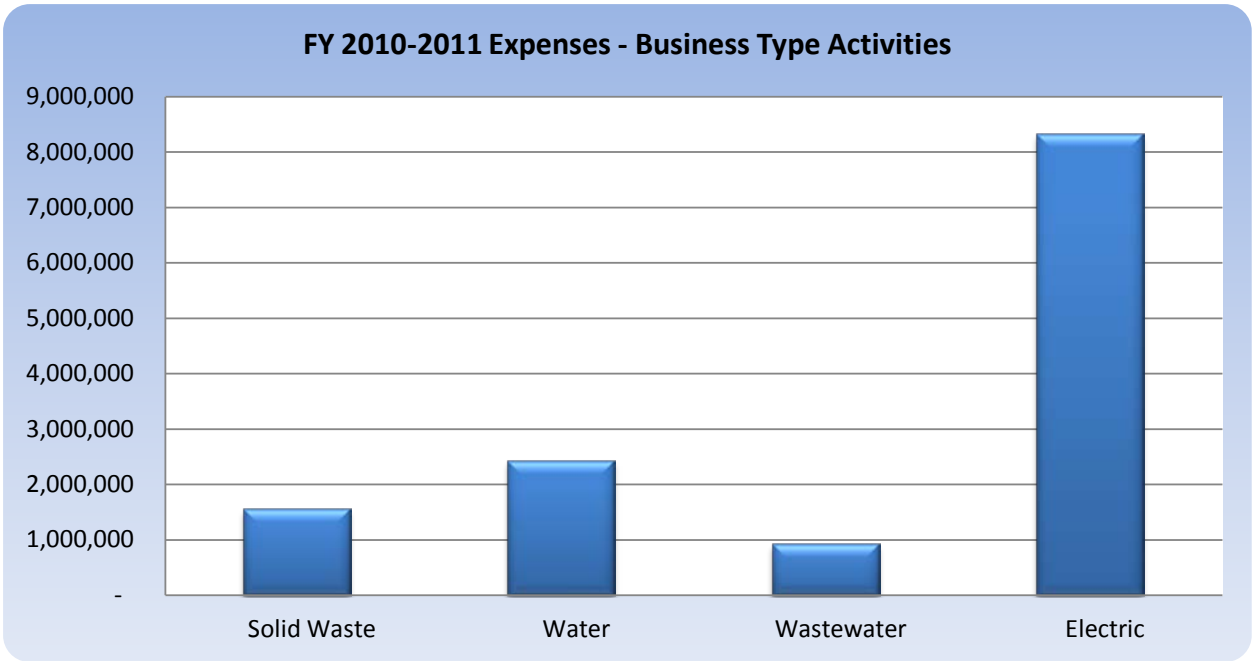




Business-type Activities

The following charts illustrate business-type revenues by source and the business-type expenses by function as reported on the statement of changes in net assets.





Governmental Activities. Governmental activities during Fiscal Year 2010-2011 increase Cody's net assets by $2,471,282. The following information describes key changes for the year:

- Capital assets increased approximately $2,290,000 mostly due to the completion of the East Sheridan Avenue street reconstruction project.

- Intergovernmental receivables increased approximately $500,000 due to expected grant funds disbursements.

- Inventory decreased approximately $15,000 due to a change in accounting policy.

- The accrued compensated absences liability increased approximately $91,000 due to the inclusion of sick leave in the leave pay-out policy.

Business-type Activities. Business-type activities during Fiscal Year 2010-2011 increased Cody's net assets by $3,194,070. The following information describes key changes for the year:

- Invested in capital assets increased approximately $3,900,000 due to the completion of the North Cody 2AB water and wastewater project and the LED electric streetlight project.

- Intergovernmental receivables decreased approximately $620,000 due to the completion of previous year grant funded projects.

- Inventory decreased approximately $260,000 due to a change in accounting policy.

- The accrued compensated absences liability increased approximately $100,000 due to the inclusion of sick leave in the leave pay-out policy.

Debt Administration

As of June 30, 2011 the City of Cody had total debt outstanding of $2,412,365 consisting of bonds, notes payable, accrued absences and utility deposit liabilities. The current portion (due within one year) of outstanding debt totals $966,919.

City of Cody
Outstanding Debt

	Governmental Activities		Business-type Activities		Total	
	2011	2010	2011	2010	2011	2010
Revenue Bonds Payable	$ -	$ -	$ 1,647,000	$ 2,052,000	$ 1,647,000	$ 2,052,000
Notes Payable	-	-	225,812	245,484	225,812	245,484
Accrued Compensated Absence Payable	270,486	179,705	174,714	74,806	445,200	254,511
Utility Deposit Liability	-	-	94,353	92,215	94,353	92,215
Total Outstanding Debt	$ 270,486	$ 179,705	$ 2,141,879	$ 2,464,505	$ 2,412,365	$ 2,644,210

Capital Assets

The City of Cody's investment in capital assets for its governmental and business-type activities as of June 30, 2011 amounted to $62,095,824 (net of accumulated depreciation). This investment in capital assets includes land, easements, buildings & improvements, machinery, equipment, infrastructure associated with the water, wastewater and electric distribution systems, as well as streets, trails and park facilities. The following summary of capital assets is presented for the current fiscal year with comparison totals for the fiscal year 2010-2011

City of Cody's Capital Assets
Net of Depreciation

	Governmental Activities		Business-type Activities		Total	
	2011	2010	2011	2010	2011	2010
Land	$ 2,277,647	$ 2,277,647	$ 381,416	$ 381,416	$ 2,659,063	$ 2,659,063
Intangibles	52,481	52,481	7,045	7,045	59,526	59,526
Buildings	12,980,558	12,980,558	1,136,927	1,077,667	14,117,485	14,058,223
Improvements other than bldgs	3,978,868	3,939,291	147,987	147,987	4,126,855	4,087,278
Furniture & Fixtures	75,503	75,503	-	-	75,503	75,503
Machinery & Equipment	4,671,464	4,573,649	5,322,527	4,864,542	9,993,991	9,438,191
Infrastructure	13,910,251	10,733,754	44,669,063	39,475,796	58,579,314	50,209,549
Construction in Progress	395,839	301,012	1,034	1,215,053	396,873	1,516,068
Total Assets	$38,342,610	$34,933,895	$ 51,666,000	$ 47,169,506	$ 90,008,610	$ 82,103,401
Less Accumulated Depreciation	$ (10,411,032)	$ (9,291,427)	$(17,501,754)	$(16,488,574)	$(27,912,786)	$(25,780,001)
Total Net Assets	$27,931,578	$25,642,468	$ 34,164,246	$ 30,680,932	$ 62,095,824	$ 56,323,400

Financial Contact

The City of Cody's financial statements are designed to provide its users (citizens, taxpayers, customers, investors and creditors) with a general overview of Cody's finances and to demonstrate Cody's accountability. Questions concerning any of the information presented in this report or requests for additional information should be sent to:

Finance Officer
City of Cody
PO Box 2200
Cody, WY 82414

City of Cody, Wyoming
Statement of Net Assets
June 30, 2011

	Governmental Activities	Business-Type Activities	Total	Component Unit
ASSETS:				
Cash and cash equivalents	$ 6,194,880	$ 6,886,886	$ 13,081,766	$ 228,561
Accounts receivable, net of allowance	-	2,022,849	2,022,849	83,821
Related party receivable	-	-	-	-
Franchise tax receivable	63,672	-	63,672	-
Court fine receivable, net of allowance	134,372	-	134,372	-
Due from other governments	1,250,384	12,868	1,263,252	351,823
Other receivables, net of allowance	147,392	-	147,392	-
Interfund recievables(payables)	-	-	-	-
Inventory	170,482	869,156	1,039,638	14,727
Prepaid expenses	168,255	-	168,255	14,147
Restricted assets:				
Cash and cash equivalents	40,139	566,661	606,800	102,169
Investments	-	-	-	-
Capital assets:				
Land and construction in progress	2,673,486	382,449	3,055,935	723,050
Other capital assets, net of depreciation	25,258,092	33,781,797	59,039,889	24,088,448
Total Assets	36,101,154	44,522,666	80,623,820	25,606,746
LIABILITIES:				
Accounts payable	1,184,791	-	1,184,791	96,180
Related party payables	666,297	-	666,297	-
Accrued liabilities	257,064	73,681	330,745	11,328
Accrued interest expense	-	9,890	9,890	-
Retainage payable	125,567	-	125,567	-
Customer deposits	40,139	94,353	134,492	-
Other payables	7,277	23,014	30,291	1,999
Due to other governments	-	-	-	-
Unearned Revenue	-	-	-	-
Long-term liabilities:				
Due within one year	270,486	602,080	872,566	46,862
Due in more than one year	-	1,445,446	1,445,446	125,800
Total Liabilities	2,551,621	2,248,464	4,800,085	282,169
NET ASSETS:				
Invested in capital assets, net of related debt	27,931,578	32,281,544	60,213,122	24,647,693
Restricted for:				
Capital projects	94,647	-	94,647	102,169
Debt service	-	472,308	472,308	-
Public Safety	11,017		11,017	-
Unrestricted	5,512,291	9,520,350	15,032,641	574,715
Total Net Assets	$ 33,549,533	$ 42,274,202	$ 75,823,735	$ 25,324,577

See accompanying notes to the basic financial statements

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City of Cody, Wyoming
Statement of Activities
For the fiscal year ended June 30, 2011

Functions/Programs	Expenses	Program Revenues: Charges for Services & Fines	Program Revenues: Operating Grants & Contributions	Program Revenues: Capital Grants & Contributions
Primary Government				
Governmental activities:				
Mayor and Council	$ 268,534	$ -	$ -	$ -
City Attorney	76,067	-	-	-
City Administrator	149,017	-	-	-
Administrative Services	1,449,284	136,134	-	-
Police Department	2,665,589	224,211	163,693	-
Parks Maintenance	917,174	-	35,138	171,144
Public Facilities	450,258	10,500	-	-
Recreation Center	2,008,562	1,090,756	273,587	32,355
Engineering	326,929	-	-	-
Building Inspection	153,122	-	-	-
Streets	1,684,331	-	-	513,378
Public Transportation	12,187	-	-	-
Vehicle Maintenance	234,435	-	-	-
Public Works (permits/licenses)	-	338,723	-	2,310,336
Pass Through Grants	1,801,223	-	-	1,801,223
Interest on long-term debt	-	-	-	-
Total Governmental Activities	12,196,712	1,800,324	472,418	4,828,436
Busines-Type Activities:				
Solid Waste	1,550,003	2,414,914	10,000	-
Water	2,428,139	2,809,008	-	1,684,007
Wastewater	916,922	1,176,708	-	941,975
Electric	8,312,840	9,336,671	-	194,668
Total Business-Type Activities	13,207,904	15,737,301	10,000	2,820,650
Total Primary Government	$ 25,404,616	$ 17,537,625	$ 482,418	$ 7,649,086
Component Unit				
Yellowstone Regional Airport	1,798,405	525,251	98,571	2,791,876
Total Component Units	$ 1,798,405	$ 525,251	$ 98,571	$ 2,791,876

General Revenues:
- Taxes:
  - Sales and Use Taxes
  - Property Taxes
  - Franchies Taxes
  - Lodging Taxes
  - Severance Taxes & Royalties
  - Motor Vehicle & Gasoline Taxes
  - Cigarette Tax
  - Other Taxes
- Supplemental State Funding
- Investment Income
- Gain(Loss) on Disposal of Assets
- Miscellaneous

Payments Between Primary Government and Component Unit
Transfers from Park County
Transfers - Internal Activity
Total General Revenues and Transfers

Change in Net Assets

Net Assets - beginning

Net Assets - ending

See accompanying notes to the basic financial statements

City of Cody, Wyoming
Statement of Activities
For the fiscal year ended June 30, 2011

Net (Expense) Revenue and Changes in Net Assets			
Primary Government			
Governmental Activities	Business-Type Activites	Total	Component
$ (268,534)	$ -	$ (268,534)	$ -
(76,067)	-	(76,067)	-
(149,017)	-	(149,017)	-
(1,313,150)	-	(1,313,150)	-
(2,277,685)	-	(2,277,685)	-
(710,892)	-	(710,892)	-
(439,758)	-	(439,758)	-
(611,864)	-	(611,864)	-
(326,929)	-	(326,929)	-
(153,122)	-	(153,122)	-
(1,170,953)	-	(1,170,953)	-
(12,187)	-	(12,187)	-
(234,435)	-	(234,435)	-
2,649,059	-	2,649,059	-
-	-	-	-
-	-	-	-
(5,095,534)	-	(5,095,534)	-
-	874,911	874,911	-
-	2,064,876	2,064,876	-
-	1,201,761	1,201,761	-
-	1,218,499	1,218,499	-
-	5,360,047	5,360,047	-
$ (5,095,534)	$ 5,360,047	$ 264,513	$ -
			1,617,293
			$ 1,617,293
2,477,700	-	2,477,700	-
538,624	-	538,624	-
263,340	-	263,340	-
91,065	-	91,065	-
861,761	-	861,761	-
341,910	-	341,910	-
94,502	-	94,502	-
-	-	-	135,666
622,216	-	622,216	-
66,480	81,078	147,558	1,823
(5,141)	13,208	8,067	(512,426)
24,781	110,072	134,853	18,042
(180,756)	-	(180,756)	180,756
-	-	-	120,504
2,370,335	(2,370,335)	-	
7,566,817	(2,165,977)	5,400,840	(55,635)
2,471,283	3,194,070	5,665,353	1,561,658
31,078,250	39,080,132	70,158,382	23,762,919
$ 33,549,533	$ 42,274,202	$ 75,823,735	$ 25,324,577

See accompanying notes to the basic financial statements

City of Cody, Wyoming
Balance Sheet
Governmental Funds
June 30, 2011

	MAJOR FUNDS			
	General	Lodging Tax Fund	Non-Major Governmental Funds	Total Governmental Funds
ASSETS:				
Cash and cash equivalents	$ 4,509,993	$ 33,688	$ 1,651,199	$ 6,194,880
Restricted cash and cash equivalents	40,139	-	-	40,139
Accounts receivable, net of allowance				-
Franchise tax receivable	63,672	-	-	63,672
Court fine receivable, net of allowance	134,372	-	-	134,372
Other receivables, net of allowance	138,464	-	8,928	147,392
Due from other governments	1,245,525	4,859	-	1,250,384
Interfund recievables(payables)	-	-	-	-
Inventory	170,482	-	-	170,482
Prepaid expenses	168,255	-	-	168,255
Total Assets	6,470,902	38,547	1,660,127	8,169,576
LIABILITIES & FUND BALANCES:				
Liabilities:				
Accounts payable	1,171,602	-	-	1,171,602
Related party payables	666,297			666,297
Accrued wages and related charges	257,064	-	-	257,064
Retainage payable	125,567	-	-	125,567
Customer deposits	40,139	-	-	40,139
Other payables	20,466	-	-	20,466
Deferred revenue	234,312	-	-	234,312
Total Liabilities	2,515,447	-	-	2,515,447
Fund Balances:				
Nonspendable:				
Inventory/prepaid expenses	338,737	-	-	338,737
Restricted for:				
Police forfeitures	11,017	-	-	11,017
Public Improvements	-	-	73,547	73,547
Convention Center	21,100	-	-	21,100
Committed:	-	-	-	-
Assigned:				
Capital Assets	-	-	1,577,706	1,577,706
Open space contributions	107,425	-	-	107,425
Community Support	-	38,547	-	38,547
Improvement Districts	-	-	8,874	8,874
Unassigned	3,477,176	-	-	3,477,176
Total Fund Balances	3,955,455	38,547	1,660,127	5,654,129
Total Liabilities & Fund Balances	$ 6,470,902	$ 38,547	$ 1,660,127	$ 8,169,576

See accompanying notes to the basic financial statements

City of Cody, Wyoming
Balance Sheet
Governmental Funds
June 30, 2011

Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Assets:

Total Fund Balances - Governmental Funds		$ 5,654,129
Amounts reported for governmental activities in the Statement of Net Assets are different because:		
Capital assets used in governmental activites are not financial resources and therefore are not reported in the funds, net of accumulated deprecation of: $	10,411,035	27,931,578
Certain long-term assets are not available to pay for current fund liabilities and therefore are deferred in the funds:		
Court fine receivable		96,070
Motor vehicle taxes		66,756
Severance taxes		61,740
Franchise Fees		4,743
Receivable from other governments		5,003
		234,312
Certain long-term liabilities are not due and payable from current financial resources and therefore are not reported in the funds:		
Accrued compensated absences		(270,486)
		(270,486)
Net Assets of Governmental Activities:		$ 33,549,533

See accompanying notes to the basic financial statements

City of Cody, Wyoming
Statement of Revenues, Expenditures Changes in Fund Balances
Governmental Funds
for the fiscal year ended June 30, 2011

	MAJOR FUNDS			
	General	Lodging Tax Fund	Non-Major Governmental Funds	Total Governmental Funds
Revenues:				
Taxes (intergovernmental & service generated)	$ 4,082,062	$ 91,065	$ -	$ 4,173,127
Royalties	497,295	-	-	497,295
State and Federal Funding	1,491,117	-	-	1,491,117
Pass Through Grants	1,801,223	-	-	1,801,223
Fines & Forfeitures	263,216	-	-	263,216
Charges for Services:				-
Penalties & Fees	86,733	-	-	86,733
Parks & Recreation Fees	1,090,756	-	-	1,090,756
Public Works	338,723	-	-	338,723
Licenses & Permits	49,401	-	-	49,401
Facitlity Rental	10,500	-	-	10,500
Assessment Revenue	-	-	-	-
Investment Income	48,189	435	17,856	66,480
Contributions & Donations	268,123	-	-	268,123
Miscellaneous	24,776	-	-	24,776
Total Revenues	10,052,114	91,500	17,856	10,161,470
Expenditures:				
Current:				
Mayor & Council	267,606	928	-	268,534
City Attorney	76,067	-	-	76,067
City Administrator	137,289	-	-	137,289
Administrative Services	1,373,851	-	-	1,373,851
Police Department	2,385,112	-	-	2,385,112
Parks Maintenance	668,582	-	-	668,582
Public Facilities	365,595	-	-	365,595
Recreation Center	1,717,095	-	-	1,717,095
Engineering	290,222	-	-	290,222
Building Inspection	148,941	-	-	148,941
Streets	1,227,888	-	-	1,227,888
Public Transportation	3,519	-	-	3,519
Vehicle Maintenance	213,468	-	-	213,468
Pass Through Grants	1,801,221	-	-	1,801,221
Debt Service	-	-	-	-
Capital Outlay	1,231,274	-	300,549	1,531,823
Total Expenditures	11,907,730	928	300,549	12,209,207
Excess(deficiency) of revenues over expenditures	(1,855,616)	90,572	(282,693)	(2,047,737)
Other Financing Sources(Uses):				
Transfers In(Out)	1,955,633	(80,000)	647,950	2,523,583
Payment to component Unit	(180,756)	-	-	(180,756)
Sale of Governmental Assets	16,468	-	-	16,468
Total Other Financing Sources(Uses)	1,791,345	(80,000)	647,950	2,359,295
Net Change in Fund Balance	(64,271)	10,572	365,257	311,558
Fund Balances - Beginning	4,019,726	27,975	1,294,870	5,342,571
Fund Balances - Ending	$ 3,955,455	$ 38,547	$ 1,660,127	$ 5,654,129

See accompanying notes to the basic financial statements

City of Cody, Wyoming
Statement of Revenues, Expenditures Changes in Fund Balances
Governmental Funds
for the fiscal year ended June 30, 2011

Reconcilation of the Statement of Revenues, Expenditures & Changes in Fund Balances of Governmental Funds to the Statement of Activities

Net changes in fund balances - total governmental funds	$ 311,558
Amounts reported for governmental activities in the Statement of Activities are different because:	
Governmental funds report capital outlays and issue costs as expenditures while governmental activities report depreciation and amortization expense to allocate those expenditures over the life of the assets:	
Capital asset purchases capitalized	1,160,256
Capital asset disposal	(21,609)
Depreciation expense	(1,210,226)
	(71,579)
Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the funds:	
Contributed assets	2,360,686
Deferred revenue	(38,601)
	2,322,085
Some expenses reported in the Statement of Activities do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds:	
Accrued compensated absences	(90,781)
	(90,781)
Change in Net Assets of Governmental Activities	$ 2,471,283

See accompanying notes to the basic financial statements

City of Cody, Wyoming
Statement of Net Assets
Proprietary Funds
June 30, 2011

	Business-Type Activities - Enterprise Funds				
	Solid Waste Fund	Water Fund	Wastewater Fund	Electric Fund	Total Proprietary Funds
ASSETS:					
Current Assets:					
Cash and cash equivalents	$ 1,615,032	$ 1,622,353	$ 942,139	$ 2,707,362	$ 6,886,886
Restricted cash and cash equivalents	-	-	-	94,353	94,353
Accounts receivable, net of allowance	303,659	371,954	169,625	1,177,611	2,022,849
Due from other governments	-	-	-	12,868	12,868
Interfund recievables(payables)	-	-	-	-	-
Inventory	23,409	113,924	7,243	724,580	869,156
Total Current Assets	1,942,100	2,108,231	1,119,007	4,716,774	9,886,112
Non-current Assets:					
Restricted Assets:					
Cash and cash equivalents	-	67,005	-	405,303	472,308
Investments	-	-	-	-	-
Capital Assets:					
Land and other non-depreciable assets	-	-	374,416	8,033	382,449
Other capital assets, net of depreciation	588,292	10,324,301	12,129,197	10,740,007	33,781,797
Total Non-current Assets	588,292	10,391,306	12,503,613	11,153,343	34,636,554
Total Assets	$ 2,530,392	$ 12,499,537	$ 13,622,620	$ 15,870,117	$ 44,522,666
LIABILITIES:					
Current Liabilities:					
Accounts payable	$ -	$ -	$ -	$ -	$ -
Sales tax payable	-	-	-	23,014	23,014
Accrued expenses	19,174	14,906	8,698	30,903	73,681
Accrued interest payable	-	5,097	-	4,793	9,890
Customer deposits	-	-	-	94,353	94,353
Notes payable	-	20,366	-	-	20,366
Bonds payable, net	-	32,000	-	375,000	407,000
Unearned Revenue	-	-	-	-	-
Accrued compensated absences	39,718	45,186	21,805	68,005	174,714
Total Current Liabilities	58,892	117,555	30,503	596,068	803,018
Non-current Liabilities:					
Notes payable	-	205,446	-	-	205,446
Bonds payable, net	-	390,000	-	850,000	1,240,000
Total Non-current Liabilities	-	595,446	-	850,000	1,445,446
Total Liabilities	58,892	713,001	30,503	1,446,068	2,248,464
NET ASSETS:					
Invested in capital assets, net of related debt	588,292	9,671,392	12,503,613	9,518,247	32,281,544
Restricted for debt service	-	67,005	-	405,303	472,308
Unrestricted	1,883,208	2,048,139	1,088,504	4,500,499	9,520,350
Total Net Assets	$ 2,471,500	$ 11,786,536	$ 13,592,117	$ 14,424,049	$ 42,274,202

See accompanying notes to the basic financial statements

City of Cody, Wyoming
Statement of Revenues, Expenses and Changes in Fund Net Assets
Proprietary Funds
for the fiscal year ended June 30, 2011

	Business-Type Activities - Enterprise Funds				
	Solid Waste Fund	Water Fund	Wastewater Fund	Electric Fund	Total Proprietary Funds
Operating Revenues:					
Charges for Services:					
Solid waste charges	$ 2,352,306	$ -	$ -	$ -	$ 2,352,306
Recycling revenue	62,608	-	-	-	62,608
Water charges	-	2,736,567	-	-	2,736,567
Water crane sales	-	14,061	-	-	14,061
Wastewater charges	-	-	1,062,952	-	1,062,952
Electric charges	-	-	-	9,239,322	9,239,322
Miscellaneous	328	32,004	462	77,279	110,073
Total Operating Revenues	2,415,242	2,782,632	1,063,414	9,316,601	15,577,889
Operating Expenditures:					
Solid waste	1,459,038	-	-	-	1,459,038
Water distribution	-	2,123,081	-	-	2,123,081
Wastewater	-	-	519,779	-	519,779
Electric	-	-	-	7,861,865	7,861,865
Depreciation expense	90,965	272,409	397,143	383,660	1,144,177
Total Operating Expenses	1,550,003	2,395,490	916,922	8,245,525	13,107,940
Operating Income(Loss)	865,239	387,142	146,492	1,071,076	2,469,949
Non-Operating Revenues(Expenses):					
Investment income	16,972	19,463	8,711	35,932	81,078
Development fees	-	-	-	40,881	40,881
Hook up fees	-	31,366	-	56,468	87,834
Plant investment fees	-	-	46,837	-	46,837
Tap fees	-	27,014	-	-	27,014
Impact Fees	-	-	66,919	-	66,919
Gain(Loss) on disposal of assets/inventory	-	-	-	13,208	13,208
Miscellaneous	-	-	-	-	-
Interest expense and fiscal charges	-	(32,649)	-	(67,315)	(99,964)
Total Non-Operating Revenues(Expenses)	16,972	45,194	122,467	79,174	263,807
Net Income(Loss) before contributions & transfers	882,211	432,336	268,959	1,150,250	2,733,756
Capital contributions	145,192	1,684,007	941,975	202,713	2,973,887
Operating contributions	10,000	-	-	-	10,000
Transfers in(out)	(535,403)	(432,962)	(308,322)	(1,246,885)	(2,523,572)
Changes in Net Assets	502,000	1,683,381	902,612	106,078	3,194,071
Total Net Assets - beginning	1,969,500	10,103,155	12,689,505	14,317,971	39,080,131
Total Net Assets - ending	$ 2,471,500	$ 11,786,536	$ 13,592,117	$ 14,424,049	$ 42,274,202

See accompanying notes to the basic financial statements

City of Cody, Wyoming
Statement of Cash Flows
Proprietary Funds
for the fiscal year ended June 30, 2011

	Business-Type Activities - Enterprise Funds					
	Solid Waste Fund	Water Fund	Wastewater Fund	Electric Fund	Total Proprietary Funds	Discretely Presented Component Unit
Cash Flows From Operating Activities						
Receipts from customers	2,438,977	2,784,121	1,048,880	9,244,607	15,516,585	486,768
Payments to suppliers	(954,926)	(1,723,174)	(246,768)	(6,673,556)	(9,598,424)	(343,917)
Payments to employees	(472,304)	(369,108)	(260,608)	(868,873)	(1,970,893)	(497,315)
Receipts of customer deposits	-	-	-	62,400	62,400	-
Customer deposits refunded or applied	-	-	-	(60,360)	(60,360)	-
Other receipts(payments)	328	32,004	461	77,280	110,073	18,042
Net Cash Provided by(used in) Operating Activities	1,012,075	723,843	541,965	1,781,498	4,059,381	(336,422)
Cash Flows From Non-Capital Financing Activities						
Operating grants	10,000	-	-	-	10,000	85,243
Passenger facility tax	-	-	-	-	-	135,666
Proceeds from hook up fees	-	31,366	-	56,468	87,834	-
Proceeds from tap fees	-	27,014	-	-	27,014	-
Miscellaneous income(expense)	-	-	-	13,208	13,208	-
Operating transfers in(out)	(535,403)	(432,962)	(308,322)	(1,246,885)	(2,523,572)	301,260
Net Cash Provided by(used in) Noncapital Financing Activities	(525,403)	(374,582)	(308,322)	(1,177,209)	(2,385,516)	522,169
Cash Flows From Capital and Related Financing Activities						
Purchases of capital assets	-	(2,704,674)	(1,463,417)	(304,217)	(4,472,308)	(4,641,806)
Contributed capital revenues	-	1,911,527	1,174,984	360,409	3,446,920	3,951,965
Proceeds from development fees	-	-	-	40,881	40,881	-
Proceeds from plant investment & impact fees	-	-	113,756	-	113,756	-
Proceeds from sale of investments	-	-	-	389,091	389,091	-
Proceeds from the sale of capital assets	-	-	-	-	-	272,710
Proceeds from loans	-	-	-	-	-	200,000
Principal paid on capital debt	-	(49,673)	-	(375,000)	(424,673)	(36,195)
Interest and fiscal charges paid on capital debt	-	(33,095)	-	(68,725)	(101,820)	(10,166)
Net Cash Used in Capital and Related Financing Activities	-	(875,915)	(174,677)	42,439	(1,008,153)	(263,492)
Cash Flows From Investing Activities						
Interest and dividends	16,972	19,463	8,711	40,244	85,390	1,823
Net Cash Provided by(Used in) Investing Activities	16,972	19,463	8,711	40,244	85,390	1,823
Net Increase(Decrease) in Cash and Cash Equivalents	503,644	(507,191)	67,677	686,972	751,102	(75,922)
Balances - beginning of year	1,111,388	2,196,549	874,462	2,520,046	6,702,445	406,652
Balances - end of year	$ 1,615,032	$ 1,689,358	$ 942,139	$ 3,207,018	$ 7,453,547	$ 330,730
Reconciliation of Operating Income(Loss) to Net Cash Provided by Operating Activities						
Operating income(loss)	$ 865,239	$ 387,142	$ 146,492	$ 1,071,076	2,469,949	$ (1,244,946)
Adjustments reconcile operating income to net cash provided(used) by operating activities:						
Depreciation	90,965	272,409	397,143	383,660	1,144,177	956,761
Change in assets and liabilities:						
Receivables	24,063	33,493	(14,072)	5,285	48,769	(38,483)
Inventory	6,931	(1,968)	(434)	258,708	263,237	(5,688)
Accounts payable	-	-	-	-	-	(11,452)
Accrued expenses	1,469	2,305	1,269	3,244	8,287	7,716
Prepaid expenses	-	-	-	-	-	(330)
Sales tax payable	-	-	-	23,014	23,014	-
Customer deposit liability	-	-	-	2,138	2,138	-
Accrued compensated absences	23,408	30,462	11,568	34,470	99,908	-
Net Cash Provided by(Used in) Operating Activities	$ 1,012,075	$ 723,843	$ 541,966	$ 1,781,595	$ 4,059,479	$ (336,422)
Non-Cash Activities:						
Loss on sale of capital assets	$ -	$ -	$ -	$ -	-	$ 512,426
Contributed capital assets	$ 145,192	$ -	$ -	$ 8,045	$ 153,237	$ -

See accompanying notes to the basic financial statements

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES
A. FINANCIAL REPORTING ENTITY
B. BASIS OF PRESENTATION
C. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING
D. ASSETS, LIABILITIES, AND NET ASSETS
E. INTERNAL AND INTERFUND BALANCES AND ACTIVITIES
F. REVENUES, EXPENDITURES AND EXPENSES
G. USE OF ESTIMATES

NOTE 2. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY
A. DEFICIT FUND BALANCES OR NET ASSETS
B. BUDGET REQUIREMENTS
C. DEPOSITS AND INVESTMENTS REQUIREMENTS
D. ACCOUNTS PAYABLE AND ACCRUED EXPENSES
E. DEBT RESTRICTIONS AND COVENANTS

NOTE 3. DETAIL NOTES - TRANSACTION CLASSIFICATION
A. DEPOSITS AND INVESTMENTS
B. RECEIVABLES
C. DUE FROM OTHER GOVERNMENTS
D. RESTRICTED ASSETS
E. CAPITAL ASSETS
F. LONG-TERM DEBT
G. INTERFUND BALANCES AND ACTIVITIES
H. FUND BALANCES AND NET ASSETS

NOTE 4. OTHER NOTES
A. EMPLOYEE PENSION AND OTHER BENEFIT PLANS
B. RISK MANAGEMENT
C. LEASES
D. COMPENSATED ABSENCES
E. RELATED PARTY TRANSACTIONS
F. SEGMENT INFORMATION FOR ENTERPRISE FUNDS
G. COMMITMENTS AND CONTINGENCIES
H. SUBSEQUENT EVENTS/OTHER

NOTE 5. COMPONENT UNIT - YELLOWSTONE REGIONAL AIRPORT
A. REPORTING ENTITY
B. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES
C. CASH AND INVESTMENTS
D. CAPITAL ASSETS
E. RISK MANAGEMENT
F. CURRENT LIABILITIES
G. LONG TERM DEBT
H. NET ASSETS

I. CAPITAL CONTRIBUTIONS
J. PENSION PLAN
K. DEFERRED COMPENSATION PLAN
L. LEASE AGREEMENTS
M. ECONOMIC DEPENDENCY
N. RELATED PARTY TRANSACTIONS
O. SUBSEQUENT EVENTS/OTHER

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City's accounting and financial reporting policies conform to accounting principles generally accepted in the United States of America (GAAP). GAAP includes all relevant Governmental Accounting Standards Board (GASB) pronouncements. In accordance with GASB Statement Nos. 20 and 34, for its governmental and business-type activities, enterprise funds and similar discretely presented component unit the City has elected to apply Financial Accounting Standards Board (FASB) pronouncements, Accounting Principles Board (APB) opinions, and Accounting Research Bulletins issued on or before November 30, 1989, unless those pronouncements conflict with or contradict GASB pronouncements, in which case, GASB prevails. The accounting and reporting framework and the more significant accounting policies are discussed in the subsequent sections of this Note. Effective for interim and annual periods ending after September 15, 2009 all existing accounting standards documents are superseded as described in FASB Statement No. 168.

1.A. FINANCIAL REPORTING ENTITY

The City's financial reporting entity is comprised of the following:

Primary Government: City of Cody

Discretely Presented Component Unit: Yellowstone Regional Airport (Joint Powers Board)

The City of Cody (City) is a municipal corporation located in Park County, Wyoming. The elected Mayor and six-member City Council represent the governing body responsible for the activities related to City government within the jurisdiction of the City. The government received funding from local, state and federal government sources and must comply with the accompanying requirements of these funding sources.

In determining the financial reporting entity, the City complies with the provisions of GASB Statement No. 14, The Financial Reporting Entity and includes all component units of which the City is fiscally accountable.

Blended Component Units

Blended component units are separate legal entities that meet the GASB 14 component unit criteria and whose governing body is the same or substantially the same as the City Council or the component unit provides services entirely to the City, of which the City maintains none.

Discretely Presented Component Units

Discretely presented component units are separate legal entities that meet the GASB 14 component unit criteria but do not meet the criteria for blending. The City has one component unit that is discretely presented in the City's report as presented below:

Yellowstone Regional Airport - created in 1980 to construct, maintain, equip, operate and conduct an airport and incidental facilities. The governing body consists of seven members of whom four are appointed by the City Council and three are appointed by the Park County Commissioners. Any issuance of debt would require the approval of the City and Park County. The City funds approximately 60% of the Airport's local revenue needs. Additional disclosures related to Yellowstone Regional Airport are located in NOTE 5. Complete financial statements of the individual discretely presented component unit can be obtained from the administrative office at: Yellowstone Regional Airport, Attn: Administrative Offices, 3001 Duggleby Drive, Cody, WY 82414.

Related Organizations

The following related organizations are not included in the financial reporting entity:

Wyoming Municipal Power Agency - provides electrical generation and distribution services to its eight member communities.

Shoshone Municipal Pipeline - operates a pipeline and water treatment facility to sell water to the six communities participating in the joint powers venture.

Lodging Tax Joint Powers Board - determines the disposition of lodging tax receipts in Park County, Cody, Powell and Meeteetse.

The City appoints one or two representatives to serve on each of these joint powers boards. However, in each case there are at least 5 other board members selected by other entities. Each board hires its own management, sets its own rates and is responsible for its own expenses. The City is not liable for losses of any of the boards and does not provide a significant amount of funding for any of the boards.

1.B. BASIS OF PRESENTATION

Government-Wide Financial Statements:

The statement of net assets and statement of activities display information about the City as a whole including component units. They include all financial activities of the reporting entity except for fiduciary activities, of which the City maintains none. Eliminations have been made to minimize the double reporting of transactions involving internal activities. Individual funds are not displayed in these statements. Instead, the statements distinguish between governmental and business-type activities. Governmental activities generally are financed through taxes, intergovernmental revenues, and other non-exchange revenues. Business-type activities are financed in whole or in part by fees charged to external parties for goods or services.

The statement of activities presents a comparison between the expenses and program revenues directly associated with the different governmental functions and business-type activities to arrive at the net revenue or expense of the function or activity prior to the use of taxes and other

general revenues. Program revenues include (1) fees, fines and service charges generated by the program or activity, (2) operating grants and contributions that are restricted to meeting the operational requirements of the program or activity, and (3) capital grants and contributions that are restricted to meeting the capital requirements of the program or activity.

Fund Financial Statements:

Fund financial statements of the reporting entity are organized into funds, each of which is considered to be separate accounting entities. Each fund is accounted for by providing a separate set of self-balancing accounts which constitute its assets, liabilities, fund equity, revenues, and expenditures/expenses. Separate financial statements are presented for the two major fund categories: governmental and proprietary. An emphasis of the fund financial statements is placed on major governmental and enterprise funds. A fund is considered major if it is the primary operating fund of the City or meets the following criteria:

a. Total assets, liabilities, revenues or expenditures/expenses of that individual governmental or enterprise fund is at least 10% of the corresponding total for all funds of that category or type, and

b. Total assets, liabilities, revenues or expenditures/expenses of the individual governmental fund or enterprise fund that are at least 5% of the corresponding total for all governmental and enterprise funds combined.

c. A fund not meeting the criteria of (a) and (b), however management has elected to report the fund as a major fund due to its significance to users of the financial statements.

All remaining governmental and enterprise funds not meeting the above criteria are aggregated and reported as non-major funds. The funds of the financial reporting entity are described below:

GOVERNMENTAL FUNDS

General Fund

The General Fund is the primary operating fund of the City. It is used to account for all activities except those legally or administratively required to be accounted for in other funds. This fund is always a major fund.

Special Revenue Funds

Special Revenue funds are used to account for the proceeds of specific revenue sources that are legally or administratively restricted to expenditures for certain purposes. The reporting entity includes the following special revenue funds:

Special Improvement District #44 - accounts for water assessments due/collected related to the improvement and development of the Valley View area. This is a non-major fund.

Special Improvement District #56 - accounts for sewer assessments due/collected related to the improvement and development of residential areas. This fund is a non-major fund.

Lodging Tax Fund - accounts for revenues and expenditures of lodging taxes which are to be used to support community functions and activities. This fund is a major fund by the election of management.

Capital Projects Funds

Capital Projects funds are used to account for resources restricted for the acquisition or construction of specific capital projects or items. The reporting entity includes the following capital projects funds, of which all are non-major funds:

Public Improvements Fund - accounts for proceeds specifically required for the use of public improvements for governmental type activities.

Vehicle Replacement Fund - accounts for transfers from other funds within the primary government which is to be used to purchase vehicles and equipment. Transfers are based upon each department's vehicles and assigned replacement schedules to allocate appropriate funds to cover future replacements. Although projects (such as construction) are not being performed, the City considers this a capital project fund.

Proprietary Funds

Proprietary funds include enterprise and internal service funds. Enterprise funds are used to account for business-like activities for services provided to the general public. Internal service funds are used to account for business-like activities provided and charged to other funds or entities within the reporting entity. Proprietary fund operating revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund. Non-operating revenues of the proprietary funds include such items as investment earnings and subsidies. The reporting entity includes the following proprietary funds, all of which are major funds:

Solid Waste Fund - accounts for the activities of the department responsible for maintaining a dependable system for collecting and disposing of solid waste and recyclable materials in the City.

Water Fund - accounts for activities of the department responsible for providing a safe, potable water supply and an irrigation water supply to the community.

Wastewater Fund - accounts for the activities of the department responsible for maintaining a dependable system for collecting and treating the City's wastewater.

Electric Fund - accounts for activities of the department responsible for providing a dependable electric supply to the community.

Component Units

Discretely presented component units are separate legal entities whose governing body (in majority) is appointed by the Mayor or City Council, but whose governing body is not substantially the same as the City Council or an entity established to provide services primarily to the City. The reporting entity includes the following discretely presented component unit (see NOTE 5. for detail transaction notes):

Yellowstone Regional Airport - accounts for activity of the special government used to maintain, operate, and actively manage airport activities.

1.C. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING

Measurement focus is a term used to describe **how** transactions are recorded within the financial statements. Basis of accounting refers to **when** transactions are recorded regardless of the measurement focus applied.

Measurement Focus

Government-wide and Proprietary Fund Financial Statements

In the government-wide Statement of Net Assets and the Statement of Activities, and the proprietary and fiduciary fund statements the "economic resources" measurement focus is applied. The accounting objectives of this measurement focus are the determination of operating income, changes in net assets (or cost recovery), financial position and cash flows. All assets and liabilities (whether current or noncurrent, financial or nonfinancial) associated with their activities are reported.

Governmental Fund Financial Statements

In the governmental fund financial statements, a "current financial resources" measurement focus is applied. Under this focus, only current financial assets and liabilities are generally included on their balance sheets. Their operating statements present sources and uses of available spendable financial resources during a given period. These funds use fund balance as their measure of available spendable financial resources at the end of the period.

Basis of Accounting

Government-wide, Proprietary and Fiduciary Fund Financial Statements

In the government-wide Statement of Net Assets and Statement of Activities, and the proprietary fund financial statements the accrual basis of accounting is applied. Under the accrual basis of

accounting, revenues are recognized when earned and expenses are recorded when the liability is incurred or economic assets are used. Revenues, expenses, gains, losses, assets and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place.

Governmental Fund Financial Statements

In the governmental fund financial statements the modified accrual basis of accounting is applied. Under the modified accrual basis of accounting revenues are recognized when "measurable and available". Measurable means knowing or being able to reasonably estimate the amount. Available means collectible within the current period or soon enough thereafter to pay current liabilities. The City has defined "available" as collected within 60 days after year end. Sales and use taxes, franchise taxes, lodging taxes, court fines and interest are considered susceptible to accrual. Expenditures, including capital outlay, are recorded when the related fund liability is incurred, except for long-term debt principal and interest, claims and judgments, and accrued compensated absences, which are recorded as expenditures to the extent they have matured. Proceeds of general long-term debt and capital leases are reported as other financial sources.

1.D. ASSETS, LIABILITIES AND NET ASSETS

Cash and Cash Equivalents

Cash and cash equivalents include all demand and savings accounts and certificates of deposit or short-term investments with an original maturity of three months or less. Investments in open-ended mutual fund money market accounts are also considered cash equivalents and are reported at the funds current share price.

Investments

Investments consist of certificates of deposit whose original maturing term exceeds three months and U.S. government securities. Investments in long-term U.S. government securities are carried at fair value from quoted market prices.

Receivables

Material receivables in governmental funds and governmental activities include revenue accruals such as sales tax, franchise tax, grants and other similar intergovernmental revenues since they are usually both measurable and available. Non-exchange transactions collectible but not available are deferred in accordance with GASB 33. Interest and investment earnings are recorded when earned only if paid within 60 days since they would be considered both measurable and available at the fund level.

Proprietary-type funds, business-type activities and similar component unit's material receivables consist of all revenues earned at year -end and not yet received. Utility accounts receivable

comprise the majority of proprietary fund receivables. Component unit material receivables consist of grant receivables and various fee receivables.

Allowances for uncollectible accounts receivable are based upon historical trends and the periodic aging of accounts receivable.

Inventories

The City records consumable materials and supplies as an asset when purchased and expended as consumed. Such inventory is valued at cost (fair market value).

Capital Assets and Depreciation

The accounting treatment of property, plant and equipment (capital assets) depends on whether the assets are used in governmental fund type or proprietary fund type operations and whether they are reported in the government-wide or fund financial statements.

Government-Wide Statements
In the government-wide financial statements, property, plant and equipment are accounted for as capital assets. The City's capitalization threshold varies by asset classification and category. The range of asset capitalization threshold by asset classification is noted below:

Land	$5,000
Intangibles	$5,000
Buildings	$25,000
Other Improvements	$25,000
Machinery & Equipment	$ 5,000
Furniture & Fixtures	$ 5,000
Infrastructure	$5,000 - $25,000

All capital assets are valued at historical cost or estimated historical cost if actual cost is unavailable, except for donated capital assets which are recorded at their estimated fair value at the date of donation. General infrastructure assets (such as roads, bridges, and traffic systems) acquired prior to July 1, 2006, are reported at estimated historical cost using deflated replacement costs. The cost of normal maintenance and repairs to these assets that do not add materially to the value of the asset or significantly extend the assets' useful lives are not capitalized. Interest costs, net of interest earned on any invested capital debt proceeds, are capitalized when incurred by proprietary funds.

Depreciation of all exhaustible capital assets is recorded as an operating expense in proprietary fund financial statements and as an allocated expense in the Statement of Activities, with accumulated depreciation reflected in the Statement of Net Assets. Depreciation is calculated over the assets' estimated useful lives using the straight-line method of depreciation. The range of estimated useful lives by type of asset is as follows:

Buildings	30 – 50 Years
Other Improvements	10 Years
Intangibles	1-5 Years
Machinery & Equipment	5 – 10 Years
Furniture & Fixtures	5 Years
Infrastructure	5 – 50 Years

In the government fund financial statements, capital assets acquired are accounted for as capital outlay expenditures.

Restricted Assets

Restricted assets include cash and investments of enterprise funds and business-type activities that are legally restricted as to their use. The primary restricted assets are related to revenue bond trustee accounts.

Long-Term Debt

Accounting treatment of long-term debt varies depending upon the source of repayment and the measurement focus applied, and whether the debt is reported in the government-wide or fund financial statements.

All long-term debt to be repaid from governmental activities, business-type activities, proprietary fund and component unit resources are reported as liabilities incurred. The long-term debt consists primarily of accrued compensated absences, liability for claims, notes payable, and revenue bonds payable. This long-term debt is reported net of unamortized premiums, discounts, and amounts deferred from refundings, if applicable.

Long-term debt of governmental funds is not reported as liabilities in the fund financial statements. The debt proceeds are reported as other financing sources and payment of principal and interest reported as expenditures.

Compensated Absences

The City's policies regarding vacation and compensatory time permit employees to accumulate varying amounts as determined by management.

During the 2010-2011 Fiscal Year, the City adopted changes to the Sick Leave policy. The new policy caps sick leave accruals at 720 hours. Employees with balances in excess of 720 as of the adoption date are allowed to keep all of the hours accrued until such time that the employees use the hours below 720. In addition to the change in the accrual cap eligible employees may be able to convert a portion of their accrued sick leave towards the employee’s 457 Deferred Compensation account or Health Savings account or a combination of both upon an eligible separation of employment.

The employee's sick bank hours are converted at the rate of pay the employee is earning at the time of separation. Leave is converted by taking the total unused accumulated sick leave hours, up to a maximum of 720 hours, multiplied by the employee's rate of pay at the date of separation, multiplied by the percentage in accordance to the following table:

Total years of consecutive service	% of Current Pay
Less than 7	0%
7	5%
8	10%
9	15%
10	20%
11	25%
12	30%
13	35%
14	40%
15	45%
16+	50%

The estimated liabilities for vested benefits also include salary-related payments such as employment taxes. Compensated absences are reported as accrued in the government-wide, proprietary and component until financial statements. Governmental funds report only the matured compensated absences payable to currently terminating employees.

Equity Classifications

Government-Wide and Proprietary Fund Financial Statements:

Equity is classified as net assets and displayed in three components:

a. Invested in capital assets, net of related debt - Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.

b. Restricted net assets - Consists of net assets with constraints placed on the user either by 1) external groups such as creditors, grantors, contributors or laws or regulations of other governments, or (2) law through constitutional provisions or enabling legislation.

c. Unrestricted net assets - Unrestricted net assets - All other net assets that do not meet the definition of "restricted" or "invested in capital assets, net of related debt".

Governmental Fund Financial Statements:

In the fund financial statements, governmental fund balance is presented in five possible categories:

a. Nonspendable – resources which cannot be spent because they are either (a) not in spendable form or; (b) legally or contractually required to be maintained intact.

b. Restricted – resources with constraints placed on the use of resources are either (a) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

c. Committed – resources which are subject to limitations the government imposes upon itself at its highest level of decision making, and that remain binding unless removed in the same manner. The commitment or use of Committed Resources is accomplished through an Ordinance or Resolution of the City Council, usually during the annual budget process or subsequent budget amendment.

d. Assigned – resources neither restricted nor committed for which a government has as stated intended use as established by the governing body. The assignment or use of Assigned Resources is accomplished by Council action.

e. Unassigned – resources which cannot be properly classified in one of the other four categories. The General Fund is the only fund that reports a positive unassigned fund balance amount. Unassigned balances also include negative balances in the governmental funds reporting resources restricted for specific programs.

Application of Net Assets:

It is the City of Cody's policy to first use restricted net assets, prior to the use of unrestricted net assets, when an expense is incurred for purposes for which both restricted and unrestricted net assets are available.

Application of Fund Balance:

When both restricted and unrestricted fund balances are available for use, it is the City's policy to use externally restricted fund balances first. Furthermore, committed fund balances are reduced first, followed by assigned fund balances and then unassigned fund balances when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications can be used.

1.E. INTERNAL AND INTERFUND BALANCES AND ACTIVITIES

In the process of aggregating the financial information for the government-wide financial statement, some amounts reported as interfund activity and balances in the fund financial statements have been eliminated or reclassified.

Vehicle Maintenance Allocation:

The City of Cody operates a Vehicle Maintenance department in the General Fund. The main function of this department is to provide maintenance and repair services on fleet vehicles and equipment. Under City policies, interdepartmental services performed by one department for another are credited to the performing department and charged to the receiving department to reflect the accurate cost of programs. For reporting purposes, the Enterprise Fund charges are shown as transfers in/out between funds. The General Fund activities are credited to the performing department and charged as an expense to the receiving departments. The cost allocation is calculated annually based on each department's percentage of use; therefore, actual costs are not being allocated. The cost allocation for this fiscal year was distributed as follows:

Fund		Allocation Value
General Fund	$	182,554
Solid Waste Fund		73,794
Water Fund		5,324
Wastewater Fund		7,785
Electric Fund		10,830
Total	$	280,287

Government-Wide Financial Statements:

Interfund activity and balances, if any, are eliminated or reclassified in the government-wide financial statements as follows:

a. Internal balances – amounts reported in the fund financial statements as interfund receivables and payables are eliminated in the governmental and business-type activities columns of the statement of net assets, except for the net residual amounts due between governmental and business-type activities, which are reported as internal balances. There are none to be reported in the current year.

b. Internal activities – amounts reported as interfund transfers in the fund financial statements are eliminated in the government-wide statement of activities except for the net amount of transfers between governmental and business-type activities, which are reported as Transfers – Internal Activities. The effects of interfund services between funds are not eliminated in the statement of activities.

c. Primary government and component unit activity and balances – resource flows between the primary government and the discretely-presented component units are reported as if they were external transactions.

Fund Financial Statements:

Interfund activity, if any, within and among the governmental, proprietary fund and fiduciary categories is reported as follows in the fund financial statements:

a. Interfund loans – amounts provided with a requirement for repayment are reported as interfund receivables and payables. None are reported in the current year.

b. Interfund services – sales or purchases of goods and services between funds are reported as revenues and expenditures/expenses.

c. Interfund reimbursements – repayments from funds responsible for certain expenditures/expenses to the funds that initially paid for them are not reported as reimbursements but as adjustments to expenditures/expenses in the respective funds.

d. Interfund transfers – flow of assets from one fund to another where repayment is not expected are reported as transfers in and out.

1.F. REVENUES, EXPEDITURES, AND EXPENSES

Sales Tax

The City presently levies a four cent sales tax on taxable sales within the City. The sales tax is collected by the State and remitted to the City the month following receipt by the State. The sales tax recorded is allocated to General Fund operations. Sales tax resulting from sales occurring prior to year end and received by the City after year end have been accrued and are included under the caption, *Due from other governments* since they represent taxes on sales occurring during the reporting period.

Property Tax

The Park County Treasurer acts as an agent to collect property taxes levied in the County for all taxing authorities. Collections are distributed after the end of each month.

Property Tax Calendar

August 10	Taxes are levied and become an enforceable lien on the properties
September 1	First of two equal installment payments is due
November 10	First installment is delinquent
March 1	Second installment is due
May 10	Second installment is delinquent

According to GASB #33 (Non-exchange Revenues), a receivable can be recorded at the earliest of the date of the assessment or the date a lien is placed on the property. Neither of these items occurs prior to June 30th for the upcoming levy, therefore the August levy included in the current fiscal year is the basis for the receivable.

Grants

The City participates in various grant activities depending on the applicable projects and/or grants available. Expenditures from certain grants are subject to audit by the grantor, and the City is contingently liable to refund amounts received in excess of allowable expenditures.

During the fiscal year the City of Cody acted as the pass through agency for a Business Ready Community grant from the Wyoming Business Council and State of Wyoming for Forward Cody Wyoming, Inc. This grant, in the amount of $2,998,599, is administered by Forward Cody Wyoming, Inc and is for the construction of a 10,000 square foot building. This building will be owned by Forward Cody, Inc and rented to Eleutian Technologies.

To ensure compliance with the terms of the grant, the City of Cody holds a security interest in the form of a mortgage on the building.

Expenditures & Expenses

In the government-wide statement of activities expenses including depreciation of capital assets are reported by function or activity. In the governmental fund financial statements expenditures are reported by class (further reported by function) as current, capital outlay and debt service. In proprietary fund financial statements, expenses are reported by object or activity.

1.G. USE OF ESTIMATES

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures; accordingly, actual results could differ from those estimates.

NOTE 2. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

By its nature as a local government unit, the City and its component units are subject to various federal, state and local laws and contractual regulations.

2.A. DEFICIT FUND BALANCES OR NET ASSETS

Wyoming Statutes prohibit the creation of a deficit fund balance in any individual fund of the City. For the year ended June 30, 2011, the City had not incurred a fund balance deficit in any individual fund.

2.B. BUDGET REQUIREMENTS

The City prepares its annual operating budget under the provisions of Wyoming State Statutes for all the funds. In accordance with those provisions, the following process is used to adopt the annual budget:

a. Prior to June 1, the City administrator submits to the City Council a proposed operating budget for the fiscal year commencing the following July 1.

b. A public hearing is conducted to obtain citizen comments.

c. Subsequent to the public hearing the budget is adopted by Ordinance of the City Council.

d. By July 31 the adopted budget is filed with the State and County.

Budgets for governmental funds are prepared using the modified cash basis of accounting. Proprietary funds budgets are prepared using the accrual basis of accounting. The legal level of control at which expenditures may not legally exceed appropriations is the program level within a fund; however, management control is at budgetary line item level. The Council may amend the budget once it is approved and may authorize transfers within the various budgetary programs in any fund. Unused appropriations for all funds lapse at the end of the year. The City does not use encumbrance accounting.

2.C. DEPOSITS AND INVESTMENTS REQUIREMENTS (POLICIES)

In accordance with State law, all uninsured deposits of municipal funds in financial institutions must be secured with acceptable collateral valued at the lower of market or par. Acceptable collateral includes certain U.S. Government or Government Agency securities, certain State of Wyoming or political subdivision debt obligations or surety bonds.

Investments of a City are limited by State law to the following:

a. Direct obligations of the U.S. Government, its agencies and instrumentalities to which the full faith and credit of the U.S. Government is pledged, or obligations to the payment of which the full faith and credit of the State of Wyoming is pledged.

b. Certificates of deposit or savings accounts that are either insured or secured with acceptable collateral with in-state financial institutions and fully insured certificates of deposit or savings accounts in out-of-state financial institutions.

c. With certain limitation, negotiable certificates of deposit, prime banker's acceptances, prime commercial paper and repurchase agreements involving securities which are authorized investments under State Statutes.

d. County, municipal or school district tax supported debt obligations, bond or revenue anticipation notes, money judgments, or bond or revenue anticipation notes of public trusts whose beneficiary is a county municipality or school district.

e. Notes or bonds secured by mortgage or trust deed insured by the Federal Housing Administrator and debentures issued by the Federal Housing Administrator, and in obligations of the National Mortgage Association.

f. Money market funds regulated by the SEC and in which investments consist of the investments mentioned in the previous paragraphs a, b, c and d.

2.D. ACCOUNTS PAYABLE AND ACCRUED EXPENSES

Accounts Payable

Accounts payable in the governmental activities includes the payables recorded by the City at June 30, 2011 related to normal monthly expenditures and capital expenditures for all funds. The process is for the separate funds to pay the General Fund for the expenditures/expenses incurred by each fund. The General Fund is then responsible for the issuance of the checks to third parties. Due to the liability of the payable being taken care of by the respective funds (their payment to the General Fund) and funds had been transferred to cover this liability, the governmental activities (General Fund) will maintain this payable for reporting purposes. The allocation of the funds initially responsible for the payables is as follows:

Fund	Allocation
General Fund	$935,854
Vehicle Replacement Fund	18
Lodging Tax Fund	-
Public Improvements Fund	-
Solid Waste Fund	104,807
Water Fund	181,109
Wastewater Fund	32,783
Electric Fund	583,770
Total Governmental Accounts Payable	$1,838,341

Related Party Payables

The above figures include related party payables of: $135,638 in the Water Fund payable to Shoshone Municipal Pipeline and $530,659 payable to Wyoming Municipal Power Agency. Further disclosure of related party transaction is reported in Note 4E.

Accrued Expenses

Accrued expenses consist of wages earned by employees through June 30, 2011 which had not yet been paid and related payroll liabilities such as FICA. Due to the dates and report filing of certain payroll related expenses for items such as workers compensation and retirement these items are also included in the accrual. These items were not paid prior to June 30, 2011 for their respective liability.

2.E. DEBT RESTRICTIONS AND COVENANTS

General Long-Term Debt
As required by State Statutes, the City may not incur any indebtedness that would require payment from resources beyond the current fiscal year revenue without first obtaining voter approval. For the year ended June 30, 2011 the City incurred no such debt or obligations.

Revenue Bond and Promissory Note Debt

The bond indentures relating to the revenue bond issuances of the City of Cody, which are the responsibility of the proprietary funds, contain certain restrictions and covenants that are financial related. They are as follows:

Refunding Water Revenue Bonds Series 2001 – a reserve account was required to be set up in the amount of $66,200 with monies received by the trustee when accompanied by directions not inconsistent that such monies are to be paid into the Series 2001 Bond Reserve Fund. The reserve requirement is calculated on the investment cost basis. The current cost basis as of June 30, 2011 is $67,005 therefore the reserve account is adequately funded.

NW Improvement Projects Joint Powers Board Lease Revenue Bonds Series 2001 – the lesser of (1) 10% of the original principal amount of the bonds, (2) the maximum principal and interest requirements on the bonds or (3) 125% of the average annual principal and interest requirements on the bonds. The reserve requirement is calculated on the investment cost basis. The current cost basis as of June 30, 2011 is $405,303 therefore the reserve account is adequately funded.

NOTE 3. DETAIL NOTES ON TRANSACTION CLASSES/ACCOUNTS

The following notes present detail information to support the amounts reported in the basic financial statements for its various assets, liabilities, equity, revenues and expenditures/expenses.

3.A. DEPOSITS AND INVESTMENTS

The City's investment policy is adopted pursuant to the requirements of W.S. 9-4-831(h). It is the policy of the City of Cody to invest public funds in a manner which will provide a reasonable rate of investment return while assuring the maximum holding of principal, meeting the daily cash flow demand of the City of Cody, and conforming to all federal, state, and local laws and regulations governing the investment of public funds. This policy applies to the investment of all public funds maintained by the City of Cody and except for cash held for certain restricted purposes the City of Cody consolidates cash balances from all funds to maximize investment earnings. Investment income is allocated to the various funds based on their respective participation and in accordance with Generally Accepted Accounting Principles.

The City maintains all deposits with one financial institution and maintained 100% pledging of such funds during the fiscal year.

Deposits with Financial Institutions

The City's bond reserve accounts are held by a trustee bank by which decisions are made by the trustee bank for the investing of such funds in accordance with State Statutes. At June 30, 2011 $472,308 was invested in a GS government money market account. The fair market value of these investments is $472,308.

At June 30, 2011 the carrying amount of the City's cash and cash equivalents was $13,688,566 including a repurchase sweep agreement in the amount of $13,291,812.

Investments

The repurchase sweep agreement is an authorized investment under Wyoming State Statutes and the City of Cody Investment Policy and is backed by securities of the U.S. Government or securities explicitly guaranteed by the U.S. Government. The market value of the securities exceeded the principal value by 2% to 4%.

The City's repurchase sweep agreement operates by transferring funds to a repurchase agreement at the end of each business day then automatically transferred back to the City's account at the opening of the next business day.

Investment and Deposit Risk

Custodial credit risk is the risk that, in the event of bank failure, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party (Wells Fargo Bank). The repurchase sweep agreement securities are exposed to custodial credit risk in that they are uninsured, unregistered, and held by the bank's trust department, but are not in the City's name. Due to the liquidity of the repurchase sweep agreement and the short time in which funds are invested the custodial credit risk is not a significant concern.

The only investments held by the entity are deposit accounts and a repurchase agreement and due to the type of investments, interest rate and credit risk are not significant concerns.

3.B. RECEIVABLES

As required by GASB #33, there is a court fine receivable recorded on the books for approximately $484,074 with an uncollectible allowance recorded of approximately $349,702. Many of the outstanding fines fall into the category of over 120 days past due, however, they are typically years past due and not considered collectible. Many of these accounts have been sent to collections.

A significant portion of the receivables are due from residents of Cody, Wyoming. Other receivables in the governmental funds consist of billings through the City's accounts receivable system for items such as building permits, miscellaneous items, licenses, etc. Proprietary funds accounts receivable consist of usage and tap fees billed to customers (solid waste, water, wastewater, and electric). They are as follows:

	Governmental	Proprietary	Total
Accounts Receivable – billed	$ 83,519	$ 1,077,106	$ 1,160,625
Accounts Receivable – unbilled	5,100	1,022,607	1,027,707
Other Receivables:			
Receivable	77,085	37,075	114,160
Assessments	8,874	-	8,874
Allowance for Uncollectible Accounts	(27,186)	(113,939)	(141,125)
Accounts Receivable, net of allowance for uncollectible accounts	$ 147,392	$ 2,022,849	$ 2,170,241

3.C. DUE FROM OTHER GOVERNMENTS

Due from other governments consists of those revenues due from outside governmental agencies such as the county, state and federal government. The following is a schedule of those receivables and related deferred revenues:

	Governmental		Business-Type
	Receivable	Deferred	Receivable
Grants	$ 670,229	-	$ 12,868
Sales and Use Tax	409,915	-	-
Ad Valorem (Property) Tax	19,787	-	-
Severance Tax	61,740	61,740	-
Cigarette Tax	8,302	-	-
Lodging Tax	4,858	-	-
Motor Vehicle Tax	66,757	66,757	-
Gasoline Tax	8,796	-	-
Total	$ 1,250,384	$ 128,497	$ 12,868

The amount shown on this schedule ($128,497) for deferred revenue differs from deferred revenue total shown on the Governmental Funds Balance Sheet deferred revenue ($234,312) due to certain deferred revenue not derived from intergovernmental sources.

3.D. RESTRICTED ASSETS

The amounts reported as restricted assets of the enterprise funds on the proprietary funds statement of net assets are comprised of cash and investments held by the trustee bank on behalf of the enterprise funds related to their required bond and note accounts as described in Note 2.E. The restricted assets as of June 30, 2011 were as follows:

Type of Restricted Assets	Current Cash and Cash Equivalents	Non-Current Cash and Cash Equivalents	Non-Current Investments	Total Restricted Assets
Primary Government:				
General Fund:				
Deposit Liabilities	$ 40,139	$ -	$ -	$ 40,139
Total Governmental	40,139	-	-	40,139
Water Fund:				
Bond Account	-	67,005	-	67,005
Electric Fund:				
Bond Account	-	405,303	-	405,303
Deposit Liabilities	94,353	-	-	94,353
Total Proprietary	94,353	472,308	-	566,661
Total Restricted Assets	$ 134,492	$ 472,308	$ -	$ 606,800

3.E. CAPITAL ASSETS

Capital asset activity for the fiscal year ended June 30, 2011 was as follows:

	Balance at July 1, 2010	Adjustments	Additions	Disposals	Balance at June 30, 2011
Governmental Activities:					
Non-Depreciable:					
Land	$ 2,277,647	$ -	$ -	$ -	$ 2,277,647
Intangibles	-	-	-	-	-
Construction in Progress	301,012	(295,803)	390,630	-	395,839
Total Non-Depreciable Assets at Historical Cost	2,578,660	(295,803)	390,630	-	2,673,486
Depreciable:					
Buildings	12,980,558	-	-	-	12,980,558
Intangibles	52,481	-	-	-	52,481
Improvements	3,939,291	-	39,577	-	3,978,868

Furniture & Fixtures	75,503	-	-	-	75,503
Machinery & Equipment	4,573,649	-	211,291	(113,476)	4,671,464
Infrastructure	10,733,753	295,803	2,880,694	-	13,910,251
Total Depreciable Assets at Historical Cost	32,355,236	295,803	3,131,562	(113,476)	35,669,124
Less Accumulated Depreciation:					
Buildings	(2,460,893)	-	(236,358)	-	(2,697,251)
Intangibles	(12,365)	-	(40,116)	-	(52,481)
Improvements	(2,199,353)	-	(267,050)	-	(2,466,403)
Furniture & Fixtures	(33,285)	-	(13,591)	-	(46,875)
Machinery & Equipment	(2,817,169)	-	(379,792)	90,620	(3,106,341)
Infrastructure	(1,768,362)	-	(273,322)	-	(2,041,681)
Total Accumulated Depreciation	(9,291,427)	-	(1,210,229)	90,620	(10,411,032)
Net Depreciable Assets	23,063,809	295,803	1,921,333	(22,856)	25,258,092
Governmental Activities Capital Assets, Net	$ 25,642,469	$ -	$2,311,963	$(22,856)	$ 27,931,578
Business-Type Activities					
Non-Depreciable:					
Land	$ 381,416	$ -	$ -	$ -	$ 381,416
Construction in Progress	1,215,053	(1,215,053)	1,034	-	1,034
Total Non-Depreciable Assets at Historical Cost	1,596,469	(1,215,053)	1,034	-	382,450
Depreciable:					
Buildings	1,077,665	5,167	54,096	-	1,136,927
Intangibles	7,045	-	-	-	7,045
Improvements	147,987	-	-	-	147,987
Machinery & Equipment	4,864,542	198,455	405,084	(145,554)	5,322,527
Utility Systems	39,475,796	1,011,431	4,181,836	-	44,669,063
Total Depreciable Assets at Historical Cost	45,573,035	1,215,053	4,641,016	(145,554)	51,283,550
Less Accumulated Depreciation:					
Buildings	(583,375)	-	(30,670)	-	(614,046)
Intangibles	(4,227)	-	(2,818)	-	(7,045)
Improvements	(101,291)	-	(19,971)	-	(121,262)
Machinery & Equipment	(3,209,047)	-	(285,371)	130,999	(3,363,419)
Utility Systems	(12,590,633)	-	(805,349)	-	(13,395,982)

Total Accumulated Depreciation	(16,488,574)	-	(1,144,179)	130,999	(17,501,754)
Net Depreciable Assets	29,084,461	1,215,053	3,496,837	(14,555)	33,781,796
Business-Type Capital Assets, Net	$ 30,680,931	$ -	$3,497,870	$(14,555)	$ 34,164,246

3.F. LONG-TERM DEBT

The reporting entity's long-term debt is segregated between the amounts to be repaid from governmental funds (Government Activities Long-Term Debt) and the amounts to be repaid from proprietary funds (Business-Type Activities Debt).

Governmental Activities Long-Term Debt

As of June 30, 2011 the governmental activities long-term debt consisted of the following:

Accrued Compensated Absences: Accrued compensated absences reported in the governmental activities are comprised of accrued vacation leave, sick leave and compensatory time.

Total Accrued Compensated Absences – Current Portion	$270,486

Business-Type Activities Long-Term Debt

As of June 30, 2011 the business-type activities long-term debt consisted of the following:

Revenue Bonds Payable:

Refunding Revenue Water Bonds, Series 2001, original issue amount of $662,000, secured by water fund revenue/receivables and is an obligation of the Water Fund, interest rates from 3.75% to 6.0%, issued to retire loan to Wyoming Farm Loan Board.	$422,000
Joint Powers Board Lease Revenue Bonds Series 2001, original issue amount of $4,000,000, secured by electric revenues/receivables and is an obligation of the electric fund, interest rates from 2.45% to 5.0%, issued to acquire, improve and equip certain electrical distribution systems serving the residents of leases.	1,225,000
Total Revenue Bonds	$1,647,000
Current Portion	$407,000
Non-Current Portion	1,240,000
Total Revenue Bonds Payable	$1,647,000

Notes Payable:

Note payable to Wyoming Water Development Commission, Annual installments with an interest rate of 4%, final payment due in 2018, obligation of the Water Fund, secured by water revenues.	$128,335
Note payable to the State Lands and Investments Board, annual Installments with an interest rate of 2.5%, final installment due June 2024, obligation of the Water Fund, secured by water revenues.	97,477
Total Notes Payable	$225,812
Current Portion	$20,366
Non-Current Portion	205,446
Total Notes Payable	$225,812

Accrued Compensated Absences: Accrued compensated absences reported in the business-type activities are comprised of accrued vacation leave, sick leave and compensatory time.

Total Accrued Compensated Absences – Current Portion	$174,714

Meter Deposit Liability: Utility customers without acceptable credit history are required to pay a meter deposit to obtain utility services. Deposits are refundable after 12 consecutive months of on-time payment history.

Total Meter Deposit Liability – Current Portion	94,353

Changes in Long-Term Debt

Type of Debt	Balance at July 1, 2010	Additions	Deductions	Balance at June 30, 2011	Amounts Due within A Year
Governmental Activities:					
Accrued Compensated Absences	$179,705	$90,781	-	$270,486	$270,486
Total Governmental Activities	$179,705	$90,781	-	$270,486	$270,486

Type of Debt	Balance at July 1, 2010	Additions	Deductions	Balance at June 30, 2011	Amounts Due within A Year
Business-Type Activities:					
Revenue Bonds Payable	$2,052,000	$ -	($405,000)	$1,647,000	$407,000
Notes Payable	245,484	-	(19,672)	225,812	20,366
Meter Deposit Liability	92,213	62,500	(60,360)	94,353	94,353
Accrued Compensated Absences	74,806	99,908	-	174,714	174,714
Total Business-Type Activities	$2,464,503	$162,408	($485,032)	$2,141,879	$696,433

Annual Debt Service Requirements – Primary Government

The annual debt service requirements to maturity, including principal and interest, for long-term debt, excluding accrued compensated absences, claims payable and meter deposit liability, of the primary government as of June 30, 2011 are as follows:

	Business-Type Activities			
	Revenue Bonds Payable		Notes Payable	
Year Ending June 30	Principal	Interest	Principal	Interest
2012	407,000	74,241	20,365	7,570
2013	433,000	53,829	21,084	6,852
2014	485,000	30,959	21,828	6,107
2015	37,000	17,747	22,600	5,336
2016	41,000	14,545	23,399	4,535
2017-2021	244,000	35,974	91,184	10,374
2022-2026	-	-	25,352	1,277
2027-2031	-	-	-	-
Totals	$1,647,000	$227,295	$225,812	$42,051

In the current fiscal year the total interest expense charged to the Water Fund was $32,649 and the total interest expense charged to the Electric Fund was $67,315.

3.G. INTERFUND BALANCES AND ACTIVITIES

Interfund transfers for the year ended June 30, 2011 were as follows:

Transfer From	Transfer To	Amount	Nature of Transfer
General Fund	Vehicle Replacement Fund	$ 370,105	Vehicle replacement allocation
Lodging Tax Fund	General Fund	$ 80,000	Operational
Solid Waste Fund	General Fund	$ 200,650	Operational
Solid Waste Fund	General Fund	$ 73,795	Fleet maintenance allocation
Solid Waste Fund	Vehicle Replacement Fund	$ 147,504	Vehicle replacement allocation
Solid Waste Fund	General Fund	$ 113,455	Franchise fee allocation
Water Fund	General Fund	$ 305,121	Operational
Water Fund	General Fund	$ 5,323	Fleet maintenance allocations
Water Fund	Vehicle Replacement Fund	$ 0	Vehicle replacement allocation
Water Fund	General Fund	$ 122,519	Franchise fee allocation
Wastewater Fund	General Fund	$ 214,239	Operational
Wastewater Fund	General Fund	$ 7,785	Fleet maintenance allocations
Wastewater Fund	Vehicle Replacement Fund	$ 32,613	Vehicle replacement allocation
Wastewater Fund	General Fund	$ 53,685	Franchise fee allocation
Electric Fund	General Fund	$ 673,737	Operational
Electric Fund	General Fund	$ 10,830	Fleet maintenance allocations
Electric Fund	Vehicle Replacement Fund	$ 97,726	Vehicle replacement allocation
Electric Fund	General Fund	$ 464,592	Franchise fee allocation

A capital contribution in the amount of $145,192 is recorded in the Solid Waste Fund and $8,045 is recorded in the Electric Fund as other financing sources due to the purchase of capital assets by the Vehicle Replacement Fund. At fund level, the purchase by the governmental fund is recorded as capital outlay expenditure and is a capital contribution in the proprietary fund. However for the government-wide financial statements this activity is treated as a transfer between funds and activity is eliminated.

Payments between the primary government and the component unit for the year ended June 30, 2011 were as follows:

Payment From	Payment To	Amount	Nature of Transfer
General Fund	Yellowstone Regional Airport	$180,756	Operational Subsidy

3.H. FUND BALANCES AND NET ASSETS

Components of Fund Balances

As of June 30, 2011 fund balances components consisted of the following:

Fund	Nonspendable	Restricted	Committed	Assigned
General Fund	$ 338,737	$ 32,117	$ -	$ 107,425
Lodging Tax Fund	-	-	-	-
Public Improvements Fund	-	73,547	-	-
Vehicle Replacement Fund	-	-	-	1,577,706
Lodging Tax Fund	-	-	-	38,547
Special Improvement Districts Fund	-	-	-	8,874
Total	$ 338,737	$ 105,664	$ -	$ 1,732,552

Net Asset Restrictions

In the governmental activities at the government-wide level there is a restriction in the amount of $105,664 due to certain assets being restricted to a specific use such as the public improvements fund ($73,547), police forfeiture funds ($11,017) and convention center project ($21,100). In the business-type activities the restriction of $472,308 is due to debt accounts being restricted from a third party.

NOTE 4. OTHER NOTES

4.A. EMPLOYEE PENSION PLANS

The City and all full-time and regular part-time employees participate in the Wyoming Retirement System (WRS), a cost-sharing multi-employer public employee retirement system.

Effective September 1, 2010, WRS increased the total contribution rate by 2.87%. This increase was split between the City (1.44%) and the employees (1.43%).

WRS pays employees a defined benefit depending upon years of service and earnings using an accrued benefit cost method. The employee contribution rate is 3.68% and the City contribution rate is 10.44%. Law enforcement employees participate at a higher contribution level with an additional 3.08% of their wages contributed to the plan by each employee.

Approximate contribution amounts and payroll basis is as follows (amounts prior to 2011 for City Employees and Law Enforcement are based on 11.25% and 17.2% contribution rates, respectively):

Fiscal Year Ended		City Employees		Law Enforcement	
	Contribution (14.12%)	Contribution (11.25%)	Payroll	Contribution (17.2%)	Payroll
2011	$453,439	67,511	$3,811,429	$229,938	$1,336,000
2010	0	446,000	3,964,000	214,000	1,244,000
2009	0	426,000	3,780,000	181,000	1,052,000

All Full-time employees are required to participate in WRS. Employees who retire after age 60 with four years of credited service are entitled to receive a retirement benefit according to predetermined formulas and allowed to select one of five optional methods of receiving benefits. Early retirement is allowable provided the employee has completed four years of service and attained age 50 however this will result in a reduction of benefits based on length of time remaining to normal retirement age. WRS also provides death and disability benefits and is established by State Statute. Financial statements of WRS are available from the Wyoming Retirement System, 6101 Yellowstone Road Suite 500, Cheyenne, WY 82002.

4.B. RISK MANAGEMENT

Liability

The City is exposed to various risks of loss related to torts, theft of, damage to, or destruction of assets; errors and omissions; injuries to employees; employees' health and life; and natural disasters. The City manages these various risks of loss through participation in the Wyoming Local Government Liability Pool (LGLP). The City pays an annual actuarially determined assessment to LGLP for liability coverage. The coverage provides $250,000 per claimant, but not more than $500,000 per occurrence for all claimants. The deductible per occurrence is $5,000. The contribution to the plan in the current year was $52,684. Should claims exceed

LGLP deposits, each participant is liable and will be assessed for its proportionate share whether or not it continues to participate in the plan, Should LGLP terminate, the City would receive its proportionate share of excess funds remaining in the LGLP account. The City has incurred no losses of significance in excess of coverage provided by LGLP in the last three years.

Health Insurance

The City also participates in the Wyoming Association of Municipalities Joint Powers Insurance Coverage (WAM-JPIC) as a means to acquiring health and life insurance at competitive rates. The package is acquired by pooling resources with other governmental entities. Total costs for health insurance for the City in the current year were approximately $1,100,000.

Property Insurance

Buildings and equipment are adequately insured under commercial insurance policies. The City has incurred no losses of significance in excess of coverage provided by the commercial carriers in the last three years.

4.C. LEASES

The City has entered into a lease agreement with the Cody Council on Aging, Inc. for a building constructed by the City for use as a senior center. The annual fair market value under the lease is approximately $87,000. The term of the lease is 30 years beginning January 1, 2002 with valuation adjustments to be considered every five years. The annual lease payment is considered an in-kind contribution from the City to the Cody Council on Aging, a 501(c) (3) organization.

4.D. COMPENSATED ABSENCES

Accumulated vacation, sick leave and compensatory pay of the City's employees vest every other week and is recorded as a liability in the respective City funds. The General Fund's accrued vacation pay and sick leave is reported as a liability on the government-wide financial statements. Liabilities of the proprietary funds are reported within those funds at the fund level and government-wide level of financial statements. See Note 3.F. for further disclosure of the liabilities.

4.E. RELATED PARTY TRANSACTIONS

Jointly Governed Organizations

The City purchased water totally approximately $1,400,000 from the Shoshone Municipal Water Joint Powers Board (SMP) during the fiscal year ended June 30, 2011 and owed the Board $135,638 as of June 30, 2011.

The City purchased electricity totaling approximately $5,900,000 from the Wyoming Municipal Power Agency during the fiscal year ended June 30, 2011 and owed the Agency $530,659 as of June 30, 2011.

4.F. SEGMENT INFORMATION FOR ENTERPRISE FUNDS

The City maintains four business-type activities which provide solid waste, water, wastewater and electric services. Only the Water Fund and the Electric Fund are required to have segment information presented, however Management has chosen to show limited segment information on each Proprietary Fund in this Note. Each fund is a major fund therefore the full segment information can be easily seen in the proprietary funds financial statements. Segment information for the year ended June 30, 2011 follows:

	Solid Waste Fund	Water Fund	Wastewater Fund	Electric Fund	Combined Total
Operating Revenues	$ 2,415,242	$ 2,782,632	$ 1,063,414	$ 9,316,601	$ 15,577,889
Depreciation	90,965	272,409	397,143	383,660	1,144,177
Operating Income	865,239	387,142	146,492	1,071,076	2,469,949
Transfers In(Out)	(535,403)	(432,962)	(308,322)	(1,246,885)	(2,523,572)
Property Additions	0	(2,704,674)	(1,463,417)	(304,217)	(4,472,308)
Net Income	882,211	432,336	268,959	1,150,250	2,733,756
Net Working Capital	1,883,208	2,048,139	1,088,504	4,500,499	9,520,350
Total Assets	$ 2,530,392	$ 12,499,537	$ 13,622,620	$ 15,870,117	$ 44,522,666
Bonds Payable	-	422,000	-	1,225,000	1,647,000
Notes Payable	-	225,812	-	-	225,812
Total Net Assets	$ 2,471,500	$ 11,786,536	$ 13,592,117	$ 14,424,049	$ 42,274,202

4.G. COMMITMENTS AND CONTINGENCIES

Construction Commitments

At June 30, 2011 the following construction commitments were outstanding of which some are being performed by City of Cody employees/departments:

Project	Fund/Department	Actual as of June 30, 2011	Anticipated Remaining Cost
South Beck Lake Reconstruction	Public Improvements	$8,841	$199,000
Beck Lake Trail Improvements	Parks	$19,579	$7,500
Auditorium ADA Improvements	Public Facilities	$148,260	$40,276
City Hall HVAC System	Public Facilities	$16,500	$205,971
16th Street Storm Sewer	Streets	$202,657	$92,966
North Cody 2AB Electrical System	Electric	$1,033	$1,698,966

Contingencies

Grant Program Involvement – in the normal course of operations the City participated in various federal and state grant/loan programs from year to year. The grant/loan programs are often subject to additional audits by the granting or loan agency, the purpose of which is to ensure compliance with the specific conditions of the grant or loan. Any liability for reimbursement which may arise as a result of these audits cannot be reasonably determined at this time, although it is believed the amount, if any, would not be material.

Litigation – the City is a party to various legal proceedings which normally occur in the course of government operations. The financial statements do not include accrual or provisions for loss contingencies that may result from these proceedings. While the outcome of the above noted proceedings cannot be predicted, due to the insurance coverage maintained by the City and the State Statute relating to judgments, the City feels that any settlement or insurance would not have a material adverse effect on the financial condition of the City.

4.H. SUBSEQUENT EVENTS/OTHER

The following actions were taken by the City Council subsequent to the June 30th end of the fiscal year but prior to the issue date of this report:

Awarded Bid 2011-08 for a new nine wheel Pneumatic Tired Roller to Titan Machinery in the amount of $58,764.

Authorized the reduction of accounts receivables and record bad-debt expenditures in the amount of $48,845.

Approved sponsorship and authorized the Mayor to sign a grant agreement with the City of Cody, Yellowstone Regional Airport Joint Powers Board and the Federal Aviation Administration for the purchase of an Aircraft Rescue and Fire Fighting Vehicle in the amount of $344,020.

Authorized the purchase of cable, vault and connector purchases out of electric reserves, plus allow additional purchases out of electrical reserves up to a total amount of $250,000.

Awarded Bid 2011-09, West Strip Streetlights to Wesco Distribution, Gillette, WY in the amount of $40,401.

Awarded Bid 2011-10, for the purchase of one new sanitation truck to Jack's Truck and Equipment, Gillette, WY in the amount of $162,299, less trade in value of $4,750 leaving a net bid of $157,549.

Awarded bid 2011-13, Cougar Avenue Reconstruction Project to Harris Trucking and Construction Company, Cody, WY in the amount of $270,698 less the optional deduct of $1,740 leaving a net bid of $268,958.

Approved a contract for the purchase of property in Cody; Park County, Wyoming from the Lucille M. Webster Revocable Living Trust dated January 13, 1997 for $240,000 and authorized the Mayor to sign any and all documents necessary to purchase the property.

The following subsequent events are non-financial in nature:

Authorized the Mayor to sign three cancellation request/policy release forms to terminate the City of Cody's current property insurance with Hoiness LaBar, effective July 1, 2011. Coverage through Wyoming Association of Risk Management became effective July 1, 2011.

Authorized an amendment to the Financial Management Policy to change the days of restricted reserves from 90 to 51 in the Electrical Fund for the Rocky Mountain Power 2AB Project.

At June 30, 2011 and through the date of the report, management was unaware of further subsequent events warranting disclosure on the financial statements.

NOTE 5. COMPONENT UNIT – YELLOWSTONE REGIONAL AIRPORT

NOTE 5A. REPORTING ENTITY

The Yellowstone Regional Airport Joint Powers Board (Airport) is a governmental subdivision of the State of Wyoming, formed under Wyoming Statute §16-1-104, located in Cody, Wyoming. The Airport is governed by a seven member board of trustees, four members are appointed by the City of Cody and three by Park County. The Board of Trustees has the authority to exercise all of the powers and privileges provided under law. These powers include the ability to establish and collect rates, rentals and other charges, the authority to acquire, construct, operate, manage and maintain airport facilities, the

authority to buy and sell real and personal property, the authority to issue debt for acquiring or constructing any facility or permanent improvement, and the ability to sue or be sued in its corporate name. The Airport receives funding from local, state, and federal government sources and must comply with the requirements of these funding sources.

Component units are legally separate organizations for which the Airport is financially accountable. The Airport is financially accountable for an organization which appoints a voting majority of the organization's government board and (1) is able to significantly influence the programs or services performed or provided by the organization; or (2) is legally entitled to or can otherwise access the organization's recourses; is legally obligated or has otherwise assumed the responsibility to finance deficits of or provide financial support to the organization; or is obligated for the debt of the organization. Based upon the application of these criteria, the Airport has no component units requiring inclusion in these financial statements.

Due to the City of Cody having the ability to appoint a majority of the Board of Trustees of the Airport, the Airport is a discretely presented component unit of the City of Cody.

NOTE 5B. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Airport have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard - setting body for establishing governmental accounting and financial reporting principles. The more significant of the government's accounting policies are described below.

Basis of Presentation - Fund Accounting

The Airport's accounting system is organized and operated on a fund basis. The fund is defined as a fiscal and accounting entity with a self-balancing set of accounts, which is for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations. The Airport's basic financial statements consist of a statement of net assets, a statement of revenues, expenses and changes in net assets, and a statement of cash flows.

Basis of Accounting/Measurement Focus

The statements are prepared using the economic resources measurement focus and the accrual basis of accounting. The Airport utilizes a proprietary fund and is accounted for using the accrual basis of accounting. This fund accounts for operations that are primarily financed by user charges. The economic resource focus concerns determining costs as a means of maintaining the capital investment and management control. Their revenues are recognized when they are earned and their expenses are recognized when they are incurred. Allocations of costs, such as depreciation, are recorded in the proprietary fund. The proprietary fund has selected to consistently not follow Financial Accounting Standards Board pronouncements, which has now been replaced with the FASB Accounting Standards

Codification (FASB ASC), issued subsequent to November 30, 1989, as permitted under Governmental Accounting Standards Board Statement No. 20.

Cash and Cash Equivalents

The Airport's cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition.

Accounts Receivable/Due from Other Governments

The Airport's accounts receivable consists of monies earned by the Airport prior to year end but had not yet been received. These receivables consist of user fees and charges for services. No allowance for doubtful accounts has been recorded as all accounts historically are fully collectable.

Due from other governments is made up of monies due from outside governmental entities, such as the state, for monies expended prior to year end but not yet received from the outside entity as of June 30, 2011.

Inventories

Inventories are recorded at cost. The costs of inventory items are recorded as expenses when used. Inventory consists mainly of fire fighting chemicals/supplies and parts and supplies for airport vehicles.

Prepaid Expense

Prepaid expenses are items which have been paid for in advance of the entity's fiscal year. Due to the nature and terms of insurance policies, these have a tendency to require this type of payment. Therefore, prepaid expense of the Airport consists of the health insurance premiums and portion of the liability insurance policy which had been paid but is for coverage occurring in the subsequent fiscal year.

Capital Assets and Depreciation

Capital assets are long-lived assets of the Airport and reported on the statement of net assets. The valuation bases for capital assets are historical cost, or where historical cost is not available, estimated historical cost based on replacement cost. Capital assets are capitalized when purchased. In the prior year the Airport implemented GASB Statement No. 51, *Accounting and Financial Reporting for Intangible Assets*. The Airport utilizes a capitalization threshold of $5,000 for all purchases and projects.

Donated capital assets are capitalized at estimated fair market value on the date donated.

Depreciation of capital assets is computed and recorded by the straight-line method. All assets are depreciated except for land. Cost less estimated salvage value (if any) is depreciated over the estimated useful life of the asset. Estimated useful lives of the various classes of depreciable capital assets are as follows:

Buildings	30-40 years
Infrastructure and improvements	15-30 years
Machinery and equipment	5-15 years

Equity Classifications

In accordance with the governmental accounting standards board pronouncement, net assets are displayed in three components:

- Invested in capital assets, net of related debt – Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction, and improvement of those assets.
- Restricted net assets – Consists of net assets with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments, or (2) law through constitutional provisions or enabling legislation.
- Unrestricted net assets – All other net assets that do not meet the definition of "restricted" or "invested in capital assets, net of related debt".

It is the Airport's practice to first use restricted net assets prior to the use of unrestricted net assets when an expense is incurred for purposes for which both restricted and unrestricted net assets are available.

Operating Revenues and Expenses

Operating revenues are those revenues that are generated directly from primary activities. For the Airport, these revenues are charges for services and miscellaneous reimbursements. Operating expenses are necessary costs incurred to provide the goods and services that are the primary activity of the Airport.

Contributions of Capital

Contributions of capital arise from outside contributions of capital assets or outside contributions of resources restricted to capital acquisition and construction.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires the use of management's estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

Budget

The Airport's Board annually adopts a budget in accordance with state statutes. The Board may amend the budget after it is approved, and may also authorize transfers within

various budgetary programs. Legal spending control is at the total expenditure level. The City of Cody and Park County are also required to approve the Airport's budget.

The budget is prepared using the modified cash basis of accounting. Unused appropriations for all of the budgeted funds lapse at the end of the year unless appropriately approved for carryover by the Joint Powers Board.

NOTE 5C. CASH AND INVESTMENTS

Wyoming statutes allow the Airport to deposit uninvested funds with federal banks, state banks, and federal or state savings and loan institutions. All deposits must be fully insured by the FDIC or FSLIC, or secured by a pledge of financial institution assets.

The Airport maintained 100% pledging of its deposits in financial institutions.

The Airport follows state law regarding deposits in financial institutions and maintains all deposits in one financial institution. Due to the types of deposits held by the Airport, there is no interest rate risk or credit risk requiring disclosure in accordance with Statement No. 40.

Wyoming statutes allow investments in bonds or obligations issued by or guaranteed by the United States, repurchase agreements involving bonds of obligations issued by or guaranteed by the United States, mortgage backed securities that are obligations of or guaranteed or insured by the United States (excluding high risk items), bankers' acceptances of United States banks eligible for purchase by the Federal Reserve System, guaranteed investment contracts issued and guaranteed by a United States commercial bank or insurance company, a commingled fund of securities listed in this paragraph held by a bank authorized to do business in this state, bonds of the Wyoming natural gas pipeline authority, and shares of diversified money market funds that invest their funds as prescribed by law. The Airport currently has no investments of these types, nor does the Airport have a written investment policy differing from the state statutes. Therefore, the Airport follows the state statutes in regards to possible investments.

Restricted Cash – The passenger facility account is monitored by the Federal Aviation Administration. The revenue deposited into this account is directly related to the passenger facility charges earned through the use of the airport by the commercial airlines. This revenue cannot be used for operating purposes and must be authorized by the Federal Aviation Administration for use on airport improvements, etc. See Note N. for authorized use of this account for projects in progress or committed at June 30, 2011.

NOTE 5D. CAPITAL ASSETS

	June 30, 2010	Transfers/ Additions	Transfers/ Dispositions	June 30, 2011
Assets not being depreciated:				
Work in progress	$ 8,332,079	$ 3,185,177	$ (11,517,256)	$ -
Land	723,050	-	-	723,050
Assets being depreciated:				
Buildings and improvements	7,152,220	8,923,479	(1,524,368)	14,551,331
Infrastructure and improvements	14,585,633	2,469,915	(1,280)	17,054,268
Machinery and equipment	1,286,661	144,182	(144,179)	1,286,664
Total capital assets	32,079,643	14,722,753	(13,187,083)	33,615,313
Less: accumulated depreciation				
Buildings and improvements	(1,986,192)	(373,508)	748,166	(1,611,534)
Infrastructure and improvements	(5,558,035)	(553,343)	1,280	(6,110,098)
Machinery and equipment	(1,187,517)	(29,910)	135,244	(1,082,183)
Total accumulated depreciation	(8,731,744)	(956,761)	884,690	(8,803,815)
Net Capital Assets	$ 23,347,899	$ 13,765,992	$ (12,302,393)	$ 24,811,498

Depreciation expense in the current year was $956,761.

Certain assets are reported on the Airport's books to which the Airport does not maintain title. These assets are those which were a part of the airport upon inception of the Joint Powers Board in 1980. These assets include land, buildings, and a small amount of infrastructure and improvements. The title remains with the City of Cody; however, the Airport is now responsible for the operations and maintenance of these assets. Therefore, considering the Airport is a discretely presented component unit of the City and the assets are not being reported in duplicate, it is reasonable that the assets remain on the Airport's records.

In the current year, the old airport terminal building was sold. This required approval by FAA and the City of Cody, as the title was still held by the City with the asset being recorded on the Airport's books. The old terminal building sold for approximately $273,000 and had a net book value of approximately $776,000. Therefore, the loss on the disposal of the old terminal building was approximately $513,000. Other assets were also disposed of in the current year which consisted of various pieces of machinery and equipment. Cash received related to the disposal was approximately $9,000. The items had a net book value of approximately $9,000, therefore, not significant gain or loss occurred.

NOTE 5E. RISK MANAGEMENT

The Airport is exposed to various risks of loss related to property loss, torts, errors and omissions, as well as medical benefits provided to employees. The Airport has purchased commercial insurance to cover such claims. There have been no significant reductions in insurance coverage and settlement amounts have not exceeded insurance coverage for the current or prior two years.

NOTE 5F. CURRENT LIABILITIES

Accounts Payable

Accounts payable consist of costs incurred but not yet paid at June 30, 2011. These costs include operational costs such as utilities, security costs, capital project costs and advertising costs. Total accounts payable for June 30, 2011 is $96,180 ($22,425 of operational expenses and $73,755 of capital/project expenses).

Retainage Payable

Retainage payable consist of cost incurred but not yet paid at June 30, 2011 on construction costs related to the airport improvement project. This payable is accumulated throughout the project and will be paid upon completion of the project. For GAAP purposes and due to the certainty of payment upon completion, this retainage is recorded as incurred. Retainage payable at June 30, 2011 is $0, as the airport improvement project was substantially completed during the fiscal year and retainage was paid prior to year-end.

Accrued Expenses

Accrued expenses include payroll taxes and other monthly and quarterly payments due related to payroll through June 30, 2011 (not paid at June 30, 2011). Total accrued expenses are $11,328. Due to the timing of the pay period at the end of the fiscal year, there is not an accrued payroll liability at June 30, 2011 for wages earned but not yet paid. Therefore, the previous amount is due to related benefit and taxes not paid at June 30, 2011.

Accrued Compensated Absences

It is the Airport's policy to allow the accumulation of vacation time. The accrual varies by employee due to the accrual rate being based on the years of service. Vacation can only be accrued to a maximum of 80 hours and may be carried over from year to year at that maximum rate. Upon termination of employment, an employee will be paid all accrued vacation earned through the last day of employment. Total accrued vacation at

June 30, 2011 was $8,857. This is considered to be a current liability due to the history of the use of vacation time by employees.

NOTE 5G. LONG-TERM DEBT

At June 30, 2011, the loan at the Airport was as follows:

Line of Credit	$ 202,000	10/20/2011	$ 1,999	-	-	$ 1,999
Aeronautic Loan	200,000	1/15/2015	-	200,000	36,195	163,805
Total Long-term debt			1,999	200,000	36,195	165,804

Loan Information

The First National Bank Line of Credit loan was approved on October 14, 2009 and is for the purpose of completing office space in the new terminal building. The line of credit was available for one year to be termed out for 120 months at maturity on unsecured basis with the various rate options. There was a one-time loan origination fee of 1%. The initial $2,000 is prepaid finance charges on the loan and is required to be repaid on October 20, 2011. The interest rate as of June 30, 2011 is 3.25%. The line of credit was paid in full and closed-out subsequent to year-end.

The Wyoming Aeronautics loan was obtained for the purpose of aiding in financing the final construction phase of the new terminal building project. The funding was obtained for various projects, including restaurant furniture, fixtures, equipment and for the remaining work to be completed on the TSA office space. The loan is to be repaid with revenue generated from reimbursements for finishing work performed on the TSA office space and also from rent income earned on restaurant and TSA office space. The loan was approved on June 15, 2010. Collateral on this loan includes all revenues received as user fees, rentals and lease payments made to the airport from the operation of the new terminal building. Total funding available under this agreement is $200,000, payable annually on July 15th each year for the next five years.

The aggregate maturities of long-term debt follow:

For the Year Ended June 30,	Principal Matured	Interest
2012	$ 38,005	$ 8,190
2013	39,905	6,290
2014	41,900	4,295
2015	43,995	2,200
	$ 163,805	$ 20,975

NOTE 5H. NET ASSETS

See Note B. – Equity Classifications for explanation of the necessity and requirement of the balance of $24,647,693 being recorded at "investment in capital assets, net of related debt".

The passenger facility account is restricted by a third party and the Airport must obtain authorization from the third party for the use of the funds. The balance of this account at June 30, 2011 in the amount of $102,169 is recorded as restricted net assets for this reason.

NOTE 5I. CAPITAL CONTRIBUTIONS

Intergovernmental - Grants contributed by governmental grantors that are restricted for the construction of Airport assets are recorded as capital contributions. Total capital contributions were $2,791,876 of which the majority was contributed by state and federal agencies.

NOTE 5J. PENSION PLAN

Airport full-time or regular part-time employees participate in the Wyoming Retirement System (System) program, which is a cost sharing, multi-employer, public employee retirement plan. The System pays an employee a defined benefit depending upon years of service and earnings using an accrued benefit cost method.

For the fiscal year, the Airport made approximately $20,863 of required contributions into the Retirement System on eligible wages of approximately $293,020 at a 7.12% required contribution rate. Substantially all regular employees are eligible to participate in the plan. The contributions for 2010 and 2009 were approximately $17,465 and $15,994 on approximate payrolls of $307,479 and $281,000, respectively. The employees contribute 7.00% of wages into the retirement plan making total contributions 14.12%, effective September 2010. The rate prior to that date in the previous years (2010 and 2009) was a contribution rate of 5.57% for the employee and 5.68% for the employer making the total contribution 11.25%. Employee's retirement benefits are based on a number of factors that have changed at various times over the life of the retirement plan. Specific benefit calculations, retirement provisions, 10 year historical trends and other plan details are available in the annual PERS audit report of the Wyoming Retirement System, Herschler Building, Cheyenne, Wyoming.

NOTE 5K. DEFERRED COMPENSATION PLAN

The Airport offers its employees a deferred compensation plan. T he plan permits employees to defer a portion of their salary until future years. The amount in the plan is available to employees only upon t ermination, retirement, death or unforeseen emergency.

All amounts of compensation deferred under the plan, all property and rights purchases with those amounts, property or rights (until paid or made available to the employee or the beneficiary) are solely the property of the Airport and are not restricted to providing benefits under the plan. Those amounts, property or rights are subject only to the claims of the Airport's general creditors. Participant's rights under the plan are equal to those of general creditors of the Airport in an amount equal to the fair market value of the deferred account for each participant. The Airport's management believes that it is not likely that it will use assets to satisfy the claim of general creditors in the future.

NOTE 5L. LEASE AGREEMENTS

The Airport leases facilities (hanger lots and space in the terminal building) to various parties under several operating leases. The majority of these leases are renewable annually and could be terminated upon the discretion of the Board.

NOTE 5M. ECONOMIC DEPENDENCY

The City of Cody and Park County provided approximately 36% of the Airport's operating funds for the year ending June 30, 2011. Total funds transferred from the governmental entities were $301,260. The two entities have provided 41% and 41% of the Airport's operating funds for the year ending June 30, 2010 and 2009, respectively.

NOTE 5N. RELATED PARTY TRANSACTIONS

There were no significant related party transactions requiring disclosure in the current year.

NOTE 5O. COMMITMENTS/ SUBSEQUENT EVENTS/ OTHER

Construction/Grant

Airport Improvement Program Project No. 23, which was for new terminal construction phase no. I, was approved by the Federal Aviation Administration in fiscal year 2009. The total project is expected to cost approximately $1,130,000 with the project being funded 95% from airport improvement federal funds. Three percent was to be funded by the state grant-in-aid funds and two percent by the Airport. The Airport had approval to use passenger facility money for their

portion of the construction cost. At June 30, 2011 this project was considered complete with total costs incurred of approximately $1,130,000. The primary construction contractor on the project was Wadman Construction.

State Project 2627, which is for new terminal building phase no. II, was approved and began in the fiscal year 2009. The total project was expected to cost approximately $2,550,000 with the project being funded 98% from state funds. Two percent of the project was funded by the Airport. The Airport had approval to use passenger facility money for their portion of the construction cost. At June 30, 2011, the project was considered complete with total costs incurred of approximately $2,549,000. The contract was made up of multiple facets and various contractors.

A SLIB grant was awarded in the prior year to aid in the funding of the new terminal project the amount of $750,000. There was no matching requirement; therefore, the cost of the project which was directly related to this grant was $750,000. At June 30, 2011 this project was considered complete and all of the grant funds had been fully expended.

Airport Improvement Program Project No. 24, which is for new terminal construction phase no. II, was signed in July 2009. The total project was expected to cost approximately $1,500,000 with the project being funded 95% from airport improvement federal funds. Three percent was funded by the state grant-in-aid funds and two percent by the Airport. The Airport had approval to use passenger facility money for their portion of the construction cost. At June 30, 2010, costs had been fully incurred related to this project, and in 2011 the grant was closed out. The primary contractor on this phase of the project was Wadman Construction.

Airport Improvement Program Project No. 25 agreement (discretionary), which was for construction of the apron phase II was approved by the Federal Aviation Administration in fiscal year 2010. The total project was expected to cost approximately $2,600,000 with the project being funded 95% from airport improvement federal funds. Three percent was funded by the state grant-in-aid funds and two percent by the Airport. The Airport had approval to use passenger facility money for their portion of the construction cost. At June 30, 2011, the project was considered complete and total project costs incurred were approximately $2,630,000. The primary contractor on this phase of the project was Century Construction.

Airport Improvement Program Project No. 26, which was for construction of the apron phase II, was approved by the Federal Aviation Administration in fiscal year 2010. The total project was expected to cost approximately $600,000 with the project being funded 95% from airport improvement federal funds. Three percent was funded by the state grant-in-aid funds and two percent by the Airport. The Airport had approval to use passenger facility money for their portion of the construction cost. At June 30, 2011, this project was considered complete and total project costs incurred were approximately $587,000. The primary contractor on this phase of the project was Century Construction.

A Transportation Security Administration other transaction agreement was put in place in the prior year to aid in the purchase of screening equipment which was necessary to complete the construction of the terminal. The amount of this grant was $282,520 with five percent matching costs by the Airport. At June 30, 2011, the project was considered complete with purchase and installation of the equipment finalized prior to completion of the terminal project. Total costs incurred were approximately $280,000. The contract was made up of multiple facets and various contractors. In addition, this contract was not deemed federal assistance by the Transportation Security Administration and therefore is not included in the Schedule of Expenditures of Federal Awards. In addition, the calculation of the funding was performed based upon past invoices which contained costs applicable to the baggage screening area, but was not a dollar-for-dollar reimbursement. The past invoices were used as a means of calculation for funding of the project as a whole through the applicable portion of the project.

Airport Improvement Program Project No. 27 agreement, which was for construction of the access road and paving phase V, was signed on July 2010. The total project was expected to cost approximately $440,000 with the project being funded 95% from airport improvement federal funds. Three percent was funded by the state grant-in-aid funds and two percent by the Airport. The Airport had approval to use passenger facility money for their portion of the construction cost. At June 30, 2011, this project was considered complete with total project costs incurred of approximately $447,000. The primary contractor on this phase of the project was Capstone Construction.

State Project 2733, which was for new terminal building phase no. V, was approved by WYDOT on June 28, 2010. The total project was expected to cost approximately $288,000 with the project being funded 60% from state funding and 40% by the Airport. At June 30, 2011, the project was considered complete with total project costs incurred of approximately $288,000.

State Project 2767, which was for new terminal building phase no. V, was approved by WYDOT on August 2, 2010. The total project was expected to cost approximately $42,000 with the project being funded 50% from state funding and 50% by the Airport. At June 30, 2011, the project was considered complete with total costs incurred of approximately $49,000.

A SLIB grant was secured and finalized during the current year in the amount of $200,500 for the purchase and installation of the airport entrance sign and for paving the airport parking lot. There was no matching requirement; therefore, the cost of the project which is directly related to this grant was $200,500. The Airport had approval to use passenger facility money for any additional costs related to the project. At June 30, 2011, all work related to this grant was considered complete with total project costs incurred of approximately $199,000.

Subsequent Events

As of June 30, 2011 $73,754 was still considered outstanding for payment on the airport terminal project, payable to the project engineers Morrison & Maierle Inc.

On July 13, 2011 there was a bid approval made for the purchase of a new ARFF vehicle for approximately $540,000 with Oskosh. In addition, a grant agreement was approved with the FAA for funding of $344,020 of the new ARFF vehicle.

In addition, a deicer was approved for purchase on September 14, 2011 in the amount of $22,500. It is expected that passenger facility tax money will be approved for payment of this item; however, if not approved, the funding will come from the old terminal building account which holds the funds received from the sale of the old terminal.

General

In the normal course of operations, the Airport receives grant funds from various Federal and State agencies. The grant programs are subject to audit by agents of the granting authority, the purpose of which is to ensure compliance with conditions precedent to the granting of funds. Any liability for reimbursement which may arise as a result of these audits is not believed to be material.

Litigation

The Airport is a party to various legal proceedings which normally occur in the course of government operations. The financial statements do not include accrual or provisions for loss contingencies that may result from these proceedings. While the outcome of any proceedings cannot be predicted, due to the insurance coverage maintained by the Airport and the State statute relating to judgments, the Airport feels that any settlement or insurance would not have a material adverse effect on the financial condition of the Airport, if necessary.

At June 30, 2011, and through the date of the report, management was unaware of any further commitments, subsequent events, or other items which would require disclosure in the financial statements.

REQUIRED SUPPLEMENTAL INFORMATION

City of Cody, Wyoming
Budgetary Comparison Schedule - Modified Cash Basis
General Fund
for the fiscal year ended June 30, 2011

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget Positive(Negative)
Beginning Budgetary Fund Balance:	$ 4,019,726	$ 4,019,726	$ 4,019,726	$ -
Resources (inflows):				
Taxes				
Sales and Use Tax	2,340,800	2,340,800	2,486,270	145,470
Franchise Tax	1,015,880	1,015,880	1,006,499	(9,381)
Licenses & Permits	42,583	42,583	49,401	6,818
Intergovernmental				
Federal Grants	776,625	808,348	351,464	(456,884)
State Grants	133,280	246,481	315,987	69,506
Pass Through Grants	2,998,599	2,998,599	1,385,085	(1,613,514)
Severence Tax	374,398	374,398	364,469	(9,929)
Royalties	507,192	507,192	496,474	(10,718)
State and Federal Funding	623,219	623,219	622,216	(1,003)
Other Taxes				
Motor Vehicle Tax	136,396	136,396	127,989	(8,407)
Gasoline Tax	195,052	195,052	224,073	29,021
Cigarette Tax	94,124	94,124	93,725	(399)
Ad Valorem Tax	582,759	582,759	544,644	(38,115)
Fines and Forfeitures	273,494	273,494	271,733	(1,761)
Charges for Services:				-
Penalites and Fees	94,777	94,777	89,462	(5,315)
Parks and Recreation Fees	1,111,700	1,111,700	1,091,159	(20,541)
Public Works Fees	511,946	511,946	619,035	107,089
Assessment Revenue				-
Investment Income	51,293	51,293	48,176	(3,117)
Contributions and Donations	242,849	242,849	266,930	24,081
Facilty Rentals	16,000	16,000	10,500	(5,500)
Miscellaneous	7,167	7,167	41,495	34,328
Total Revenues	12,130,133	12,275,057	10,506,786	(1,768,271)
Other Financing Sources:				
Transfers from Other Funds	1,489,105	1,489,105	1,473,749	(15,356)
Total other Financing Sources	1,489,105	1,489,105	1,473,749	(15,356)
Total Revenues and Other Financing Sources	13,619,238	13,764,162	11,980,535	(1,783,627)
Amounts Available for Appropriation	17,638,964	17,783,888	16,000,261	(1,783,627)
Charges to Appropriations (outflows):				
General Government:				
Mayor and City Council	281,221	281,221	265,594	15,627
City Attorney	85,000	85,000	76,067	8,933
City Administrator	158,737	158,737	136,579	22,158
Administrative Services	1,601,481	1,601,481	1,423,144	178,337
Administrative Services - Pass Through Grants	2,998,599	2,998,599	1,801,221	1,197,378
Police	2,799,214	2,856,420	2,535,064	321,356
Parks	901,947	958,311	738,235	220,076
Public Facilities	852,332	864,132	547,843	316,289
Recreation Center	2,066,922	2,021,508	1,765,765	255,743
Engineering	315,592	315,092	295,132	19,960
Building Inspection	160,589	161,089	150,888	10,201
Streets	2,494,958	2,938,490	2,316,926	621,564
Vehicle Maintenance	418,151	418,151	364,185	53,966
Public Transportation	16,196	16,196	3,519	12,677
Total Charges to Appropriations	15,150,939	15,674,427	12,420,162	3,254,265
Payment to Component Unit	180,756	180,756	180,756	-
Transfers Out	-	-	-	-
Total Interfund Transfers	$ 180,756	$ 180,756	$ 180,756	$ -
Ending Budgetary Fund Balance	$ 2,307,269	$ 1,928,705	$ 3,399,343	$ 1,470,638

See independent auditor's report as it relates to required supplementary information.

City of Cody, Wyoming
Budgetary Comparison Schedule - Modified Cash Basis
General Fund
for the fiscal year ended June 30, 2011

Adjustments to Generally Accepted Accounting Principles Basis:		
Changes in due from other governments	$	595,552
Changes in due from other entities		11,095
Changes in court receivables and related accounts		(20,973)
Changes in other receivables		1,449
Changes in allowances		(6,329)
Changes in accounts payable		(14,590)
Changes in accrued liabilities		(48,696)
Changes in deferred revenue		38,604
Net change in fund balances - GAAP basis		556,112
Ending Fund Balance - GAAP Basis	$	3,955,455

Notes:

(1) The City budgets for depreciation expense at the fund level however depreciation expense is not reported at that level. Therefore the budgeted depreciation expense in the amount of $1,164,239 does not have a correlating actual expense amount shown.

(2) The City of Cody operates a Vehicle Maintenance department in the General Fund. The main function of this department is to provide maintenance and repair services on fleet vehicles and equipment. Under City policies, interdepartmental services performed by one department for another are credited to the performing department and charged to the receiving department to reflect the accurate cost of programs. For reporting purposes, the Enterprise Fund charges are shown as transfers in/out between funds. The General Fund activities are credited to the performing department and charged as an expense to the receiving departments. The cost allocation is calculated annually based on each department's percentage of use; therefore, actual costs are not being allocated. See Note 1.E. in the Notes to the Basic Financial Statements for additional details.

(3) The City of Cody operates a Vehicle Replacement capital project fund which accounts for transfers from other funds within the primary government which is to be used to purchase vehicles and equipment. Transfers are based upon each department's vehicles and assigned replacement schedules to allocate appropriate funds to cover future replacements. See Note 3.G. in the Notes to the Basic Financial Statements for additional details.

(4) The variance between the final budget and the actual amount for Federal Grants of $456,884 is due to two grant funded projects (ARRA City Hall HVAC System, CDBG Auditorium ADA Improvements), which were budgeted but not completed during the fiscal year.

(5) The variance between the final budget and the actual amount for Pass Through Grants of $1,613,514 is due to the Eleutian Technologies grant which was budgeted but not completed during the fiscal year.

City of Cody, Wyoming
Budgetary Comparison Schedule - Modified Cash Basis
Major Governmental Fund
for the fiscal year ended June 30, 2011

	LODGING TAX FUND			
	Budgeted Amounts			Variance with Final Budget Positive(Negative)
	Original	Final	Actual Amounts	
Beginning Budgetary Fund Balance:	$ 27,975	$ 27,975	$ 27,975	$ -
Resources (inflows):				
Taxes	79,605	79,605	91,065	11,460
Investment Income	435	435	435	-
Amounts Available for Appropriation	108,015	108,015	119,475	11,460
Charges to Appropriations (outflows):				
Mayor and City Council	1,000	1,000	928	$ 72
Community Support	-	-	-	$ -
Transfers Out	80,000	80,000	80,000	$ -
Total Charges to Appropriations	81,000	81,000	80,928	72
Ending Budgetary Fund Balance	$ 27,015	$ 27,015	$ 38,547	$ 11,532

See independent auditor's report as it relates to required supplementary information.

OTHER SUPPLEMENTAL INFORMATION

City of Cody, Wyoming
Combining Balance Sheet
Non-Major Governmental Funds
June 30, 2011

	Special Revenue Funds		Capital Projects Funds		Total
	Special Improvement Distrct #44	Special Improvement Distrct #56	Public Improvements Fund	Vehicle Replacement Fund	Non-Major Governmental Funds
Assets					
Cash and Cash Equivalents	$ -	$ -	$ 73,545	$ 1,577,654	$ 1,651,199
Restricted - Cash and Cash Equivalents	-	-	-	-	-
Accounts Receivable	5,561	3,313	2	52	8,928
Total Assets	$ 5,561	$ 3,313	$ 73,547	$ 1,577,706	$ 1,660,127
Liabilities					
Deferred Revenue	$ -	$ -	$ -	$ -	$ -
Accounts Payable	-	-	-	-	-
Total Liabilities	$ -	$ -	$ -	$ -	$ -
Fund Equity					
Fund Balance:					
Nonspendable:	-	-	-		-
Restricted:					
Public Improvements	-	-	73,547		73,547
Committed:	-	-	-		-
Assigned:	-	-	-	-	-
Capital Assets	-	-	-	1,577,706	1,577,706
Improvement Districts	5,561	3,313		-	8,874
Unassigned	-	-	-	-	-
Total Fund Equity	$ 5,561	$ 3,313	$ 73,547	$ 1,577,706	$ 1,660,127
Total Liabilities and Fund Equity	$ 5,561	$ 3,313	$ 73,547	$ 1,577,706	$ 1,660,127

See independent auditor's report as it relates to required supplementary information.

City of Cody, Wyoming
Combining Statement of Revenues, Expenditures and Changes in Fund Balance
Non-Major Governmental Funds
for the fiscal year ending June 30, 2011

	Special Revenue Funds		Capital Projects Funds		Total
	Special Improvement Distrct #44	Special Improvement Distrct #56	Public Improvements Fund	Vehicle Replacement Fund	Non-Major Governmental Funds
REVENUES					
Assessment Revenue	$ -	$ -	$ -	$ -	$ -
Sale of Assets	-	-	-	-	-
Contributions	-	-	-	-	-
Investment Income	-	-	832	17,024	17,856
Total Revenues	-	-	832	17,024	17,856
EXPENDITURES					
Current:	-	-			
Capital Outlay	-	-	-	300,549	300,549
Total Expenditures	-	-	-	300,549	300,549
Revenues Over(Under) Expenditures	-	-	832	(283,525)	(282,693)
Other Financing Sources(Uses)					
Transfers In	-	-	-	647,950	647,950
Transfers Out	-	-	-	-	-
Revenues and Other Financing Sources Over(Under) Expenditures and Other Uses	-	-	832	364,425	365,257
Fund Balance - beginning of year	5,561	3,313	72,715	1,213,281	1,294,870
Fund Balance - end of year	$ 5,561	$ 3,313	$ 73,547	$ 1,577,706	$ 1,660,127

See independent auditor's report as it relates to required supplementary information.

City of Cody, Wyoming
Schedule of Expenditures of Federal Awards
for the fiscal year ending June 30, 2011

Federal Grantor/Pass Through Grantor/Program Title	Federal CFDA Number	Identifying Grant Number	Award Amount	Amount of Award Expended
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT				
Passed through the Wyoming Business Council				
Community Development Block Grant	14.228	None	$ 168,185	$ 133,434
Total U.S. Department of Housing & Urban Development			$ 168,185	$ 133,434
U.S. DEPARTMENT OF ENERGY				
Passed through the Wyoming Business Council				
2009 EECBG Facility Efficiency Retrofit	81.128	DE-EE0000835,60237	222,471	16,500
2009 SEP Retrofit Program (ARRA)	81.041	DE-EE0000146,56446	444,499	194,669
Total U.S. Department of Energy			666,970	211,169
U.S. DEPARTMENT OF JUSTICE				
Edward Byrne Memorial Justice Assistance	16.738	2007-DJ-BX-1299	12,417	1,645
Edward Byrne Memorial Justice Assistance (ARRA)	16.804	2009-BS-B9-0197	49,739	1,537
Edward Byrne Memorial Justice Assistance	16.738	2010-DJ-BX-0296	11,316	11,316
Bulletproof Vest Partnership Act of 1998	16.607	2006BUBX06133142	1,813	138
Bulletproof Vest Partnership Act of 1998	16.607	2009BHBX09048514	792	23
Bulletproof Vest Partnership Act of 1998	16.607	2007BUBX07039769	1,875	1,479
Bulletproof Vest Partnership Act of 1998	16.607	2010BUBX10050835	2,740	1,354
COPS Hiring Recovery ACT	16.710	2009-RKWX0955	197,259	61,810
Total U.S. Department of Justice			277,951	79,302
U.S. DEPARTMENT OF HOMELAND SECURITY				
Passed through the Wyoming Office of Homeland Security				
Law Enforcement Terrorism Prevention Activities	97.067	2009-SS-T9-0013	18,279	6,483
Law Enforcement Terrorism Prevention Activities	97.067	2010-SS-T0-0003	20,407	660
Homeland Security Grant for Region 6 Bomb Team	97.067	2008-GE-T8-0042	176,285	59,529
Total U.S. Department of Homeland Security			214,971	66,672
U.S. DEPARTMENT OF TRANSPORTATION				
Passed through the Wyoming Department of Transportation				
Safe Routes to School SRS Program	20.205	SRTS 0.00 SR10011	197,550	196,999
Total U.S. Department of Transportation			197,550	196,999
NATIONAL ENDOWMENT FOR THE ARTS				
Passed through the Wyoming Arts Council	45.025	3181869	750	750
Arts Across Wyoming			750	750
Total National Endowment for the Arts				
Total Federal Award Expenditures				$ 688,326

See independent auditor's report as it relates to required supplementary information.

NOTE A - BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal awards includes the federal grant activity of the City of Cody, Wyoming and is presented on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Therefore, some amounts presented in this schedule may differ from the amounts presented in, or used in the preparation of the basic financial statements.

NOTE B - BASIS OF ACCOUNTING

Federal assistance programs included on this Schedule are reported in the City's financial statements. This Schedule is prepared using the same basis of accounting as that used in reporting the expenditures of the related funds in the City's fund financial statements. The basis of accounting used for each fund type is described in Note 1C of the City's financial statements.

NOTE C - PROGRAM COSTS/MATCHING CONTRIBUTIONS

Certain Federal programs require that the City of Cody contribute non-Federal funds (matching funds) to support the Federally-funded programs. The City of Cody has complied with the matching requirements. The expenditure of non-Federal matching funds is not included in the Amount of Award Expended on this Schedule.

SBWW

STINE BUSS WOLFF WILSON
&
ASSOCIATES, P.C.

Worland: Stephen L. Stine, C.P.A.

Cody: Keven L. Buss, C.P.A.
Reanne N. Wolff, C.P.A.
Keri J. Wilson, C.P.A.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENTAL AUDITING STANDARDS*

To the Mayor and City Council
City of Cody, Wyoming
1002 Sheridan Avenue
Cody, Wyoming 82414

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of City of Cody as of and for the year ended June 30, 2011, which collectively comprise the City of Cody's basic financial statements and have issued our report thereon dated December 7, 2011. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered City of Cody's (City) internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether City of Cody's basic financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

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931 Rumsey Avenue • P.O. Box 657 • Cody, Wyoming 82414 • Phone (307) 527-6161

We also noted additional matters that we reported to management and those charged with governance of the City of Cody in a separate letter dated December 7, 2011.

This report is intended for the information and use of the audit committee, Council, management, others within the entity, federal awarding agencies and pass-thru agencies and the State of Wyoming, and is not intended to be and should not be used by anyone other than those specified parties.

Stine, Buss, Wolff, Wilson + Assoc., P.C.

Stine, Buss, Wolff, Wilson & Associates, P.C.
Certified Public Accountants

Cody, Wyoming

December 7, 2011

SBWW

STINE BUSS WOLFF WILSON
&
ASSOCIATES, P.C.

Worland: Stephen L. Stine, C.P.A.

Cody: Keven L. Buss, C.P.A.
Reanne N. Wolff, C.P.A.
Keri J. Wilson, C.P.A.

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH REQUIREMENTS THAT COULD HAVE A DIRECT AND MATERIAL EFFECT ON EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133

To the Mayor and City Council
City of Cody, Wyoming
1002 Sheridan Avenue
Cody, WY 82414

Compliance

We have audited City of Cody, Wyoming's compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of City of Cody, Wyoming's major federal programs for the year ended June 30, 2011. City of Cody, Wyoming's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of City of Cody, Wyoming's management. Our responsibility is to express an opinion on City of Cody, Wyoming's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about City of Cody, Wyoming's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of City of Cody, Wyoming's compliance with those requirements.

In our opinion, City of Cody, Wyoming, complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2011. However, the results of our auditing procedures disclosed an instance of noncompliance with those requirements, which are required to be reported in accordance with OMB Circular A-133 and which are described in the accompanying schedule of findings and questioned costs as item 2011-A.

Internal Control over Compliance

Management of City of Cody, Wyoming, is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered City of Cody, Wyoming's internal control over compliance with the requirements that could have a direct and material effect on a major federal program to determine the auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of City of Cody, Wyoming's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal

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931 Rumsey Avenue • P.O. Box 657 • Cody, Wyoming 82414 • Phone (307) 527-6161

control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

City of Cody, Wyoming's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit City of Cody, Wyoming's responses and, accordingly, we express no opinion on the responses.

This report is intended solely for the information and use of management, City Council, others within the entity, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Stine, Buss, Wolff, Wilson + Assoc., P.C.

Stine, Buss, Wolff, Wilson & Associates, P.C.
Certified Public Accountants

Cody, Wyoming
December 7, 2011

CITY OF CODY, WYOMING
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
For the Year Ended June 30, 2011

SECTION I - SUMMARY OF THE AUDITOR'S RESULTS:

Financial Statements

Type of auditor's report issued: unqualified

Internal control over financial reporting:

- Material weakness(es) identified? _____Yes __X__No
- Deficiency(ies) identified that are not considered to be material weakness(es)? _____Yes __X__No

Noncompliance material to financial statements noted? _____Yes __X__No

Federal Awards

Internal control over major programs:

- Material weakness(es) identified: _____Yes __X__No
- Deficiency(ies) identified that are not considered to be material weakness(es)? _____Yes __X__No

Type of auditor's report issued on compliance for major programs: unqualified

Any audit findings disclosed that are required to be reported in accordance with section 510(a) of OMB Circular A-133? __X__Yes _____No

Identification of major programs as a cluster:

- 16.710 Public Safety Partnership and Community Policing Grants - ARRA
- 81.041 State Energy Program – ARRA
- 14.228 Community Development Block Grants/State's Program and Non-Entitlement Grants in Hawaii

Dollar threshold used to distinguish between type A and type B programs: $300,000

Auditee qualified as low-risk auditee? _____Yes __X__No

SECTION II and SECTION III - GAGAS Financial Statement Findings and Federal Awards Findings Required to be Reported:

Section II – GAGAS Financial Statement Findings:

NONE

Section III – Federal Awards Findings:

2011-A 16.710 Public Safety Partnership and Community Policing Grants – ARRA

Criteria: The Public Safety Partnership and Community Policing Grant (COPS) – ARRA required tracking (documentation) of expenses and reporting of the new hire officer which is being paid with the grant.

Condition: The City created a new detective/sergeant position as required by the grant; however, they hired internally for this position, which is appropriate. This left a sergeant position open, which was again promoted internally. Therefore, the new hire individual was a patrol officer. When tracking and reporting expenditures for the grant, the expenditures of new hire officer is the one which should be tracked (documented) and reported; however, the newly created position's individual of the detective/sergeant was the information being tracked (documented) and reported.

Effect: Due to the approved budget for the new hire position being the base starting wage for an officer, plus incremental certification raises, there was no creation of questioned costs or significant reporting issues. However, the tracking (documentation) of the individual's expenses and support for the expenditures were on the incorrect individual.

Cause: Due to the back-fill process utilized by the City, the treatment and reporting and tracking requirements between the newly created position versus the newly hired individual were unclear. In addition, these items were not specifically outlined or explained in the grant agreement to give clear guidance.

Recommendation: When determining the need for additional guidance on compliance requirements (including tracking and reporting), the City should utilize the granting agency for guidance when there is not explicit guidance within the agreement or related materials.

CORRECTIVE ACTION PLAN:

Finding 2011-A:

Contact Person: Jennifer Rosencranse, City Administrator

Corrective Action Planned:
All required documentation for the new hire officer will be compiled and included in the grant file. The wage and benefit information for the new hire position will be tracked and used for financial reporting and draw down requests, where the community policing activities of the Detective Sergeant will be reported on the progress report.

Effective date:
Effective immediately.

City of Cody, Wyoming
Summary of Prior Audit Findings
Year Ended June 30, 2011

NONE (First year of audit in compliance with OMB A-133, no prior audit findings to report.)

MEETING DATE: DECEMBER 20, 2011
DEPARTMENT: ADMINISTRATIVE SERVICES
PREPARED BY: LESLIE BRUMAGE, FINANCE OFFICER
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____

AGENDA ITEM SUMMARY REPORT

Resolution 2011-15 Budget Amendment

BACKGROUND

The City of Cody adopted the budget for FY11-12 on June 22, 2011. Per State Statute, budgets may be amended through Resolution by the City Council.

SUMMARY

This amendment includes adjustments for the Concerts in the Park, Travel Council Grant account and the West Strip Waterline Project.

Concerts in the Park – several contributions to this program were received at the end of FY10-11 making more funding available to hold additional concerts. Because this funding was not anticipated at the time the budget was prepared, the expenditures were budgeted lower than actual cost. This request is to increase the expense line item budget to account for the additional expenses incurred due to the increased funding.

Park County Travel Council Grant – at the time the budget was prepared we anticipated a grant of $600, however they approved a grant of $1,000. This request is to increase the revenue and expenditure line items to account for the increase in grant funding.

West Strip Waterline Project – at the time the budget was prepared this project had been submitted for SLIB funding and was budgeted as if it would be grant funded, with the understanding that even if the grant was not approved the project would be completed using City funds. This request is to reduce the grant revenue line item to reflect in the budget that the grant was not approved.

FISCAL IMPACT

Revenue in the Parks Department will be increased by $400
Expenditures in the Parks Department will be increased by $2,825
Revenue in the Water Department will be decreased by $142,010

ALTERNATIVES

At its discretion the City Council may approve or deny the Resolution.

AGENDA ITEM NO. _____

RECOMMENDATION

Approve the resolution amending the FY11-12 budget reducing revenue by $141,610 and increasing expenditures by $2,825.

ATTACHMENTS

1. Resolution 2011-15

AGENDA & SUMMARY REPORT TO:

1. None

AGENDA ITEM NO. _____

RESOLUTION 2011-07

A RESOLUTION AMENDING THE CITY OF CODY FINAL BUDGET FOR FISCAL YEAR 2011-2012

WITNESSETH:

WHEREAS, the final budget for Fiscal Year 2011-2012 was duly adopted by the City of Cody with Ordinance No 2010-20 on June 22, 2011 in accordance with the State of Wyoming Statutes; and

WHEREAS, the City of Cody Council has determined it is appropriate to amend the final budget, in accordance with proper governmental accounting and financial reporting practices; and

WHEREAS, funds are available to cover such amendments as designated in the requested action.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Cody, the following action was authorized by the City of Cody Council:

BUDGET AMENDMENTS:

Authorized Revenue(s):

Dept	Account	Purpose	Amount
Water	West Strip Waterline	Grant not awarded	($142,010)
Parks	Grants – Park Co Travel Council	Award was more than originally budgeted	400.00
		Total Revenue Amendments	($141,610)

Authorized Appropriation(s):

Dept	Account	Purpose	Amount
Parks	Concerts in the Park	Additional concerts were held due to increased contribution revenue	$2,425
Parks	Grants - Park Co Travel Council	Award was more than originally budgeted	$400
		Total Expenditure Amendments	$2,825

PASSED, APPROVED AND ADOPTED THE 20th day of December 2011.

_____
Nancy Tia Brown, Mayor

Attest:

_____
Cynthia Baker, Administrative Services Officer

MEETING DATE: DECEMBER 20TH, 2011
DEPARTMENT: PARKS, REC, AND PUBLIC FACILITIES

PREPARED BY: RICK MANCHESTER
PRESENTED BY: RICK MANCHESTER

AGENDA ITEM SUMMARY REPORT
Sheridan Ave. Streetscape Design Services

ACTION TO BE TAKEN:
The Sheridan Ave. Streetscape steering committee conducted a rigorous selection process to choose the best team for the planning project. They recommend that City Council authorizes the Mayor to enter into an agreement with Russell+Mills Studios for Sheridan Ave. Streetscape design services.

SUMMARY OF INFORMATION:
There were five steering committee members that scored seven paper proposals from design and engineering teams that responded to the RFP. The top four scorers were invited to make a face-to-face presentation. Engineering Associates participated in the presentation process. There were eight steering committee members involved in the final recommendation. Both the paper review and the live presentations scored **Russell+Mills Studios** as the most qualified team for our project. They are from Ft. Collins, Colorado and they have partnered with WLC Civil and Highway Engineers from Casper.

The WY-DOT grant we are receiving requires us to use the most qualified team to complete the project. I have attached a proposed copy of the contract, project scope, and project fee. The City Attorney has reviewed the contract portion but not the scope and fee.

FISCAL IMPACT
The City has budgeted $10,000 as a match to the WY-DOT $40,000 grant.

ALTERNATIVES
Alternative is do not complete the Sheridan Ave. planning project and do not award the contract.

ATTACHMENTS
The attached DRAFT contract is in the City's legal review process. The contract includes comments from the City Attorney and consultant. The City Attorney is reviewing the final draft.

AGENDA & SUMMARY REPORT TO:
Russell+Mills Studios
Paul Mills
141 S. College Ave. Suite 104
Ft. Collins CO 80524
(970-484-8855)
pmills@russellmillsstudios.com

AGENDA ITEM NO. _____

CONTRACT FOR
PROFESSIONAL SERVICES FOR SHERIDAN AVENUE STREETSCAPE
BETWEEN
RUSSELL+MILLS STUDIOS, AN S CORPORATION OF FORT COLLINS, COLORADO
AND
THE CITY OF CODY, WYOMING

1. Parties. This Agreement is made and entered into this ____ day of November, 2011 by and between Russell + Mills Studios Inc, a Colorado S-Corporation; (hereinafter referred to as "Consultant") whose address is 141 South College Ave., Suite 104, Fort Collins, CO 80524 and the City of Cody, Wyoming, a municipal corporation (hereinafter referred to as "City") whose address is 41338 Rumsey Avenue, Cody, Wyoming 82414.

2. Scope of Work. Consultant shall provide professional design services for Sheridan Avenue Streetscape from 8th Street to 17th Street. Specifically, Consultant shall be responsible for the scope of services as stated in Paragraph 5 herein.

3. Term of Contract and Required Approvals. This Contract is effective when all parties have executed it and all required approvals have been granted. The term of the Contract is from the date of execution through December 31, 2012, unless otherwise terminated or extended as outlined herein.

4. Payment.

A. Contract Sum.

i. City agrees to pay Consultant for the services described in Paragraph 5 herein and Attachment A. The Consultant shall provide services in Paragraph 5 herein for the total projected maximum fee of fifty thousand dollars and zero cents ($50,000.00) for the Sheridan Avenue Streetscape Design project.

ii. Consultant may submit monthly invoices for payment upon completion of services for the project as outlined in paragraph 5 herein. Monthly invoices for services associated with additional services as described in Paragraph 5 (F) shall have written authorization from the City before proceeding with any additional services and costs for any additional services shall be as outlined in Attachment A entitled Sheridan Avenue Streetscape Master consisting of xxxx (X) pages. Payments shall be made pursuant to Wyo. Stat. §16-6-602. Payments made beyond forty-five (45) days after invoice will include interest at the legal rate for the State of Wyoming for such period beyond thirty (30) days. Any fees for services must be performed prior to the submission of the invoice.

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No advance payment for services may be requested.

iii. Records of personnel, consultants, extra and reimbursable expenses pertaining to the Project shall be kept on a generally recognized accounting basis, acceptable to City, and shall be available to City or authorized representatives of City upon request by City.

5. Responsibilities of Consultant.

A. General Services.

i. Consultant's services shall be performed as expeditiously as is consistent with customary and reasonable professional standards and the orderly progress of the project.

ii. Consultant shall consult, to the extent required by City, with authorized employees, agents and/or representatives of City relative to design and construction administration for the project.

iii. Consultant shall prepare, in a manner consistent with the standard of care as defined in Paragraph 8 (AA) of this Contract, all drawings, specifications and other documents pursuant to this Contract so that they are complete and functional for the purposes intended, except as to any deficiencies which are due to causes beyond the control of the Consultant, and that the Project, if constructed in accordance with the intent established by such drawings, specifications and other documents, shall be structurally sound and a complete and properly functioning system suitable for the purposes for which it is intended.

iv. Consultant shall designate a principal or member of Consultant's staff satisfactory to City as the Project representative who shall, so long as their performance continues to be acceptable to City remain in charge of the project as described in Paragraph 2 herein.

v. Consultant shall assist City in fulfilling requirements and contingencies set forth or required by appropriate authorities and agencies whose interest bears on the design and installation of the project in herein. Appropriate authorities and agencies shall mean any private, local, municipal, county, state, region or federal authority or agency with which each of the projects may be involved. This term is intended to include those agencies and authorities, which may require information or the filing of plans,

specifications, or other documentation or verifications in connection with the project herein on either a voluntary or non-voluntary basis.

vi. Consultant shall provide professional design services for the project as described in Paragraph 5.

vii. Consultant shall be responsible for correcting any inconsistencies, errors or omissions in drawings, specifications, and other documents prepared by the Consultant, at no additional cost to the City. Except as provided in Paragraph 5 (D), Consultant agrees, at no additional cost to City, to render assistance to City in resolving problems relating to the Project design or to specified materials.

viii. Consultant shall provide copies of all documents required by City for review and approval by City and the appropriate authorities and agencies.

B. Design Services. The following list the general scope of services the consultant shall perform. Detailed approach and process to meet these tasks are set forth in the consultants detailed scope of services in Attachment A. The tasks set forth are from the City of Cody.

i. Task 1: The Consultant shall provide a feasibility study and conceptual plan for a streetscape improvements project between 8th and 17th Streets on Sheridan Ave. in Cody WY. The project will identify preferred alternatives and advance the project to 30% designs. 30% designs will provide the necessary information to obtain categorical exclusions as required by Federal regulations.

ii. Task 2: The selected consultant would include in the study wayfinding signage for museums, Wyoming State War Memorial Park, City parks, public restrooms, public parking, medical services, museums, Chamber of Commerce, recreation facilities, airport, and other business districts that are both on and off the State highway system in Cody. This planning effort will develop designs that minimize wildlife conflict on the corridor due to the City's prolific deer population. Features of the project being considered include themed kiosks, benches, planters, light poles, public art displays, bike racks, corner islands, colored and/or stamped cross walks, and 8th Street improvements.

iii. Task 3: The consultant shall coordinate amenities and themes with the Cody Electric Department in preparing to replace

pedestrian street lamps and poles in 2011/12 fiscal year. The existing light system would receive an energy savings upgrade and also follow an attractive theme that compliments the State's highway system. There are several nighttime establishments that we would like to encourage people to walk to instead of driving, including those with physical disabilities.

iv. Task 4: The consultant shall coordinate with WYDOT to ensure all planned improvements meet DOT rules, regulations, and policies for amenities proposed to be placed within or near the right-of-way along US 14/16/20

v. Task 5: The consultant shall work with a citizen planning group and hold meetings with the public, business owners, and the City council as needed explaining the proposed project and evaluate all information gathered. Findings shall included colored renditions included with a comprehensive final report.

vi. Task 6: The consultant shall evaluate property boundary issues on and near Sheridan Ave. and associated improvements. The consultant shall determine the feasibility, overall cost of implementing the improvement plan, and a phasing plan for the improvements.

C. Extra Services of Consultant. The following services, when authorized in advance by means of a written City change authorization, pursuant to the amendment provision of this Contract contained in Paragraph 8(A), shall be paid for by City, as provided Paragraph 4(A)(ii) herein and at the costs as outlined in Attachment A.

i. Revision to construction documents and previously approved Design Services to accommodate changes (excluding corrections of design errors, conflicts, and/or omissions by Consultant) when so directed by City.

ii. Additional services necessary to observe correction of defects in or damage to the projects (excluding corrections of defects or damage related to or arising from the errors or omissions of Consultant).

iii. Additional services beyond the scope of those identified in this Contract.

6. Responsibilities of City.

A. Unless otherwise provided in this Contract, City shall provide full

information in a timely manner regarding requirements for and limitations on the project herein.

B. City's Project representative as identified in Paragraph 8 (Q) shall be authorized to act on the behalf of City with respect to the project herein. City and/or his designee shall render decisions in a timely manner pertaining to documents submitted by the Consultant in order to avoid unreasonable delay in the orderly and sequential progress of the Consultant's services.

C. City agrees to notify Consultant, in writing, of the acceptance of the project herein.

D. Nothing in this Contract nor any act or failure to act on the part of City shall be construed as a waiver of a claim by City for any defects or deficiencies in the Drawings and Specifications or of the Construction Services required of Consultant.

E. City shall provide base mapping data to consultants for the scoped area of the project. Base data includes but is not limited to GIS data, aerial photography, topographical surveys, utility plans, storm water plans and other base mapping materials pursuant to the project scope.

7. Special Provisions.

A. Limitation of Payments. City's obligation to pay the Consultant for services rendered pursuant to this Contract is conditioned upon the availability of City's funds which are allocated to pay the Consultant. If funds are not allocated and available to pay the Consultant for these services, City may terminate this Contract at the end of the period for which the funds are available. City shall notify Consultant at the earliest possible time if this Consultant will or may be affected by a shortage of funds. No liability shall accrue to City in the event this provision is exercised, and the City shall not be obligated or liable for any future payments due or for any damages as a result of termination under this section. This provision shall not be construed so as to permit City to terminate this Contract in order to acquire similar services from another party. The Consultant shall be paid for all services provided and expenses incurred prior to receipt of any such notification that City was terminating the Contract because of a shortage of funds.

B. No Finder's Fees. No finder's fee, employment agency fee, or other such fee related to the procurement of this Contract shall be paid by either party.

C. Nondiscrimination. Consultant shall comply with Presidential Executive Order 11246 entitled, "Equal Employment Opportunity," as amended by Presidential Executive Order 11375, and as supplemented in the Department of Labor Regulations (41 CFR Part 60), the Civil Rights Act of 1964, the Wyoming Fair Employment Practices Act (Wyo. Stat. § 27-9-105 et seq.), and the Americans With Disabilities Act (hereinafter

referred to as "ADA"), 42 U.S.C. 12101, et seq. Consultant shall assure that no person is discriminated against based on the grounds of sex, race, religion, national origin or disability in connection with the performance of this Contract. Consultant shall include the provisions of this section in every subcontract awarded in excess of ten thousand dollars ($10,000) so that such provisions are binding on each subConsultant.

D. Publicity. Any publicity given to the program or services provided herein including, but not limited to, notices, information, pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Consultant, shall identify City as the sponsoring agency and shall not be released without prior written approval from City.

8. General Provisions.

A. Amendments. Any changes, modifications, revisions or amendments to this Contract which are mutually agreed upon by the parties to this Contract shall be incorporated by written instrument, executed and signed by all parties to this Contract. Change in Services of the Consultant, including but not limited to Paragraph 5(D), include services required of Consultant's subconsultants may be accomplished after execution of this Contract, without invalidating this Contract, if mutually agreed in writing.

B. Americans with Disabilities Act. Consultant shall not discriminate against a qualified individual with a disability and shall comply with the Americans with Disabilities Act, P.L.101-336, 42 U.S.C. 12101, et seq., and/or any properly promulgated rules and regulations related thereto.

C. Applicable Law/Venue. The construction, interpretation and enforcement of this Contract shall be governed by the laws of the State of Wyoming. The Courts of the State of Wyoming shall have jurisdiction over this Contract and the parties, and the venue shall be the Second Judicial District, Albany County, Wyoming.

D. Assignment/Contract Not Used as Collateral. Neither party shall assign or otherwise transfer any of the rights or delegate any of the duties set forth in this Contract without the prior written consent of the other party. The Consultant shall not use this Contract, or any portion thereof, for collateral for any financial obligation.

E. Audit. City and any of its representatives shall have access to any books, documents, papers, and records of Consultant which are pertinent to this Contract. Additionally, Consultant shall abide by all regulations imposed by funding sources or governmental agencies, such as auditing requirements, payroll affidavits, and other documentation or verification.

F. Award of Related Contracts. City may undertake or award supplemental or successor contracts for work related to this Contract. The Consultant shall

cooperate fully with other Consultants and City in all such cases.

G. Compliance with Law. Consultant professional services shall be consistent with sound design and construction practices and shall keep informed of and comply with all applicable federal, state and local laws, regulations, codes and standards that are applicable in the performance of this Contract. In the event of a change in laws and/or regulations of which the Consultant shall inform City of the change and its impact on work already performed or to be performed, fees and costs involved, and scheduling. If either City or Consultant believes the change requires a renegotiation of this Contract, both parties will renegotiate the Contract promptly and in good faith. If a renegotiated Contract cannot be agreed to, either party may terminate this Agreement pursuant to Paragraph 8 (X).

H. Confidentiality. All documents, data compilations, reports, computer programs, photographs, and any other work provided to or produced by Consultant in the performance of this Contract shall be kept confidential by Consultant unless written permission is granted by City for its release. Consultant shall have similar agreements with any sub-consultants to maintain the confidentiality of information specifically designated as confidential by City.

I. Entirety of Contract. This Contract, consisting of thirteen (13) pages and Attachment A, entitled Sheridan Avenue Streetscape Master consisting of XX (X),) pages, represents the entire and integrated Contract between the parties and supersede all prior negotiations, representations, and agreements, whether written or oral.

J. Ethics. Consultant shall keep informed of and comply with the Wyoming Ethics and Disclosure Act (Wyo. Stat §9-13-101, et seq.), and any and all ethical standards governing Consultant's profession.

K. Force Majeure. Neither party shall be liable for failure to perform under this Contract if such failure to perform arises out of causes beyond the control and without the fault or negligence of the nonperforming party. Such causes may include, but are not limited to, acts of God or the public enemy, fires, floods, epidemics, quarantine restrictions, freight embargoes, and unusually severe weather. This provision shall become effective only if the party failing to perform immediately notifies the other party of the extent and nature of the problem, limits delay in performance to that required by the event, and takes all reasonable steps to minimize delays. This provision shall not be effective unless the failure to perform is beyond the control and without the fault or negligence of the nonperforming party.

L. Indemnification.

i. Consultant shall indemnify, defend and hold harmless the City, and their officers, agents, employees, successors and assignees from any

and all claims, lawsuits, losses and liability arising out of Consultant's failure to perform any of Consultant's duties and obligations under this contract or in connection with the negligent performance of Consultant's duties or obligations, including but not limited to any claims, lawsuits, losses or liability arising out of Consultant's professional services under this Contract.

ii. Consultant shall be liable to City for all damages including consequential damages and every expense, cost, exclusive of betterment, attorneys' fees and payment incurred by City as the result of negligence, negligent acts, errors or omissions in any of the services furnished under this Contract.

iii. Without limitation as to other remedies, which City may have, Consultant will without additional compensation, correct or revise any errors or deficiencies in its designs, drawings, specifications and construction other services.

M. Independent Consultant. Consultant shall function as an independent Consultant for the purposes of this Contract, and shall not be considered an employee of the City of Cody for any purpose. Consultant shall assume sole responsibility for any debts or liabilities that may be incurred by Consultant in fulfilling the terms of this Contract, and shall be solely responsible for the payment of all federal, state and local taxes which may accrue because of this Contract. Nothing in this Contract shall be interpreted as authorizing Consultant or its agents and/or employees to act as an agent or representative for or on behalf of the City, or to incur any obligation of any kind on the behalf of the City. Consultant agrees that no health/hospitalization benefits, workers' compensation and/or similar benefits available to City employees will inure to the benefit of Consultant or the Consultant's agents and/or employees as a result of this Contract.

N. Kickbacks. Consultant certifies and warrants that no gratuities, kickbacks or contingency fees were paid in connection with this Contract, nor were any fees, commissions, gifts, or other considerations made contingent upon the award of this Contract. Consultant shall provide the City with a certification under oath that he has not in any way been involved in any gratuities, kickbacks or contingent fees in connection with his selection or ultimate performance under this contract. If the Consultant breaches or violates this warranty, City may, at its discretion, terminate this Contract without liability to the City, or deduct from the Contract price or consideration, or otherwise recover, the full amount of any omission, percentage, brokerage, or contingency fee.

O. Notices. All notices arising out of, or from, the provisions of this contract shall be in writing and given to the parties at the address provided under this Contract, either by regular mail, facsimile, e-mail, or delivery in person.

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P. Notice and Approval of Proposed Sale or Transfer of Consultant. Consultant shall provide City with the earliest possible advance notice of any proposed sale or transfer or any proposed merger or consolidation of the assets of Consultant. Such notice shall be provided in accordance with the notice provision of this Contract. If City determines that the proposed merger, consolidation, sale or transfer of assets is not consistent with the continued satisfactory performance of Consultant's obligations under this Contract, then City may, at its option, terminate or renegotiate the Contract.

Q. Liaison and Notice City's and Consultant's Designated Representatives.

i. City's designated representative is Rick Manchester, Director of Parks, Recreation and Public Facilities, 1402 Heart Mountain, P.O. Box C, Cody, WY 82414: telephone number: (307) 527-3484 and facsimile: (307) 587-2565.

ii. The Consultant's project representative is Paul Mills, RLA, ASLA, Partner, Russell+Mills Studios, whose address is 141 South College Ave., Suite 104, Fort Collins, CO 80524. Telephone number: (970) 484-8855.

iii. All notices and invoices required in this Contract shall be in writing, properly addressed to the liaison above, and mailed first-class, postage prepaid. All notices sent via U.S. Postal Services are deemed effective on the date of postmark. Notices and invoices mailed through another carrier (e.g., UPS or FedEx) are effective upon receipt.

R. Insurance. The Consultant shall maintain the following insurance:

i. Professional Liability or Errors and Omissions Liability Insurance. Consultant shall provide proof of professional liability insurance or errors and omissions liability insurance to protect the City from any and all claims arising from Consultant's alleged or real professional errors, omissions or mistakes in the performance of professional duties by Consultant or Engineer Consultant's in an amount not less than five hundred thousand dollars ($500,000.00).

ii. Workers' Compensation and Employers Liability Insurance: Consultant shall provide City proof of workers' compensation coverage for all of its employees who are to work on the project described in this Contract. Consultant's coverage shall be under the Wyoming Workers' Safety and Compensation program, if statutorily required, or such workers' compensation insurance, as appropriate. Consultant's insurance shall include Employer's Liability "Stop Gap" coverage, in an amount not less than Five Hundred Thousand

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Dollars ($500,000.00) per employee for each accident or disease. The Consultant shall also supply to City proof of workers' compensation and employer's liability insurance in each and every sub-Consultant before allowing that sub-Consultant on the project site.

iii. **Commercial General Liability Insurance.** The Consultant shall provide coverage, during the entire term of the Contract, against claims arising out of bodily injury, death, damage to or destruction of the property of others, including loss of use thereof and products completed operations, in an amount not less than one million dollars ($1,000,000.00) per occurrence and two million dollars ($2,000,000.00) general aggregate.

iv. **Business Automobile Liability.** Consultant shall maintain, during the entire term of the contract, automobile liability insurance in an amount not less than five hundred thousand dollars ($500,000.00) per occurrence.

v. **Coverage**. All policies required under this Contract shall be in effect for the duration of this Contract and projects. All policies shall be primary and not contributory. Consultant shall pay the premiums on all insurance policies and insurance certificates must include a clause stating that the insurance may not be revoked, canceled, amended or allowed to lapse until the expiration of at least thirty (30) days advance written notice to City.

vi. **City's Right to Reject**. City reserves the right to reject a certificate of insurance if Consultant's insurance company is widely regarded in the insurance industry as financially unstable. This would include but is not limited to insurance companies with any less than AVIII rating in the A.M. Best insurance rating guide.

vii. **Sub Consultants**. The insurance requirements set forth above apply to all sub Consultants. It is Consultant's responsibility to ensure that its sub Consultant's meet these insurance requirements. City has the right to review the Certificates of any and all sub Consultant's used by the Consultant.

viii. **Cancellation**. There shall be no cancellation, material change, potential exhaustion of aggregate limits or intent to not renew insurance coverage without thirty (30) days written notice from Consultant or their insurers to City. Any failure to comply with the reporting provision of this insurance, except for the potential exhaustion of aggregate limits, shall not affect the coverage provided to City and its division, officers and employees.

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S. Ownership of Documents/Work Product/Materials. All documents including but not limited to the drawings and other work prepared by the Consultant, whether complete or incomplete, shall be and remain the property of City and any other, reports, records, field notes, data, samples, specimens, and materials of any kind resulting from performance of this Contract are at all times the property of City.

T. Use of Work Product. City further agrees not to use or permit any other person to use plans, drawings or other work products prepared by Consultant, which plans, drawings, or other work products are not final version and which are not signed and stamped or sealed by Consultant. Consultant further agrees that the final plans, drawings or other work product are for the exclusive use of City and may be used by City only for the project described in Attachment A. Such final plans, drawings or other work products may not be changed nor used on a different project without the written authorization or approval by Consultant. City agrees to be liable and responsible for such use of non final plans, drawings or other work products not signed and stamped or sealed by Consultant and waive liability against consultant for their use. If Consultant's work product exists in electronic or computerized format, or is transferred in electronic or computerized format (CADD), the valid stamp, seal and signature shall be original and may not be a computer generated copy, photocopy, or facsimile transmission of the original. Original maps or plans with original signatures and seals shall be considered the original documents.

U. Prior Approval. This Contract shall not be binding upon either party; no services shall be performed under the terms of this Contract, until this Contract has been reduced to writing, approved by the Cody City Council.

V. Sovereign Immunity. The City does not waive sovereign immunity by entering into this Contract, and specifically retain immunity and all defenses available to them as sovereigns pursuant to Wyo. Stat. § 1-39-104(a) and all other state law.

W. Taxes. Consultant shall pay all taxes and other such amounts required by federal, state and local law, including but not limited to federal and social security taxes, workers' compensation, unemployment insurance and sales taxes.

X. Termination of Contract.

i. City reserves and has the right and privilege of canceling, suspending, or abandoning the execution of al or any work or projects in connect with this Contract at any time upon written notice to Consultant. The Consultant may terminate this Contract upon written notice to City should City substantially fail to perform in accordance with Paragraph 6 and 7 of this Contract.

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ii. In event of termination, all finished or unfinished design development and construction documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by Consultant shall be immediately surrendered to City.

iii. In the event of termination, City shall pay to Consultant, as full payment for all services performed and all expenses incurred under this Contract, which shall have become payable because of the progress in the work. In ascertaining the services actually endered hereunder up to the date of termination of this Contract, consideration shall be given to both completed work and work in progress, to complete and incomplete drawings, and to other documents, whether delivered to City or in the possession of City and to authorized reimbursable expenses.

iv. If, upon payment of the amount required to be paid under this paragraph herein following the termination of this Contract, City thereafter should determine to complete the original project or substantially the same project, City for such purposes shall have the right of utilization of any original tracings, drawings, calculations, specifications, estimates, and other construction documents prepared under this Contract by Consultant. At the Consultant's request, City agrees to credit Consultant which such authorship as may due him or she, but is not required to renew the Contract. City will not reuse any of the construction documents without prior written approval of Consultant.

Y. Third Party Beneficiary Rights. The parties do not intend to create in any other individual or entity the status of third party beneficiary and this Contract shall not be construed so as to create such status. The rights, duties and obligations contained in this Contract shall operate only between the parties to this Contract, and shall inure solely to the benefit of the parties to this Contract. The provisions of this Contract are intended only to assist the parties in determining and performing their obligations under this Contract. The parties to this Contract intend and expressly agree that only parties signatory to this Contract shall have any legal or equitable right to seek to enforce this Contract, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this contract, or to bring an action for the breach of this Contract.

Z. Disputes/Remedies. In seeking to resolve any dispute relating to this Contract, City does not waive its sovereign immunity. Any dispute or claim arising out of or relating to this Contract may be assigned to non-binding mediation upon mutual agreement of the parties, in accordance with the Wyoming Supreme Court's rules for alternative dispute resolution. The parties to the dispute shall bear their respective costs for the mediation. The rights and remedies of the parties provided for in these clauses are in addition to any other rights and

remedies provided by law or under this Contract.

AA. **Warranty**. Consultant warrants the following:

i. has the power and authority to enter into contract;

ii. has the ability to perform the agreed services;

iii. shall, at all times during the term of this contract be duly licensed to perform the services,

iv. shall provide suitable resources to perform work in accordance with agreed services;

v. will endeavor to provide the services herein on a timely basis consistent with the difficulty and scope of services to be provided;

vi. shall perform services in a manner consistent with the degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances; and

vii. is responsible for the professional quality, technical accuracy and coordination of all designs, drawings, specifications and other services furnished by Consultant under this Contract.

BB. **Patent or Copyright Protection**. Consultant recognizes that certain proprietary matters or techniques may be subject to patent, trademark, copyright, license or other similar restrictions, and warrants that no work performed by Consultant or its sub Consultants will violate any such restriction.

CC. **Extension**. Nothing in this Contract shall be interpreted or deemed to create an expectation that this Contract will be extended beyond the term described herein. Any extension of this Contract shall be requested by the Consultant and following approval by City shall be effective only after it is reduced to writing and executed by all parties to the Contract. Any agreement to extend this Contract shall include, but not necessarily be limited to: an unambiguous identification of the Contract being extended; the term of the extension; the amount of any payment to be made during the extension, or a statement that no payment will be made during the extension; a statement that all terms and conditions of the original Contract shall, unless explicitly delineated in the exception, remain as they were in the original Contract; and, if the duties of either party will be different during the extension than they were under the original Contract, a detailed description of those duties.

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DD. **Severability**. Should any portion of this Contract be judicially determined to be illegal or unenforceable, the remainder of this Contract shall continue in full force and effect and either party may attempt to renegotiate the terms affected by the severance.

EE. **Titles Not Controlling**. Titles of paragraphs are for reference only, and shall not be used to construe the language in this Contract.

FF. **Waiver**. The waiver of any breach of any term or condition in this Contract shall be deemed a waiver of any prior or subsequent breach.

GG. **Time is of the Essence**. Time is of the essence in all provisions of the Contract.

SPACE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the City of Cody City Council has caused this Agreement to be signed and executed in its behalf by its [City Manager], and Consultant has signed and executed this Agreement, the day and year first written above.

CITY OF CODY, WYOMING:

By: _____
(INSERT NAME)

Witness:_____

CONSULTANT: RUSSELL+MILLS STUDIOS, AN S CORPORATION OF FORT COLLINS, COLORADO

By:_____
Paul Mills, Partner

DRAFT

Witness: _____

DRAFT

MEETING DATE:	DECEMBER 20, 2011
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	JOLENE OSBORNE
DEPT. DIR. APPROVAL:	_____
CITY ADM. APPROVAL:	_____
PRESENTED BY:	STEPHEN W. PAYNE

AGENDA ITEM SUMMARY REPORT

Functional Classification Map Modifications

BACKGROUND

The Surface Transportation Program –Urban Systems (STPU) is a federally-funded road construction program that is administered by WYDOT's planning program. The Cody City Urban Systems Board was established under the Wyoming Department of Transportation Operating Policy 2-4 to evaluate, compile and prioritize potential STUP projects, constrained by available federal and local matching funds. Potential projects are then recommended to council for further review. STUP funds may only be used for projects within the urban limits of the community on roadways functionally classified as collectors or higher. The Cody City Urban Systems Board uses a council- approved Functional Classification Map for potential project analysis.

SUMMARY

At their April 15, 2010 meeting, Cody City Urban Systems Board has recommended the following changes to the City of Cody Functional Classification Map:

1. Modify the designation of the Belfry Highway beginning at 2AB north to the Urban Systems Boundary as other.
2. Designate E Avenue from A Street to 19th Street as a proposed collector.
3. Designate Rio Vista Avenue as a collector.
4. Designate Monte Vista Avenue as a collector.
5. Designate Heart Mountain Street as a collector.
6. Designate Beck Avenue as a collector.
7. Designate Rumsey Avenue as a collector.
8. Designate Cougar Avenue from 19th to Date Street as a minor collector with Freedom Street to Date Street designated as a proposed collector.
9. Designate Skyline Drive as a collector.

FISCAL IMPACT

None.

ALTERNATIVES

Disregard recommendation of the Cody City Urban Systems Board and maintain the current Functional Classifications Map.

RECOMMENDATION

Approve classification modifications as recommended by the Cody City Urban Systems Board and authorize the Mayor to sign the Urban Boundary, Functional Classification, and Central Business District Boundary Concurrence form.

AGENDA ITEM NO. _____

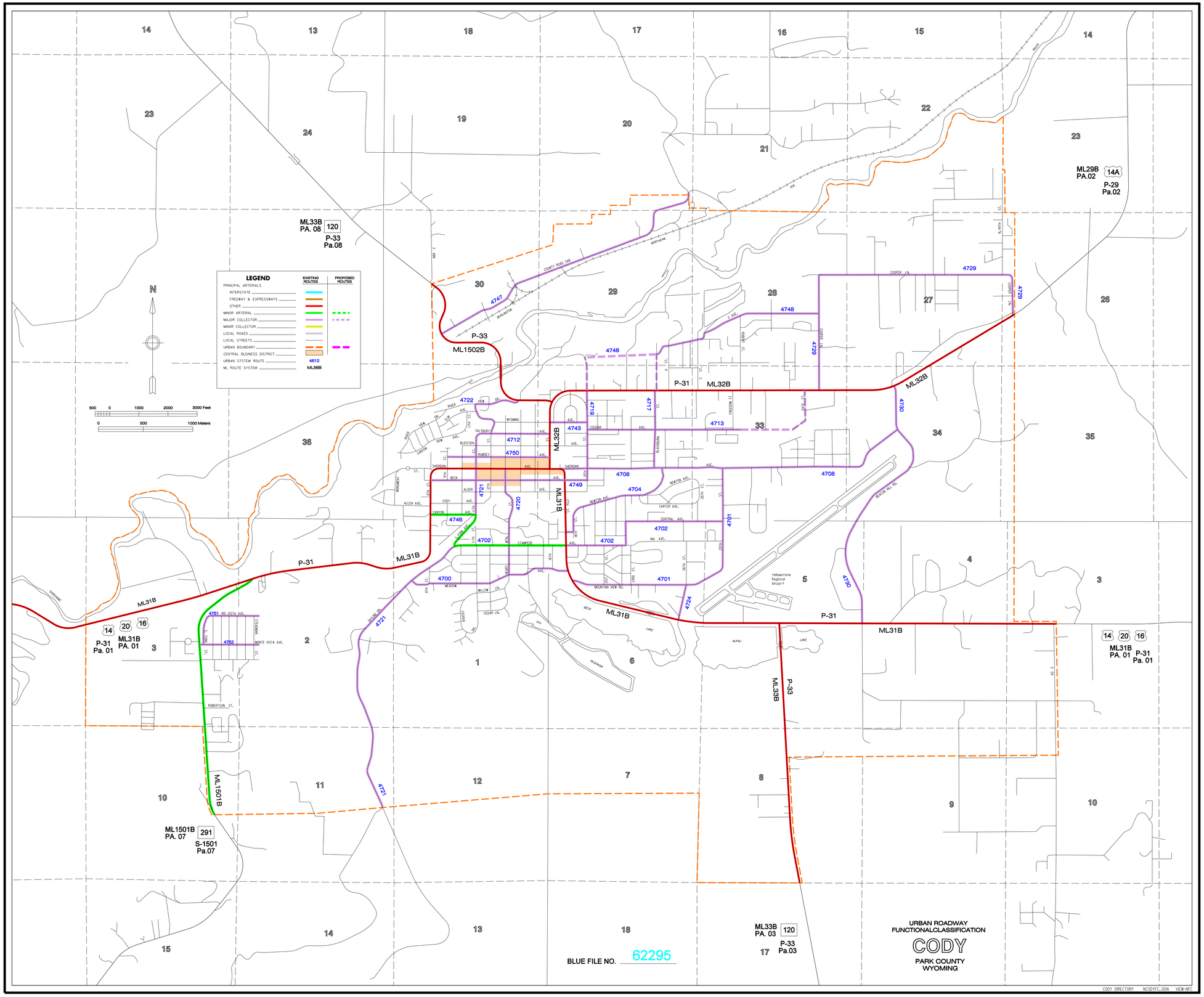
ATTACHMENTS

1. Proposed Functional Classifications Map
2. Urban Boundary, functional Classification, and Central Business District Boundary Concurrence form
3. Minutes of the March 16, 2011 meeting of the Cody City Urban Systems Board
4. Minutes of the April 15, 2010 meeting of the Cody City Urban Systems Board

AGENDA & SUMMARY REPORT TO:

1. Kevin McCoy, WYDOT Planner and City of Cody's Urban Systems Coordinator
2. Kathy McDonald, Chairman of the Cody City Urban Systems Board

AGENDA ITEM NO. _____


LEGEND
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Yellowstone Regional Airport
BLUE FILE NO. 62295
URBAN ROADWAY FUNCTIONALCLASSIFICATION
CODY
PARK COUNTY
WYOMING
CODY DIRECTORY NCODYFC.DGN VEW-NFC

URBAN BOUNDARY, FUNCTIONALLY CLASSIFICATION, and CENTRAL BUSINESS DISTRICT BOUNDARY CONCURRENCE

We, as responsible federal, state and local officials concur with the Urban Boundary, Roadway Functional Classification and Central Business District Boundary.

Cody Urban System Committee Chairman

signed on this _____ day of _____ , 20 11 .

_____
Urban System Advisory Committee - Chairman

_____
Park County Commisioners - Chairman

_____
City of Cody - Mayor

_____
WYDOT Systems Planning Engineer

_____
FHWA - Wyoming Division Planning / Research Manager

Blue file # 62295

City of Cody
Urban Systems Board Proceedings
Thursday, March 16, 2011

A meeting of the Cody City Urban Systems Board was held in the Cody City Hall Council Chambers in Cody, Wyoming on Thursday, March 16, 2011 at 2:00 pm.

Present: Kathy McDonald, Chairperson; Jerry Fritz, Councilperson; Stephen Payne, City of Cody Public Works Director; Todd Frost, WYDOT Resident Engineer; Kevin McCoy, WYDOT Planner and Scenic Byway Coordinator; Chad Mathews, WYDOT Planning Cheyenne; Bryan Edwards, Councilperson; Loren Grosskopf, County Commissioner; Jolene Osborne, City of Cody Engineering Administrative Assistant;

Absent: Rob Kramer, Superintendent of Vehicle Maintenance and Streets;

Chairperson Kathy McDonald called the meeting to order at 2:13 p.m.

Kathy McDonald made a motion seconded by Todd Frost to approve the minutes of the April 15, 2010 meeting. Vote was unanimous, motion carried.

Steve Payne outlined the origination, goals and annual schedule of the Urban Systems Board. There are three primary offices, President, Vice President and Secretary. Discussion ensued regarding the activities and responsibilities of the positions. Kevin McCoy also noted that special meetings were also allowed.

Steve Payne made a motion seconded by Jerry Fritz to re-elect Kathy McDonald as Chairperson. Vote was unanimous, motion carried.

Kathy McDonald made a motion seconded by Bryan Edwards to elect Jerry Fritz as Vice-Chairperson and Steve Payne as Secretary. Vote was unanimous, motion carried.

<u>Conduct of Business</u>

a. Introductions were made.

b. Kevin McCoy, WYDOT Planner and the City of Cody's Urban Systems Coordinator, proceeded with an Urban Systems Update.
   1. The new Scenic Byway Coordinator is Talbot Hauffe. He would be a good contact person as they do receive funding.
   2. Kevin McCoy has worked in the Urban Systems program for three years. It is a Wyoming Department of Transportation (WYDOT) program and is at their discretion with a total of $5.6 million federal funds to be distributed. If they chose to eliminate it, they could as it is a national highway bill. They normally do a new highway bill every 6 years. The money is allocated to the states through the transportation systems program. Uncertainty exists at this time, though he believes it is a benefit to the communities that participate. If board members have specific questions Kevin would be happy to answer them.

c. Functional Classification Map/Urban Boundary.
   1. Steve Payne gave a clarification of the functional classification map.

2. Kevin McCoy stated that last year they spent time on the functional classification map. The urban boundary has to contain the corporate limits, but can extend beyond. The local function classification streets (thin black) mainly go to businesses or residents. Yellow are minor collectors, purple are major collectors, red routes are principal arterial and minor arterial are green. The board can only use the funds on roads within the urban boundary on a minor collector road or higher. However, proposed roads within the next 5 years could also be used.
3. The boundary needs to be adjusted to include the annexation of 2AB. Also the road that comes off of the extension of Burlington Street (2AB) needs to be built up to proper major collector street standards. Steve stated that it was already classified that way by the county.

The board discussed the use of funds for an alternate route. Kevin stated that it would be possible to add the alternate route to the map quite easily with the board's approval at any time. Steve asked if the urban system advisory committee approved the recommended changes to the functional boundary map as the urban boundary changes and the classification changes.

Bryan Edwards made a motion seconded by Jerry Fritz to approve the modification as recommended by Kevin McCoy to extend the urban boundary on the functional classification map to include the annexation of 2AB with the classification changes. Vote on the motion was unanimous, motion carried.

Kevin stated that WYDOT is seeking a formal approval by council resolution or by motion and that perhaps the county would also wish to approve the motion. The process would give the county another opportunity to voice their opinion. Steve will present the proposal to the city attorney then forward that information to Loren Grosskopf.

d. Funding – Transportation Act., Present Funds Available, Monies spent on the last project, etc
   1. In order to receive funding, the proposed road has to be within the urban boundary on a minor collector road or higher. Kevin recommended the board focus on city or county roads. These funds are 90% federal and 10% local. If a county road, the county would pay the 10% and vice versa. There have been instances where a road is both jurisdictions in that case the cost would be split. Kathy asked about Beacon Hill jurisdiction. Steve explained that most of Beacon Hill is city, but a part is state. The current fund balance is -$205,369, due to the borrowing for the Sheridan Avenue project. Loren asked about if the funding didn't go through what would happen with the balance. Kevin answered that the city did agree to pay it back in a special amendment to the contract. The billing would go through WYDOT, not the federal government though it is federal funds. Kevin stated that while It is a possibility, WYDOT is proceeding on the assumption that the funds will be there. Currently Cody receives $191,795 as their allocation and it is allowed to accrue the funds. It is likely that we will see changes in the allocations due to the recent census, but the information is not yet available. Kathy asked about the origination of funds with 5 cities. Kevin informed the group that there are currently 16 cities that receive funds (17 are eligible, but Jackson didn't). They have increased the amount of funding available to $5.7 million. Jerry asked if the census uses the urban boundary lines or the corporate lines. Kevin stated that the corporate lines are used for the calculations per policy. Steve stated that the total expenditure out of the urban systems funds could be calculated.

e. Update on the Sheridan Ave. project.
   1. Steve provided a quick history. This committee selected Sheridan Ave as the recent project to receive funding. Cougar Avenue was selected previously around 1995. The city partnered with the schools to construct Freedom Street. The Sheridan Avenue hillside from 24th street

almost up to 29th street was completed first. The next phase was allocated as all of Sheridan Avenue from 17th street to Beacon Hill. The next phase was from 19th to Blackburn. There were insufficient funds to do that through the urban systems board. The city approached the State Land and Investment Board (SLIB) due to flooding, no curb & gutter and the borrow ditch. That was completed 3 years ago. The focus of this group was still Sheridan Avenue. WYDOT was going to do a flyover for their Powell Highway project. The city used some money to pool the flights to extend the project over Sheridan Avenue. A reconnaissance report that included soil scientists, geotechnical information, etc was commissioned through outside consultants to provide need, width right-of-way accessories of curbs, gutters & drainage information. That report resulted in a project reduction to 35th Street instead of Beacon Hill. The project was again reduced to 33rd Street. The Park County School District #6 was really pushing the timing for the completion of the project. Ideally the city would have wanted to make it all one project, but couldn't due to the construction of the new Sunset Elementary school building. The canal relocation etc was issued under a second contract. The bids still came in higher than anticipated. The city also ended up paying additional funds because of a WYDOT appraisal process. The city was responsible for the difference. There was no time or support for condemnation proceedings. The city had a second appraisal and came to consensus. The city paid the additional monies. WYDOT then agreed to forward an additional two years of the urban systems monies. The city still funded $800,000 to the project. WYDOT did an excellent job in the project coordination, construction and communications. There are two more blocks that are ready to go when funding becomes available. Kevin did point out that SLIB funds or local funds could be used to complete the project. If the board waits too long, there may be more funding requirements for updating. Todd pointed out that the drainage issues were the most expensive portion. The project cost was increasing more annually then the city had allocated. Todd pointed out that in his experience project costs were increasing for fuel adjustments. Todd explained the WYDOT project choices with fuel adjustment and oil and how that can add quite a bit of costs to a job. Loren asked if it could be possible to borrow from the urban systems fund again. Kevin stated that with the uncertainty of the highway bill it would not be allowed with this project. The two more blocks projected to $300,000 to $400,000 for completion. Perhaps in a few years if the board has a positive balance, borrowing may be reviewed. Shelby's jurisdiction also includes Togwotee Pass. Steve also works with the State Transportation Improvement Program (STIP) and they were challenged financially as well. The city applied for safe routes to school funding to help this job as well. Kevin stated that one community has applied for SLIB funding. Part of the analysis of projects brought before WYDOT is in looking at funding and where it has been spent. Freedom Street was one of the first projects that SLIB supported. They prefer infrastructure, schools and safety projects. It was reported that SLIB has $26 million in applications and $8 million to distribute. The extension of project for two more blocks is "shovel ready." An engineer would have to be consulted to design the project in package format. We would also have to have separate inspection since WYDOT acted as inspector previously.

f. Discussion of next project.

Kathy McDonald asked if we didn't have money for Sheridan Avenue, what other needs, concerns or objectives can be considered. Steve explained that the city is functioning right now on Sheridan Avenue with no challenges. Perhaps the existing curve that is closer to the end of Sheridan Avneue near Beacon Hill is more of a challenge. Beacon Hill has become a very large corridor. When Big Horn Avenue was under construction, E Avenue and West Cooper Lane were also heavily used. Cougar Avenue itself has also increased in traffic as Eleution Technology and the Rocky Mountain Business Park have emergency

access off Cougar Avenue. There is also a local concern regarding Canyon Avenue. Kevin stated that WYDOT planning has funding available called planning funds that communities can take advantage of up to $50,000 with a 90/10 or 80/20 local match. Those funds can be used for corridor studies or master plans that outline the type of projects you would like to complete, type of funding, etc. Kathy asked about the $50,000 we used for the alternate route study. There is a select sub-committee of the council that is looking at two proposals that look at Canyon Avenue.

Todd asked about the recent funding received. Jerry explained that it was for the downtown kiosks on Sheridan Avenue. Kevin explained the process, which begins with Shelby at WYDOT. Kathy asked if that would come through the Master Plan committee. Steve stated that this Urban Systems Board could also approach the council asking them to request that staff draft request to WYDOT.

Kevin explained that typically they would hire a consultant once a specific scope of work is prepared, though a request for proposal would work. Steve asked if we could have a sub-committee meeting to go over requirements before the scope of work is prepared. Kevin replied that they could and that he asked that a WYDOT representative be included. Steve stated that outside consultation has been beneficial as they can look at liabilities, etc as well as using the modeling.

Steve suggested that the group outline the projects they see as important and ask that an outside consultant and public input be included to determine priorities. One issue is that the proposed Stampede Extension criteria have to be the same as all of our other collector arterial requirements. Loren asked if we had a list from last year for priorities. Steve stated Sheridan Ave, E Ave and Cougar Avenue were on the priority listing last year. Kevin stated that the planning funds could be used for planning. Todd stated that if the funds were used for planning and the project abandoned, the funds would have to be returned. However, if the funds were used to plan for more than one project possibilities, they would not have to be paid back as long as one of the proposed projects continued. WYDOT has elected to take a portion of federal government planning funds to give to local communities. Loren suggested that we add the Stampede Extension project to the list of projects to be considered and adjourn until it has been decided if the funding is available. Steve stated that this board could develop a project list that could be used for more than just this funding, penny tax for instance. Kathy asked about funding for other projects, like park benches, etc. Kevin stated that the Urban Systems Funding must be spent on the streets as outlined previously. Steve recalled the group had a discussion with the chamber and other regarding projects like 8th Street. The 8th Street project has been pushed to 2018. The other enhancement jobs are funded through other funds, lighting, landscape, etc. Kevin displayed the transportation programs booklet that speaks to the on-system enhancements and off-system enhancements that are available. “Livability” is considered like bike, pedestrian and transit. Bike paths are a popular off-system enhancement and CJ at WYDOT would be the contact for that.

Kathy suggested the group pencil out the following projects as priorities: Sheridan Ave from 33rd to Beacon Hill, Cougar Avenue, E Ave, Beacon Hill and the Stampede Extension. Sheridan Avenue is a primary collector. Cougar Avenue will begin to see more activity. E Avenue is an isolated area. Bryan stated that Sheridan Avenue 33rd to 35th should be stated as a separate project.

Bryan stated that Sheridan from 33rd to 35th is functional. Loren would like to prioritize the list before continuing. Kathy asked about the master plan and its bearing on the list. Steve stated that the master plan is more of an overview and not as specific. The list is being created for this board and to give advice to the council.

Jerry suggested 33rd Street through 35th Street be placed as 1st priority. Loren agreed. Bryan would like to see Cougar Avenue as the priority due to the growth potential and the growing need. Todd's priority would be Sheridan Avenue from 33rd Street to 35th Street as the blocks have already been designed and possibility of kids who walk to school. Todd stated E Ave would low on the list. His next priority would be Cougar Avenue. Beacon Hill will not need curb and gutter, but will be a large project to bring it up to the state standard to be accepted to state. Loren called Beacon Hill a downtown bypass. Todd stated that there would be right-of-way and numerous utility issues. Jerry Fritz stated that the longer the city waits for a Stampede Extension, the more funds will have to be spent in procuring right-of-way. Kevin stated it might be appropriate to use the PL funds to develop an official map for the Stampede Extension (15-5) and that might need to be pursued sooner rather than later. They would want to seek public input. Todd stated that is where the need is for the planning funds.

Steve made a motion seconded by Jerry Fritz to list the priorities of the group as:

1. Sheridan Ave from 33rd to 35th
2. Completion of Sheridan Ave to Beacon Hill
3. Cougar Avenue

Vote on the motion was unanimous, motion carried.

Steve suggested that before the Stampede Extension be added or included, that this advisory committee would call a special meeting through conference call with Kevin before agreeing to add it to the map and funding source.

Kevin stated that the Stampede Extension would need to be added to the map (at minimum the start and end) before the planning funds can be used. Steve suggested the group wait until the sub-committee meets with the council.

<u>Matters from Board Members</u>

Todd mentioned that signal updates will be on Canyon Avenue, Stampede and 16th Street (left hand turn only) and Bleistein Avenue. New wireless pucks will be put in on Canyon and Platinum Avenue. There will be some traffic control in the streets.

Loren asked about the cooperative agreement between the city, WYDOT and county. Does that need revisited? Kevin stated that WYDOT hasn't asked him to revisit them. Periodically the state mining engineer might ask for update but things haven't changed. He did not think that needed revisited. The bylaws could be revisited if the board saw any issues.

Steve asked how often the maps in terms of ADT are updated. Chad stated that the counts from last spring are being input now. They will probably be through Google earth (or?) and available by this summer. The city can ask about individual roads and Chad stated that information is available.

Loren Grosskopf made a motion seconded by Steve Payne to adjourn the meeting. Vote was unanimous, motion carried. Kathy McDonald adjourned the meeting at 4:16 p.m.

Respectfully Submitted,

Jolene Y. Osborne
City of Cody
Engineering Administrative Assistant

City of Cody
Urban Systems Board Proceedings
Thursday, April 15, 2010

A meeting of the Cody City Urban Systems Board was held in a meeting room located within the City Hall of Cody, Wyoming on Thursday, April 15, 2010 at 1:00 p.m.

Present: Kathy McDonald, Jerry Fritz, Bob Kress, Stephen Payne, Todd Frost, Kevin McCoy, Chad Mathews

Absent: Jona Vanata, Jill Shockley Siggins

Chairperson Kathy McDonald called the meeting to order at 1:05 p.m.

The first order of business was the election of officers.

Bob Kress made a motion seconded by Todd Frost to re-elect Kathy McDonald as Chairperson. Vote was for unanimous approval.

Jerry Fritz made a motion seconded by Todd Frost to elect Bob Kress as Vice- Chairperson. Vote was for unanimous approval.

Kevin McCoy then introduced himself as a WYDOT Planner and the City of Cody's Urban Systems Coordinator. After the introductions, Kevin went on to give an Urban Systems Update. General updates were as follows:

1. The Feds have not, at present, re-approved the Transportation Act.
2. As long as the Urban Systems Program is continued to be financially supported by the State, the City of Cody will receive (bank) $191,795 per year for Urban Systems Projects. The City of Cody has been granted a two year advance of Urban Systems Funds for the East Sheridan Ave. project.
3. There may be a decrease in funding from the Feds of the program and issues that may be important are Street Capacity vs. Alt Use Ped/Pathway Programs.
4. A general discussion then followed about where the City is today with the Sheridan Ave. project, where we are going and how it will be financed.

Kevin then led a discussion on the Functional Classification Map/Urban Boundary. Specifically, the Urban Systems Board looked and the Functional Classifications of the Belfry Highway, "E" Ave., Monte Vista, Cougar Ave., Skyline Drive, Heart Mountain, Beck Ave. and Rumsey Ave. The present Belfry Highway Classification was changed to reflect a revised designation beginning at 2AB, "E" Ave. was to be demarked on the map to show the section of "E" Ave. from A Street to 19th Street as a collector, Rio Vista was to be shown as the collector and Monte Vista and Rio Vista were to shown as collectors, Heart Mtn. is to be shown as a collector, Beck Ave. and Rumsey Ave. were to be shown as collectors, Cougar Ave. was to demarked from 19th Street to Date Street and was to be shown as either an existing collector or as a proposed collector where it has yet to be developed and Skyline Drive was to be shown as a collector.

Kathy McDonald made a motion seconded by Jerry Fritz to accept the changes as discussed. Vote was for unanimous approval.

Chad Mathews then led a discussion on the Socio-economic/20 year network/model. Generally, the State has a current Urban Traffic Model for the City of Cody and is available to assist in the reviews of different situations within the City. The new census data will become incorporated into the Urban Traffic Model in the years 2013, 2014 and 2014.

The Urban Systems Board meeting adjourned at 2:22 PM.

MEETING DATE:	DECEMBER 20, 2011
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	STEPHEN W. PAYNE, P.E.
DEPT. DIR. APPROVAL:	_____
CITY ADM. APPROVAL:	_____
PRESENTED BY:	

AGENDA ITEM SUMMARY REPORT

Windsor Estates Subdivision – Sewer Impact Fees

ACTION

Suggest that the Mayor and Council extend the due date for the payment of Sewer Impact Fees associated with the Windsor Estates Subdivision with the condition that 1/3 of the total outstanding balance be paid at the closing of each of the next three lots sold.

BACKGROUND

This same recommendation was made to the Council in November, 2010. At that time, the Applicant, Mr. Charles Hilton, sought Mayor and Council authorization to extend the due date for the payment of Sewer Impact Fees associated with the Windsor Estates Subdivision. The City Council approved the Final plat for the Windsor Estates Subdivision on December 4, 2007 with the following condition.

> Condition:
> Councilmember Krone made a motion seconded by Councilmember Rankin to approve the Final Plat of the Windsor Estates Subdivision as recommended by the Planning and Zoning Board at their November 27, 2007 meeting with the condition that on the plat under note #5, it will be recorded that all outstanding impact fees must be paid for within three years from December 4, 2007 by the developer. Vote was unanimous.

The due date for the payment was December 4, 2010. City staff sent a reminder letter to Mr. Hilton dated October 18, 2010 of the outstanding balance due. Mr. Hilton visited with City staff on November 8, 2010 and advised that he did not have the funds and would like to propose that the Council allow for payments to be made at the time of closing -1/3 of the total for each of the next three lots sold. Based upon a review of the County files, only one lot has been sold within this subdivision and the impact fee was paid at the time of the permit approval. The outstanding balance is $24,970.

The Council may recall that at the time of the Subdivision approval, the City was unsure how we were going to pay for the transmission sewer main constructed on Canyon View Drive. The City was fortunate to get a State Lands and Investment Board Grant for 50% of the cost of the main.

At the November 16, 2010 meeting the Council moved as follows:

Council Member Krone made a motion seconded by Council Member Vanata to approve a request from Charles Hilton of Windsor Estates Subdivision to allow an extension on the terms of his payment arrangement, authorizing one-third of the balance due to be paid with the sale of the next three lots in the subdivision, thereby

AGENDA ITEM NO. _____

equaling $8,323.33 of each lot sale for a total of $24,970 with a review of the situation in one year if the lots have not sold.

SUMMARY

Mr. Charles Hilton, seeks Mayor and Council authorization to extend the due date for the payment of Sewer Impact Fees associated with the Windsor Estates Subdivision.

FISCAL IMPACT

Mr. Hilton has an outstanding balance due of $24,970. Any agreement that the Council approves will delay the repayment of those funds.

ALTERNATIVES

1) Approve the request.
2) Approve the request as amended by Council.
3) Deny the request.

RECOMMENDATION

Staff recommends that the Mayor and Council extend the due date for the payment of Sewer Impact Fees associated with the Windsor Estates Subdivision with the condition that 1/3 of the total outstanding balance be paid at the closing of each of the next three lots sold.

ATTACHMENTS

1. N/A

AGENDA & SUMMARY REPORT TO:

1. N/A

AGENDA ITEM NO. _____

MEETING DATE:	DECEMBER 20, 2011
DEPARTMENT:	BUILDING DEPT
PREPARED BY:	JOLENE OSBORNE
DEPT. DIR. APPROVAL:	_____
CITY ADM. APPROVAL:	_____
PRESENTED BY:	SCOTT KING

AGENDA ITEM
Resolution 2011-09
Amendment of Building Permit Fees

BACKGROUND
The Council approved Ordinance 2011-22 to amend Title 9, Chapters 1-3 of the Cody city code pertaining to buildings, the corresponding permit fees would need to be adjusted to reflect the amendments.

SUMMARY
Ordinance 2011-22 better defines permitting categories in Section 9-3-1, adding Rebar Installation, Stucco, Commercial Railing Installation, Sheet Metal Fabrication, Conveyor System Installation, Asbestos Abatement, Ground Stabilization/Mud Jacking and Sign/Awning Installation. This resolution reflects the associated permit fees. Additionally "Small Jobs" categories were added to Electrical, Plumbing & HVAC Permit Fees which allow for better tracking of fees.

FISCAL IMPACT
The City of Cody may see an insignificant increase in collected fees due to the increase in license categories.

ALTERNATIVES
a) Approve the resolution to amend the permit fees
b) Deny the resolution to amend the permit fees
c) Modify the resolution to amend the permit fees

RECOMMENDATION
Staff recommends the approval of Resolution 2011-09.

ATTACHMENTS
1. Resolution 2011-09

AGENDA ITEM NO. _____

RESOLUTION 2011-09

A RESOLUTION AMENDING THE CITY OF CODY DEVELOPMENT FEE SCHEDULE

WITNESSETH:

WHEREAS, an Ordinance Amending Title 9 Chapters 1 through 3, adding new building permit categories was duly adopted by the City of Cody with Ordinance No 2011-22 on December 06, 2011 in accordance with the State of Wyoming Statutes; and

WHEREAS, the City of Cody Council adopted a Fee Schedule for the processing of applications required to be submitted to the City for approval on October 16, 2007; and

WHEREAS, the Council determined it was appropriate to amend the schedule to include specific fees on August 18, 2009; and

WHEREAS, the Council has determined it is appropriate to amend the fee schedule to include fees for Telecommunications, Elevator Installation, Rebar Installation, Commercial Railing Installation, Sheet Metal Fabrication, Conveyor System Installation, Asbestos Abatement, Ground Stabilization/Mud Jacking, Sign/Awning Installation, Small Electrical Jobs, Plumbing Small Jobs and Plumbing Dwelling Additions.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Cody, has adopted by this resolution an amended FEE SCHEDULE dated _____ as attached.

PASSED, APPROVED AND ADOPTED THE ___ day of _____ 2011.

_____

Nancy Tia Brown, Mayor

Attest:

_____

Cynthia Baker, Administrative Services Officer

CITY OF CODY
FEE SCHEDULE

Resolution 2011-09

PLANNING & ZONING FEES

Description	Fees Per Submittal
(A fee will be charged for each re-submittal of a plan)	
Landscape, Architecture and Sign Plans	$100.00
Minor Commercial Review (windows, doors, awnings, building access or exterior finish).	$50.00
Sign Plans (flush, wall mount w/out electricity)	$25.00
Sign Plans (electrical, requiring base structure or projecting)	$50.00
Newspaper Vending Machines/Real Estate Brochures/etc.	$25.00
Fence Plans requesting height over 6'	$25.00
Site Plan Reviews	$0.05 per bldg sq. ft. $250.00 minimum
Minor Subdivision (5 lots or less)	$100.00
Major Subdivision (more than 5 lots)	
Conceptual Plat	$250.00
Preliminary Plat	$250.00
Final Plat	$225 + $21 per lot
Planned Unit of Development (PUD)	
Conceptual Plat	$250.00
Preliminary Plat	$250.00
Final Plat	$225 + $21 per lot
Vacation of Land	$250.00
Zone Change Permit	$350.00
Special Exemption Permit	$300.00
Conditional Use Permit	$250.00
Boundary Line Adjustment	$100.00
Variance	$250.00

****In extraordinary circumstances a research fee of $25/hour shall apply.**

Sewer Line Impact Fees: (Resolution 2007-09 – Effective Nov. 20, 2007)
Impact Fees will be applied to all commercial and residential projects that discharge effluent to the Canyon Meadows Interceptor Main otherwise identified as the sewer main that extends from the west end of Riverview Drive to North Lift Station by the City Shop.

Commercial Applications	$0.54/sq. ft. of Floor Area
Residential Development	$1,135.00/Lot

These fees are in addition to the standard Hook-on, Tap and Plant Investment Fees.

BUILDING PERMIT FEES

Building Permit (per 1997 Uniform Building Code) Fees based on Valuation of Improvements unless otherwise indicated below.	See Attached Chart
Fence Permit (not over 6' in height)	$15.00
Moving	$25.00
Demolition Permit	$50.00
Drywall	$15.00
Stucco/Plaster	$15.00
Acoustical T-Bar	$15.00
Insulation	$15.00
Fire Suppression / Sprinkler Systems	$15.00
Masonry	$15.00
Concrete	$15.00
Landscaping / Sprinkler Installation	$15.00
Glass & Glazing	$15.00
Stove Installation	$15.00
Steel Fabrication & Erection	$15.00
Water Conditioning	$15.00
Siding	$15.00
Low Voltage Electrical Installation/Telecommunications	$15.00
Residential Re-roof Permit	$50.00
Elevator Installation	$15.00
Rebar Installation	$15.00
Commercial Railing Installation	$15.00
Sheet Metal Fabrication	$15.00
Conveyor System Installation	$15.00
Asbestos Abatement	$15.00
Ground Stabilization/Mud Jacking	$15.00
Sign/Awning Installation	$15.00

BUILDING PLAN REVIEW FEES

Minor Residential Plan Review (includes patios, decks over 30' in height, detached garages, sun rooms, out buildings over 1200 sq. ft., car ports, egress window installation and other similar levels of construction).	$50.00
Residential Plan Review (includes new dwellings, attached garages, additions and other similar levels of construction)	$100.00
Commercial Plan Review	25% of Building Permit Fee

ELECTRICAL PERMIT FEES

Electrical permits will be issued to electrical contractors holding a current City of Cody license. Owners of single family dwellings may be issued a permit. All permits require inspections based on the current edition of the National Electrical Code.

SERVICE UPGRADES

Through 200 amp $25.00
Over 200 amp $50.00

NEW SINGLE & TWO FAMILY DWELLINGS

Includes Permanent Service,
Rough-in, and Final Inspections $50.00

DWELLING ADDITIONS

Not requiring new service $25.00
With new service upgrade $50.00
Small Jobs (rewire, add circuits, repairs, etc) $25.00

REINSPECTIONS:

Requiring removal of red tags $25.00

COMMERCIAL WIRING PERMITS

Includes permanent service, rough-in and final inspections.

Fees shall be computed on the dollar value of the electrical installation, including fixtures and installation costs thereof, as follows:

Minimum Permit ..... $ 25.00
$1,001-$5,000 ..... $50.00
$5,001-$25,000 ..... $100.00
$25,001-$50,000 ..... $150.00
$50,001-$100,000 ..... $250.00
$100,001 and Over ..... $250.00 for the First $100,000 Plus $1.00 for Each $1,000 Over

REINSPECTIONS:

Requiring removal of red tags ..... $ 50.00

PLUMBING & HVAC PERMIT FEES

Permits will be issued to mechanical, plumbing and HVAC contractors holding a current City of Cody license. Owners of single family dwellings may be issued permits. All permits require inspections based on the current editions of the International Plumbing Code, the International Mechanical Code, and International Fuel Gas Code.

Sewer Service Replacement Inspections..... $15.00

New sewer services inspection fees are included in connection fees charged directly to owner.

Gas Piping Pressure Inspections when not
included with a new construction permit $15.00

Furnace, Boiler, A/C Unit and Water Heater
Replacements (per system) $15.00
Small Jobs (extending lines, adding fixtures, etc) $15.00
Dwelling Additions..... $25.00

NEW SINGLE & TWO FAMILY DWELLINGS

Includes Underslab Rough-ins, Above Floor Rough-ins, Gas piping, HVAC and Final Inspections.

NOTE: One inspection is included for gas pressure inspections. Additional tests for multiple meter applications will be charged for each additional inspection request.

Combined Plumbing and HVAC $50.00
Separate Plumbing $25.00
Separate HVAC $25.00

COMMERCIAL PLUMBING & HVAC

Fees shall be computed on the dollar value of the plumbing and HVAC installation including equipment as follows.

TOTAL PLUMBING AND HVAC (½ PLUMBING ½ HVAC WHEN SEPARATED)

Minimum Permit..... $ 25.00
$1,001-$5,000 ..... $ 50.00
$5,001-$25,000 ..... $100.00
$25,001-$50,000 ..... $150.00
$50,001-$100,000 ..... $250.00
$100,001-$300,000 ..... $350.00
$300,001-$500,000 ..... $500.00
$500,001 and Over..... $500.00 for the First
$500,000 Plus $0.50
for Each $1,000 Over

Note: Encroachment permits shall be required anytime you are working in the public right of way (street or alley), these permits and fees can be obtained from City Hall.

ORDINANCE 2011-28

AN ORDINANCE AMENDING THE HEREIN BELOW IDENTIFIED SECTIONS OF CHAPTER 9, ARTICLE III, OF THE CODY CITY CODE TO MODIFY ELECTRICAL RATES.

Article III, Section 9-13 shall be hereby amended as follows:

Sec. 9-13. Schedule of rates.

(a) Residential service rate.

(1) The rates to be charged for domestic purposes shall be as follows:

(i) For electrical usage billed after February 1, 2012

A. Each customer shall pay a monthly customer charge of $15.583; and

B. Additionally, each customer shall pay $0.0939 per kilowatt-hour used per month as an energy charge.

(b) Commercial and miscellaneous service rate.

(1) The rates to be charged for commercial and miscellaneous purposes shall be as follows:

(i) For electrical usage billed after February 1, 2012

A. Each customer shall pay a monthly customer charge of $46.75, and

B. Additionally, each customer shall pay $0.0879per kilowatt-hour.

(c) Optional small commercial and miscellaneous service rate.

(1) The rates to be charged for the optional commercial and miscellaneous service rate shall be as follows:

For electrical usage after February 1, 2012

(i) Each customer shall pay a monthly customer charge of $15.86; and

(ii) Additionally, each customer shall pay $0.144 per kilowatt-hour for all energy used per month as an energy charge.

(d) General service rate.

(1) The rates to be charged for those customers with demand meters shall be as follows:

(i) For electrical usage billed after February 1, 2012

A. Each customer shall pay a monthly customer charge of $93.50 and

B. Additionally, each customer shall pay $0.0332 per kilowatt-hour for all energy used per month as an energy charge, and

C. Additionally, each customer shall pay a monthly demand charge of $14.81 per kilowatt of demand as shown or computed from the readings of the City's demand meter installed at the customer's location for the fifteen-minute period of customer's greatest use during the billing period.

(2) Customers requesting or transferring service of more than two hundred amperes after May 14, 2001 shall be billed under this demand rate.

(3) The Public Works Director or his/her designee shall recommend to the Administrative Services Director the rate classification for new commercial customers requesting electrical service, based on the customer's energy and demand requirements.

(e) Irrigation rate.

(1) The rates to be charged for those customers with irrigation and pumping shall be as follows:

(2) For electrical usage after February 1, 2012

A. Each customer shall pay an annual customer charge of $95.41 for twenty-five horsepower or less.

B. Each customer shall pay an annual customer charge of $159.27 for everything over twenty-five horsepower.

C. Additionally, each customer shall pay $0.0635 per kilowatt-hour for all energy used per month as an energy charge.

(f) Outdoor nighttime lighting.

The rates to be charged for those customers who have city installed outdoor lighting on City of Cody structures shall be as follows:

Security Light Watts	Charge per Month	Energy Rate Used
63 Watt	$2.47	$0.125/kWh
175 Watt	$7.87	$0.125/kWh
150 Watt	$6.75	$0.125/kWh
200 Watt	$9.00	$0.125/kWh
250 Watt	$11.25	$0.125/kWh
400 Watt	$17.99	$0.125/kWh
1000 Watt	$44.98	$0.125/kWh

This includes all energy costs and maintenance costs associated with each unit.

(g) Service Charges

The following charges apply to all levels of service in addition to any other charges.

Connection and Reconnection Charge:	
Normal Office Hours (7:30 a.m. to 5:00 p.m.)	$25.00
Other than Normal Office Hours	$110.00
Trouble Calls on Customer-Owned Equipment:	
Normal Office Hours (7:30 a.m. to 5:00 p.m.)	No Charge
Other than Normal Office Hours (for first two hours, actual labor costs for work in excess of two hours)	$110.00
Temporary Service Connection:	
Single Phase and Three Phase	$105.00
Returned Check Charge:	$30.00
Utility Deposit:	

Residential	$100.00
Commercial	$200.00
Meter Testing:	
Testing of meters more than once at customer's request in a twelve month period, where meter is found to be accurate within two percent.	$50.00

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, WYOMING;

PASSED ON FIRST READING 12-6-2011

PASSED ON SECOND READING _____

PASSED, APPROVED AND ADOPTED
ON THIRD AND FINAL READING. _____

_____
Nancy Tia Brown, Mayor

ATTEST:

_____
Cynthia Baker
Administrative Services Officer