CITY OF Billings

VISION STATEMENT:
"The Magic City: A diverse, welcoming community where people prosper and business succeeds."

REVISED to add Item O, Resolution to Apply for ARPA State Competitive Grants

CITY COUNCIL
REGULAR BUSINESS MEETING
AGENDA

COUNCIL CHAMBERS | July 12, 2021 | 5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Yakawich

ROLL CALL: Councilmembers present on roll call were: ☐ Shaw, ☐ Yakawich, ☐ Neese, ☐ Ewalt, ☐ Joy, ☐ Choriki, ☐ Purinton, ☐ Ronning, ☐ Boyett, ☐ Brown

MINUTES: June 28, 2021

COURTESIES:

PROCLAMATIONS: Parks and Recreation Month

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 12, and 13 ONLY. Speaker sign-in required. (Comments are limited to three (3) minutes or as set by the Mayor. Please sign the roster at the cart located at the back of the Council chambers or at the podium. Comments on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For items not on this agenda, public comment will be taken at the end of the agenda.)

1. CONSENT AGENDA -- Separations:

   A. Bid Awards:

      1. **Billings Public Library Hail Repairs.** (Opened 6/29/21) Recommend not awarding the bid.

   B. **Change Order No. 1, W.O. 20-23: Solid Waste Container Storage Facility,** K2 Civil; $167,875.

   C. **Compensation Agreement** with Messinger Company, LLC.

   D. **Landfill Agreement** with Yellowstone County; $283,540.

   E. **Amendment No. 1** to 2021 Unified Planning Work Program (UPWP) and authorizing Mayor Cole to give a positive recommendation to PCC.

F. **Amendment No. 1, Automobile Rental Concession and Lease Agreements,** (1) Overland West, Inc., DBA Hertz Rent A Car, (2) Enterprise RAC Company of Montana/Wyoming, LLC DBA Enterprise Rent A Car, (3) Larson Enterprises, Inc. DBA Avis Rent A Car and Blackfoot Rentals Inc. DBA Budget Rent A Car, (4) Enterprise RAC Company of Montana/Wyoming, LLC DBA Alamo Rent A Car and National Car Rental, and (5) Overland West, Inc. DBA Thrifty Car Rental and Dollar Car Rental.

G. **Purchase** playground equipment for Lillis Park from Northwest Playgrounds; $199,772.87.

H. **Purchase** playground equipment for Terry Park from Dakota Playgrounds; $189,702.

I. **Acknowledge receipt of petition to vacate** a portion of the alley right of way adjacent to Lots 13 and 14, Block 5, of the Original Town of Billings, and set a public hearing for August 9, 2021.

J. **Resolution** adopting the Center for Public Safety Management Fire Operational and Administrative Analysis.

K. **Resolution** adopting the Center for Public Safety Management Police Operational and Data Analysis.

L. **Resolution** declaring an emergency and authorizing payment for W.O. 21-40: Bank Stabilization near Park Place.

M. **Resolution** relating to $3,040,000 pooled Special Improvement District bonds, Series 2021A and 2021B (SID 1416, SID 1417 and SID 1418); fixing the form and details and providing for the execution, delivery and security.

N. **Bond Resolution** for the sale of sidewalk bonds for W.O. 20-12.

O. **Resolution** authorizing staff to apply for American Rescue Plan Act (ARPA) State competitive grants.

P. **Bills for the Weeks of:**

1. June 7, 2021
2. June 14, 2021

Recommended Motion: I move to approve the items of the Consent Agenda as submitted, with the exception of items moved for separation.

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** approving and adopting FY2021 budget amendments. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Andy Zoeller, Finance Director*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I moved to approve and adopt the FY2021 budget amendments, as recommended by staff.

3. **PUBLIC HEARING AND SECOND/FINAL READING ORDINANCE FOR ZONE CHANGE 992:** A zone change from N3 - Suburban Neighborhood to N2 - Mid-Century Neighborhood located at 117 and 119 Glenhaven Drive. Eric Schnelbach, owner/applicant. Zoning Commission recommends approval and adoption of the findings of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **Quasi-Judicial*

- *Presented by: Karen Husman, Planner*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve and adopt the findings of the 10 criteria for Zone Change 992, as recommended by the Zoning Commission.

** Quasi-Judicial* -- Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

4. **PUBLIC HEARING AND RESOLUTION for Annexation 21-03:** a parcel located north of King Avenue East and east of Jackson Street. Jason D. Adkins, petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) * *Quasi-Judicial*

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to conditionally approve the Resolution approving Annexation 21-03, as recommended by staff.

* *Quasi-Judicial* -- Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

a. **DEVELOPMENT AGREEMENT** with Jason D. Adkins for Tract B-2, Certificate of Survey No. 2367 M. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Recommended Motion: I move to approve the Development Agreement with Jason D. Adkins, as recommended by staff.

5. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward I to include recently annexed property in Annexation 21-03: a parcel located north of King Avenue East and east of Jackson Street, legally described as Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, totaling approximately 3.574 gross and 3.522 net acres. Jason D. Adkins, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the First Reading Ordinance expanding the boundaries of Ward I, as recommended by staff.

6. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION 21-04:** a parcel located at 3508 South Frontage. Torgerson's Real Estate Holdings, LLC, petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) * Quasi-Judicial

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to conditionally approve the Resolution approving Annexation 21-04, as recommended by staff.

* *Quasi-Judicial* -- Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

a. **DEVELOPMENT AGREEMENT** with Torgerson's Real Estate Holdings, LLC for Lots 2 and 3, Certificate of Survey 2394. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Recommended Motion: I move to approve the Development Agreement with Torgerson's Real Estate Holdings, LLC, as recommended by staff.

7. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation 21-04: a parcel located south of the South Frontage Road and north of the City-County Drain, legally described as Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., totally approximately 35.94 acres. Torgerson's Real Estate Holdings, LLC, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the First Reading Ordinance expanding the boundaries of Ward III, as recommended by staff.

8. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION 21-05:** a parcel located at 6014 South Billings Boulevard. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) * Quasi-Judicial

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to conditionally approve the Resolution approving Annexation 21-05, as recommended by staff.

* *Quasi-Judicial* -- Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

9. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation 21-05: a parcel located at 6014 South Billings Boulevard; legally described as a tract of land situated in the SE 1/4 of Section 17, and the NW1/4 and the SW 1/4 of Section 16, T.1S., R.26E, P.M.M. totally approximately 22.90 gross acres. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the First Reading Ordinance expanding the boundaries of Ward III, as recommended by staff.

10. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 993:** a zone change from A - Agriculture to CX - Heavy Commercial generally located at 3508 South Frontage Road; a zone change from RR1 - Rural Residential 1 to NX1 - Mixed Residential 1 and N2 - Mid-Century Neighborhood generally located on Jackson Street; a zone change from A - Agriculture to P2 - Public 2 generally located at 6014 South Billings Boulevard. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) * *Quasi-Judicial*

- *Presented by: Wyeth Friday, Planning Director*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve and adopt the findings of the 10 criteria for Zone Change 993, as recommended by the Zoning Commission.

* *Quasi-Judicial* -- Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

11. **PUBLIC HEARING AND FIRST READING ORDINANCE** to expand the boundaries of the South Billings Boulevard Urban Renewal District (SBBURD) and adopt a modified Urban Renewal Plan. Staff recommends approval. (Action: approval or disapproval of staff recommendation.

- *Presented by Wyeth Friday, Planning Director*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the First Reading Ordinance expanding the boundaries of the South Billings Boulevard Urban Renewal District (SBBURD) and adopting a modified Urban Renewal Plan, as recommended by staff.

12. **TAX INCREMENT FINANCE ASSISTANCE** from Downtown Urban Renewal District to Monte Bar and Casino for renovation at 2824 1st Avenue North; $113,997. Downtown Billings Partnership Board (DBP) recommends approval. (Action: approval or disapproval of DBP Board recommendation.)

- *Presented by: Wyeth Friday, Planning Director and Mehmet Casey, DBA Development Director*

Recommended Motion: I move to approve Tax Increment Finance Assistance from Downtown Urban Renewal District to Monte Bar and Casino for renovation at 2824 1st Avenue North; in the amount of $113,997, as recommended by DBP Board.

13. **BUY/SELL AGREEMENT** to purchase the Stillwater Building located at 316 N. 26th Street for $17 Million. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Jessica Iverson, Facilities Manager*

Recommended Motion: I move to approve the Buy/Sell Agreement to purchase the Stillwater Building located at 316 N. 26th Street for $17 million, as recommended by staff.

PUBLIC COMMENT on "NON-AGENDA ITEMS". Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments are limited to 3 minutes or as set by the Mayor. Please sign the roster at the cart located at the back of the Council chambers or at the podium.)*

COUNCIL INITIATIVES:

ADJOURN:

Council Chambers are readily accessible to individuals with physical disabilities.

For more information or to make requests for special arrangements, please contact the City Clerk's Office at 657-8210 or e-mail bohlmand@billingsmt.gov, 72 hours prior to the meeting date.

City Council Regular

Date:	07/12/2021
Title:	Billings Public Library Hail Repairs
Presented by:	John Caterino, Facilities Supervisor
Department:	City Hall Administration
Presentation:	No

RECOMMENDATION

No bids were received for this project. Facilities Division will advertise for a rebid for Hail Repairs at the Billings Public Library.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The Billings Public Library, located at 510 N Broadway, sustained significant hail-related damage in August 2019. This project includes the removal and replacement of the existing exterior scrim on north and south elevations and the skylight.

The project was advertised on 06/11/2021 and 06/18/2021 in Y*ellowstone County News* and on the City's website.

Bids were opened on 06/29/2021, and zero (0) bids were received.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

No bids were received.

City Council Regular
Date: 07/12/2021
Title: W.O. 20-23 Solid Waste Container Storage Facility, Change Order 1 with K2 Civil
Presented by: Debi Meling
Department: Public Works
Presentation: No

RECOMMENDATION

Staff recommends that City Council approve Change Order #1 to the construction contract with K2 Civil (formerly FirstMark Construction) for W.O. 20-23 Solid Waste Container Storage Facility in the amount of $167,875.00 and an additional 30 days of contract time.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

W.O. 20-23 Solid Waste Container Storage Facility is intended to provide a new, larger, and enclosed facility to assemble and store Solid Waste containers. This will free up outdoor space at the Billings Operations Center (BOC) that is needed for other uses. Council previously awarded a construction contract to FirstMark Construction for this work on June 22, 2020, in the amount of $469,665.00. The project generally consists of construction of an 80-foot by 100-foot pre-engineered metal building (PEMB), complete with exterior and interior lighting, electrical outlets, overhead and man doors, and a concrete floor; an asphalt pad adjacent to the building for additional outdoor storage, and associated site work.

Originally, the location of this facility was south of Hillcrest Road, on City-owned land across from the existing Landfill. Completion was projected for fall 2020. Work began on the project July 29, 2020, and subsequently, property owners in the vicinity of the landfill filed complaints stating that the City could not have any type of operations on the site in question. A Stop Work Order was issued August 26, 2020, to allow staff time to address the property owners' concerns. At this time, FirstMark had nearly completed all site work and had been paid accordingly. The metal building, unassembled, was also paid for, and has been stored by the City since its delivery in October 2020.

The City purchased the 20-acre parcel immediately south of the existing BOC in March 2021. While city staff does think that the building could be constructed on the site south of Hillcrest, it may require a court decision and the site at the BOC is a better location. Staff would have located the storage building on the BOC site originally if the property was owned by the city at the time of the original design. After the decision was made to relocate the container storage facility to this newly acquired land, geotechnical evaluation and new site design has been completed. Change Order #1 covers new and additional work required to construct the facility on the expanded BOC site. FirstMark Construction has restructured and is now known as K2 Civil, but the original construction contract is still valid.

ALTERNATIVES

City Council may:

- Approve Change Order #1 to the construction contract with K2 Civil in the amount of $167,875.00 and an additional 30 days of contract time; or,
- Not Approve Change Order #1, which will greatly delay the availability of a facility for Solid Waste to assemble and store their containers, which could negatively affect operations.

FISCAL EFFECTS

The original contract amount with FirstMark Construction was $469,665.00, funded with Solid Waste funds. There is currently $257,509.41 remaining on that original contract, mostly related to erection of the building and placement of asphalt pavement. Change Order #1, in the amount of $167,875.00, includes additional work related to relocating the facility to the land adjacent to the BOC. An FY22 budget amendment will need to be approved at a future Council meeting; however, adequate cash is available in the Solid Waste Fund to cover these additional costs.

Date:	07/12/2021
Title:	Compensation Agreement with Messinger Company, LLC.
Presented by:	Debi Meling
Department:	Public Works
Presentation:	No

RECOMMENDATION

Staff recommends that Council authorize the Mayor to execute the attached Compensation Agreement including oversizing and a $250,000 contribution to the extensions.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

In order to obtain water and sanitary sewer service, Messinger Company, LLC will be extending a water and sanitary sewer main west from East Lane to Parcel 11A of Certificate Survey 1391, located along Harnish Boulevard. The public mains will be larger than 12-inch diameter and the City's policy is to compensate and pay for oversizing of the mains above 12-inches in diameter. Compensation for the preferred route is estimated to be $181,000.00. The compensation amount could be higher or lower depending on actual costs and the route chosen. In addition to oversizing, staff is recommending that the City contribute $250,000.00 utilizing water and sewer funds to the public main extensions. Multiple routes were evaluated for the water and sanitary sewer mains and staff is recommending that the additional contribution be made so that the most developable route is more amenable to the developer.

ALTERNATIVES

The Council may:

- Approve an Agreement for compensation from the City back to the Developer.
- Approve an Agreement for compensation for oversizing but not the additional $250,000. This would not encourage the developer to extend through the most developable route.
- Not approve an Agreement for compensation from the City back to the Developer. This would be inconsistent with current City policy of compensating and paying for oversizing of utility extensions.

FISCAL EFFECTS

Based on review of the quantities to be installed, staff estimated that $39,750 of sanitary sewer main and $141,250 of water main plus $250,000 will be eligible to be recovered by the Developer. The extent and timing of the City's participation in the project costs is determined in conformance with the CIP approved by City Council and based on actual quantities installed. The funds are budgeted annually from water and sewer funds specific to compensation agreements.

Attachments

Messinger Agreement

COMPENSATION AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 20___ between THE CITY OF BILLINGS, Billings, Montana, hereinafter referred to as the "CITY", and Messinger Company LLC, 2210 North Plaza Drive, Rapid City, SD 57702, hereinafter referred to as "DEVELOPER".

W I T N E S S E T H

WHEREAS, the CITY'S Water/Wastewater Extension Policy outlines the procedure and criteria the CITY uses in approving extensions of the public water and wastewater systems; and

WHEREAS, the CITY'S Utilities Fees Practice outlines how the CITY participates in construction of various water and wastewater facilities and applies water and wastewater construction fees and system development fees to developments; and

WHEREAS, no person, developer, customer or applicant shall acquire any vested rights under the terms and provisions of this agreement; and

WHEREAS, DEVELOPER has agreed to extend or replace water and/or wastewater facilities for the purpose of providing service through plans and specifications to be reviewed and approved by the City. Said plans and specifications generally provide for the construction of water and/or wastewater facilities which are specifically described in Exhibit 1, attached hereto; and

WHEREAS, DEVELOPER is desirous of obtaining compensation for a portion of the water and/or wastewater facilities hereafter described; and

WHEREAS, the CITY is desirous of compensating the DEVELOPER for a portion of such water and/or wastewater facilities.

NOW, THEREFORE, CITY and DEVELOPER, in consideration of their mutual promises to each other hereinafter stated, agree as follows:

1. The water and/or wastewater facilities which are eligible for compensation to the extent set forth in this Agreement are specifically described in Exhibit 1, attached hereto, and by this reference incorporated herein as if fully set out.

2. With respect to DEVELOPER'S entitlement to compensation, the CITY and DEVELOPER agree that the conditions set forth hereinafter, must be met before DEVELOPER is entitled to or will receive any compensation. Said conditions are:

   (a) The extent, timing, and manner of the CITY'S participation in a water and/or wastewater facilities extension or replacement is determined in conformance

with the CITY'S Water/Wastewater Extension Policy, the CITY'S Utilities Fees Practice, and the DEVELOPER'S compliance with city, state and federal laws, rules, and regulations. These policies require necessary funds to be included in the current, approved Capital Improvements Projects (CIP) budget in order to be eligible for compensation back to the DEVELOPER. The DEVELOPER may choose to proceed with an extension or replacement project without waiting for funds to be made available in the CIP budget; in this case, the DEVELOPER is responsible for paying the entire cost of the construction. Extensions or replacements not eligible for compensation according to these CITY policies and practices must be constructed by the DEVELOPER at his expense.

(b) DEVELOPER shall provide to the CITY sufficient verifiable cost data to determine the appropriate amount of compensation within thirty (30) days of final inspection of the water and/or wastewater facilities and approval and acceptance by the CITY that all construction was completed according to the approved plans and specifications.

(c) DEVELOPER's property is annexed into the City of Billings.

(d) Extension of the water and sanitary sewer mains shall be reviewed and approved by the City of Billings.

(e) DEVELOPER shall enter into a compensation agreement with the CITY at the time the CITY approves the DEVELOPER'S application for extension of water and/or wastewater facilities or, in the case of a replacement project, prior to submittal of preliminary plans and specifications by the DEVELOPER.

(f) Upon completion of the extension or replacement of the water and/or wastewater facilities, the DEVELOPER must convey all right, title and interest in the facilities to the CITY.

(g) DEVELOPER shall, at all times, provide to the CITY a current address for purposes of mailing compensation to DEVELOPER.

(h) Extension or replacement of water and/or wastewater facilities must be done in compliance with all rules, regulations, resolutions and ordinances of the CITY, including but not limited to standards for design and construction of the facilities, competitive bidding and contract requirements for cities, prevailing wage rates, non-discrimination requirements, etc.

DEVELOPER agrees that it will not be entitled to any compensation whatsoever until the above conditions have been completely satisfied. DEVELOPER'S violation of any of the conditions set forth herein may, at the option of the CITY, result in denial of any and all compensation to the DEVELOPER.

3. In addition, it is expressly agreed that any compensation is conditioned upon the following:

(a) Compensation is limited to costs attributable to water and/or wastewater facilities described in Exhibit 1, less all administrative costs incurred by the CITY. In no event will compensation exceed the actual cost to the DEVELOPER of extending or replacing the water and/or wastewater facilities.

(b) Compensation shall not include any interest charges.

Acceptance of the water and/or wastewater facilities for purposes of compensation as set forth in this agreement shall be evidenced by written notice of a letter from the Public Works Department of the CITY and directed to the DEVELOPER at the address set forth in the first paragraph of this agreement.

4. The CITY, by this agreement, is not guaranteeing that full compensation by the CITY to the DEVELOPER will be made. The CITY is only agreeing that it will develop a plan under its Water/Wastewater Extension Policy and Utilities Fees Practice that will recommend that compensation for water and/or wastewater facilities which have been extended or replaced at the DEVELOPER'S expense will be made as set forth herein. Compensation does not apply to

additional extensions or replacements of the water and/or wastewater facilities. Compensation shall be based upon the final total project costs.

5. The address for mailing compensation to the DEVELOPER shall be that address specified in the first paragraph of this agreement. Any change in address of the DEVELOPER shall be sent to the Public Works Director of the City of Billings at P.O. Box 1178, Billings, MT 59103. The designation of a new address shall be accompanied by a copy of this agreement.

6. This agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their successors and assigns.

DATED this _____ day of _____, 20___.

DEVELOPER

By _____

CITY OF BILLINGS

By _____
Mayor

ATTEST:

_____
City Clerk

Exhibit 1

DEVELOPER will install a water main and sanitary sewer main west from East Lane to Parcel 11A, Certificate of Survey 1391. There is approximately 1 to 1.5 miles of water main and sanitary sewer main to be installed. The city is contributing $250,000.00 utilizing water and sewer funds. In addition, the City is compensating for oversizing costs beyond a 12-inch diameter water or sewer main. Compensation for the oversize of the sanitary sewer is estimated to be $39,750.00 and for the water main is estimated to be $141,250.00. Compensation for oversizing the sanitary sewer and water mains is based on an estimate. The actual cost could be more or less depending on the overall route of the mains and construction costs. Total compensation is estimated to be $431,000.00.

City Council Regular

Date:	07/12/2021
Title:	Landfill Use Agreement with Yellowstone County
Presented by:	Debi Meling
Department:	Public Works
Presentation:	No

RECOMMENDATION

Staff recommends that City Council approve the one-year landfill use agreement with Yellowstone County.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The Billings Regional Landfill currently accepts waste from Yellowstone County. Disposal of waste picked up and hauled by private haulers is charged directly to those haulers. Yellowstone County is only charged for the estimated tonnage and landfill trips of self-haul residential waste. The agreement with Yellowstone County is a 9.9% increase for FY22 and the dollar amount is based on the landfill fees in the Solid Waste fee resolution passed by Council on June 14, 2021.

ALTERNATIVES

City Council may:

- Approve the landfill agreement with Yellowstone County; or,
- Disapprove the agreement. If Council does not approve the agreement, there would be a loss of revenue for the Solid Waste Fund and Yellowstone County residents would need to find an alternative to disposal at the landfill.

FISCAL EFFECTS

The landfill agreement will generate $283,540 in revenue for the Solid Waste Fund in FY22.

Attachments

FY22 YC Landfill Agreement

LANDFILL USE AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____ 2021, by and between the CITY OF BILLINGS, MONTANA, a municipal corporation, hereinafter referred to as "CITY" and the YELLOWSTONE COUNTY SOLID WASTE DISPOSAL DISTRICT, hereinafter referred to as "DISTRICT".

WITNESSETH:

WHEREAS, the DISTRICT and its residents are desirous of using the landfill facilities of the CITY for the disposal of solid waste; and

WHEREAS, the CITY is willing to allow the DISTRICT and its residents use of its landfill facilities during normal public operating times.

NOW THEREFORE, in consideration of the mutual covenants and agreements between the parties hereto, it is mutually agreed as follows:

1. **DEFINITIONS**
    a. Landfill – The term "Landfill" shall mean the Billings Regional Landfill situated in Yellowstone County, owned and operated by the City of Billings.
    b. Other Waste – The term "other waste" shall mean construction and demolition refuse, dead animals, non-processed tires, asbestos, and special waste such as contaminated soil, sludges, and treated timbers.
    c. Refuse – The term "refuse" shall mean all approved and permitted wastes that lawfully may be disposed of in the Landfill.
    d. Residential Municipal Solid Waste – The term "residential municipal solid waste" shall mean any refuse not falling under the definition of "other waste" and generated from or at a property used as a residential dwelling.

2. **TERM.** The term of this AGREEMENT shall be from July 1, 2021 through June 30, 2022. Either party may terminate this AGREEMENT at any time with or without cause, upon six months written notice to the other party. In the event of such termination, a pro rata payment shall be paid or refunded, depending on the termination date.

3. **USE OF FACILITIES.** The City will permit the DISTRICT and its residents to use its landfill facility for disposal of refuse generated within the area of the DISTRICT at such times as said landfill shall be open for disposal of refuse. The DISTRICT agrees to use facilities in accordance with all applicable federal and state legislation, all applicable local ordinances including, but not limited to Billings Municipal Code, Chapter 21, and all applicable federal, state, and local administrative rules in order to promote the health, safety, and welfare of the citizens of Billings, Montana.

4. **PAYMENT FOR RESIDENTIAL MUNICPAL SOLID WASTE.** For the period from July 1, 2021 through June 30, 2022, the DISTRICT agrees to pay the CITY the sum of two hundred eighty-three thousand five hundred forty dollars ($283,540.00) for residential municipal solid waste hauled by District residents from their primary residence. One half of this amount shall be paid semi-annually on or before July 1, 2021 and January 1, 2022.

DISTRICT residents will not be charged at the Landfill for residential municipal solid waste hauled by residential users for loads less than 1.5 yards or 700 pounds, but will be charged for other waste of any volume or weight.

5. **IDEMNITY.** Each of the parties hereto shall indemnify, hold harmless, and defend the other party, its agents, employees or officials, against any and all claims, demands, causes of action, damages, costs, expenses, liability, or judgments against the other party for personal injury, death, or property damage caused by the negligence of the other party, its agents, employees or contractors arising from, growing out of, or in any way connected with or incidental to performance of this agreement.

   Indemnity under this agreement shall commence on the date of execution hereof and shall continue for the entire term this agreement is in effect and for any applicable period of limitations thereafter. Either party shall notify the other party, in writing, within ten (10) days of any claim made on the obligations indemnified against hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CITY OF BILLINGS, MONTANA

By _____

WILLIAM A. COLE, MAYOR

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

_____

DONALD W. JONES, Chairman

_____

JOHN OSTLUND, Member

_____

DENIS PITMAN, Member

APPROVED AS TO FORM:

By _____

GINA DAHL, CITY Attorney

City Council Regular

Date:	07/12/2021
Title:	UPWP 2021 Amendment #1 - Updated MET Transit 5303 Funding
Presented by:	Rusty Logan
Department:	Transit
Presentation:	No

RECOMMENDATION

Staff recommends the City Council approve the amended 2021 Unified Planning and Work Program (UPWP) as submitted, authorizing Policy Coordinating Committee (PCC) designee, Mayor Cole, to give a positive recommendation to the PCC.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The City of Billings MET Transit Division is presenting the amended 2021 UPWP in conjunction with the Billings Metropolitan Planning Organization (MPO) for City Council review and recommendation to the Billings PCC.

The UPWP is primarily for the purpose of programming the Federal dollars that Billings receives from the Federal Highway Administration (FHWA) for transportation planning and the Federal Transit Administration (FTA) for transit planning. These funds are passed through the Montana Department of Transportation (MDT). MET Transit planning funding is typically received in accordance with 49 USC Section 5303, a funding source that is intended for urbanized area transit planning; however, MDT has opted to transfer a balance of unused Section 5304 funds (typically used for rural area transit planning) to the City of Billings to be expended in the current UPWP program. These transferred funds will be programmed into the existing 5303 grant via the proposed amendment to the UPWP; as with previously programmed funds, these are subject to a 20% local and 80% Federal match for eligible activities. Using these funds, MET Transit will be expanding on previously programmed activities to create a comprehensive Transit Development Plan and a Marketing Strategy Plan. The total amount of additional Federal funding is $60,000, requiring $15,000 in local match for a total program change of $75,000.

ALTERNATIVES

City Council may:

- Accept the document as submitted and authorize Mayor Cole to give a positive recommendation to PCC; or
- Reject the program and instruct Mayor Cole to give a negative recommendation to PCC. Rejection of the amended UPWP would mean a reduction in funding to complete transit planning activities in Billings.

FISCAL EFFECTS

Approval of the amended 2021 UPWP allows the City to access additional Federal funds for transit planning within the community. If the amended plan is not approved, the City would be ineligible to receive the additional $60,000 of Federal funding for transit planning, detrimentally effecting MET's ability to create a comprehensive Transit Development Plan and a Marketing Strategy Plan.

Federal transit planning funding for the 2021 UPWP is as follows:

- Previously approved transit funding: $233,926 Federal, $58,481 local, total $292,407
- Additional transit funding for approval: $60,000 Federal, $15,000 local, total $75,000
- Transit funding upon amendment approval: $293,926 Federal, $73,481 local, total $367,407

Attachments

2021 UPWP Amendment 1 DRAFT

Billings Urban Area

Unified Planning Work Program

(UPWP)

Federal Fiscal Year

Amended

2021

Prepared By:

Billings/Yellowstone County Planning Division
2825 3rd Avenue North, 4th Floor
Billings, Montana 59101

In Cooperation With:

Montana Department of Transportation
Federal Highway Administration
Federal Transit Administration

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

UNIFIED PLANNING WORK PROGRAM

TABLE OF CONTENTS

Introduction 3

UPWP Approval Dates 3

CHAPTER I – Highway

SECTION I – Work Elements

100 - Program Administration 4
101 - Service 8
102 – Citizen Involvement 10
200 – Community Planning 12
204 – Zoning Administration 16
205 – Subdivision Administration 18
300 – Transportation System Data 21
301 – Transportation Plan 24
302 – Planning Studies 26
500 – Transportation Improvement Program 28
600 – Environmental Considerations 30
700 – Un-Programmed Funds 32

SECTION II – Funding

Funding Summary 33
Funding Comparisons 33
Funding Percentages 34
Staff Months Worked 34

SECTION III – Indirect Cost Plan

Identification of Costs 35
Funding Sources 36
Acronyms 37

CHAPTER II – Transit

Administration 38
Short Range Transportation Planning 40
Current Service Enhancement 42
Transportation Improvement Program 44
ADA 46
Funding 48

INTRODUCTION

The Billings Urban Area planning process is organized and conducted in a cooperative, coordinated, and comprehensive manner. The Yellowstone County Board of Planning, as the designated Metropolitan Planning Organization (MPO), is charged with the responsibility of administering the planning process. Under federal regulations, an MPO must be established for urban areas with populations greater than 50,000 in order to receive federal funds for construction projects and transportation planning. This document, the Billings Urban Area Unified Planning Work Program (UPWP), and a companion document, the Prospectus, is the foundation upon which the planning process is based.

The UPWP is developed each year, and once adopted and approved by FHWA and FTA, is in effect from October 1 to September 30. The UPWP contains a task by task discussion of projects, which are to be undertaken during the program year. It also contains appropriate funding information, staffing information, and a schedule for each project. The UPWP undergoes a comprehensive review at the local, state, and federal levels each year.

This year, Federal Fiscal Year 2021, the format for work program activities conforms to Federal Transit Administration (FTA) Circular 8100.1C, specifically Chapter IV. The Montana Department of Transportation and the Yellowstone County Board of Planning have mutually agreed upon use of this format.

The UPWP is a detailed description of projects, which occur on a routine basis. Once adopted, the document is only amended if there is a change in the planning process. The UPWP also contains information pertaining to the organization of the planning process, agencies involved, and agreements between agencies involved in the process.

Cost overrun guidelines have been established by the Montana Department of Transportation, and agreed to by the Yellowstone County Board of Planning. Those guidelines will determine the allowable overruns for any work program element. Overruns that surpass those outlined in the guidelines will require a UPWP amendment.

This document includes two chapters, Highway and Transit. Each chapter contains individual work elements. These work elements describe work the planning and transit staff will undertake in the program year as well as work accomplished in the past year. Also included is a breakdown of funding sources which include, Planning (PL) funds and Local (City & County) funds which are used to provide funding for non PL eligible activities. Priorities this year include implementing the 2018 Long Range Transportation Plan, the 2018 Public Participation Plan, an update of the School Sidewalk Program, continuing work on the Downtown Area Traffic Circulation and Safety Study, and other projects.

2021 UPWP **Dates of Local Approval**	
TAC	07/23/2020
PLANNING BOARD	08/11/2020
BOARD OF COUNTY COMMISSIONERS	08/04/2020
CITY COUNCIL	08/10/2020
PCC	08/18/2020
FWHA	09/23/2020

2021 UPWP- Amendment 1 **Dates of Local Approval**	
TAC	06/22/2021
PLANNING BOARD	07/13/2021
BOARD OF COUNTY COMMISSIONERS	06/22/2021
CITY COUNCIL	07/12/2021
PCC	07/20/2021
FWHA	

CHAPTER I

YELLOWSTONE COUNTY BOARD OF PLANNING

SECTION I UNIFIED PLANNING WORK PROGRAM

41.11.100 PROGRAM SUPPORT & ADMINISTRATION

100 PROGRAM ADMINISTRATION (4301)

OBJECTIVE

- To administer the area-wide planning process.
- To support the Board of Planning and other Boards, Commissions, and the City Council and County Commissioners in decision-making activities in the planning process.
- To engage in administrative and financial actions related to identified planning activities and to prioritize those activities.
- To enhance staff skills and maintain staff exposure to the "state-of-the-art" in planning practice and computer software.
- To maintain contact with, provide input to, and receive feedback from various local, state and federal agencies, committees and groups during the planning process.

ACCOMPLISHMENTS - FISCAL YEAR 2020

Conformance with federal, state, and local administrative and regulatory requirements, as well as maintenance of planning operations was achieved for FY20.

Members of the planning staff attended various professional meetings, workshops, and conferences at which planning, transportation, transit, bicycle/pedestrian and related topics were presented and discussed.

Specifically, the City-County Planning Division (Planning Division) and members of other local, state and federal departments and agencies actively participated in a diverse set of local meetings, including the Billings Technical Advisory Committee (TAC), Policy Coordinating Committee (PCC), Billings & Yellowstone County Zoning Commissions and Boards of Adjustment, Board of Planning, City Annexation Committee, City Development Process Review Committee, Community Development Board, Traffic Control Board, Bicycle and Pedestrian Advisory Committee, Historic Preservation Board and others. Grant writing for the Division was completed under this work element. The coordination and administration of the TA Program applications and local approvals are administered through this work element.

Planning staff received updates in computer software programs for the geographic information system and its application to mapping data layers such as streets, land use, address, ownerships and environmental data. This year, GIS staff has included the TAZ information to the Planning layers. This allows staff to identify individual TAZ's and the associated data. Staff regularly utilizes an application tracking and project management software system that integrates the existing City building permit, finance and land management software, as well as coordinated subdivision and development project reviews across City and County departments. Staff also reviewed/updated the City Annexation Policy and Limits of Annexation Map, and assisted in updates to the City's Capital Improvement Plan. Implementation of the City's

Complete Streets Policy is ongoing with the continued collection of data to be incorporated into the Complete Streets Status Report that is updated and published every three years, including in calendar year 2020. Implementation of the Billings Community Transportation Safety Plan will continue with reporting to MDT required.

Due to COVID-19, the City-County Planning Division had to alter the way business is conducted. Deemed an essential business, the Division remained available to continue business with some alternate operations. The Planning & Community Services Department was closed to the public starting on March 23; to accommodate the public, the first floor conference room was converted to a drop off/pick up location for building permits, applications and requests for information. In addition, online permitting and project applications (zoning/subdivision) were implemented to accommodate residents. Also, staff alternated from working from home and in the office with limited total staff present in the office. On June 10, the offices re-opened to the public but staff continued to limit time in the office with some teleworking. The offices installed approved CDC safety materials with shields, social distancing guidance and staff wearing protective masks while meeting customers or in common areas. Most meetings are being scheduled via phone or video conferencing. These current operations will remain in effect until further notice.

Other COVID-19 activities will be identified and discussed in further sections as it may affect the conducting of business and travel/training.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

All administrative functions of the Planning Division will be performed under this work element. Program management activities will include, but not be limited to the following:

1. Correspondence
2. Public Relations
3. Employee Guidance, Supervision, and Training
4. Program Organization and Management
5. Consultant Liaison Activities
6. Staff Meetings
7. Negotiations
8. Preparation of Contracts
9. Staff Training
10. Performance Monitoring
11. Office Equipment Acquisition
12. Budget Management and Administration

New federal regulations require that performance measures and goals be established to monitor the performance of the region's transportation system.

The MPO will work with federal, state and local agencies to improve current performance tracking methods. Performance measures will be tracked on the MPO website and regular reporting will be provided to the Transportation Policy Coordinating Committee, MPO committees and the general public depending on the availability of related data.

PL Eligible Activities

- As per the MPO's public participation plan and ongoing public outreach efforts, the planning staff will make available the documents and guidelines for transportation planning activities to the community, as well as keep abreast of federal and state requirements as they relate to the overall

planning processes. These activities may include distribution of the Billings Area Bikeway and Trail Master Plan to community organizations or individuals, distribution of the current Billings Area Tour Map for bicycle and pedestrian users and visitors, distribution and explanation of the latest Billings Urbanized Area Traffic Count Map and Bicycle Count Map, explanation and distribution of the MPO's public participation plan to groups involved or interested in transportation planning processes in the community, and explanation and information dissemination of the TA or other grant programs to possible project applicants in the community.

- Staff will update the PL & Memorandum of Agreement as necessary to meet the requirements of the FAST Act.
- Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation (MDT) in order to maintain federal funding support.
- The FY 2021 UPWP will be continually appraised and monitored in terms of content and budget allocations and will be revised when deemed necessary.
- The Fiscal Year 2022 UPWP will be developed under this work element.
- The Board of Planning, Board of County Commissioners and City Council will be kept informed of the activities of the staff and its progress in completing the approved UPWP.
- Staff will be involved in update and implementation of the Community Safety Plan for the Billings Urban Area.
- All planning staff will participate in recognized and approved training programs in order to improve staff skills and capabilities. Planning expertise will be maintained through enrollment in appropriate planning and transportation-related courses at area colleges, workshops, seminars, webinars and conferences. This activity may be affected by COVID-19; alternative training activities will be explored.
- Staff will adapt software programs to effectively utilize traffic data and continue computer-training programs.
- The use of PL funds for out-of-state travel and/or registration fees for the above or other purposes will continue to be subject to prior approval of MDT.
- The TA Program administration will be funded through this work element.
- Fixing America's Surface Transportation (FAST) Act or new replacement legislation will be reviewed so staff may become familiar with changes affecting the metropolitan planning process.
- The Active Transportation Planner position is operating at approved full time status. This planning position is funded out of several work elements (100, 200 and 300).
- Grant writing services will continue to be incorporated within the department.
- Planning activities pertaining to Bicycle-Pedestrian in this work element will include:
    - Work field inspections, handle complaints and investigate problem areas of the Bike/Pedestrian system.
    - Presentations as needed.

Locally Funded Activities

- General administrative activities will include maintenance of files, library documents, daily correspondence and preparation of necessary periodic reports.
- Interagency committee participation is included in this work element.
- All staff members will continue to participate in and encourage increased cooperation between state and local agencies, departments and governing bodies.
- The Planning Division will serve both as a coordinator of and a participant in meetings and committees.
- Planning Division involvement will include participation with such agencies as the Housing Authority, Big Sky Economic Development (BSED), Air Pollution Control Board, RiverStone

Health (City-County Health Department), Healthy by Design, legislative study committees, and other agencies.
- Staff will also continue a summer intern program as interest and needs arise; oversight of these individual(s) will take place in this work element.
- Staff will continue to implement long-term document storage through virtual servers and cloud storage platforms.

STAFFING

26 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

The Planning Division will be responsible for administering the area-wide planning process for the City and County.

PRODUCT

- An ongoing administrative program focused primarily at effective and expeditious implementation of this UPWP.
- The continual enhancement of the Planning Division staff skills and knowledge.
- Maintenance of a coordinated, comprehensive, and cooperative planning process that is endorsed and supported by the local community.
- The development of the FY22 UPWP.

FUNDING SCHEDULE - ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$210,100	$171,900	$382,000
TOTAL	$210,100	$171,900	$382,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	55	45	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$231,000	$189,000	$420,000**
TOTAL	$231,000	$189,000	$420,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

** Record Keeping via virtual servers and cloud storage - $7,000, Computer Upgrades that includes 6 Laptops for employee telework use - $16,000.

101 SERVICE (4302)

OBJECTIVE

- To coordinate the dissemination of information and exchange of ideas between planning agencies and the interested public, decision-makers, and other departments, agencies, and organizations as related to the Billings MPO.

ACCOMPLISHMENTS - FISCAL YEAR 2020

Members of the planning staff were involved in a wide range of service tasks. Planning services included presentations related to roadways and alternative transportation, responding to citizen inquiry and complaints regarding streets, subdivision layout, site distance, zoning request, conformance with the 2018 Transportation Plan Update and the Billings Area Bikeway and Trails Master Plan, City of Billings 2016 Growth Policy, the Lockwood Growth Policy and various neighborhood and community plans.

Staff presented transportation planning information to its organization and agency partners as needed for educational and decision making purposes. Planning staff also shared information with the community and stakeholders throughout the development of several planning efforts. The Billings MPO hosted 5 webinars covering a variety of topics including transportation and mobility related topics. Our webinar series was limited due to COVID-19 and the need to social distance.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- Staff hopes to continue to organize (based on COVID-19 and social distancing requirements) a very successful series of webinars and "brown bag lunch" seminars on a wide range of planning topics, including multi-modal transportation planning and funding, collaborative community planning techniques and planning for sustainability as well as various Institute of Transportation Engineers, Project for Public Spaces, Sustainable Communities, and Federal Highway Administration webinars.
- Staff is also targeting webinars which educate staff and public on the transportation planning process and funding as related to the operation of the MPO.

Locally Funded Activities

- Staff will continue to develop and use website tools to enable citizens to access information on upcoming planning activities, board and commission meetings, and recent land use applications, as well as interact with various planning processes through email notification and online comment programs. Staff will look at implementing citizen access to the Questys System software for access to historical data related to transportation, zoning and other planning applications.
- Continue increasing community and agency awareness of the interrelationships between land use development and transportation needs through dissemination of information and drafting of planning documents that incorporate both elements together.

STAFFING

3.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

As Assigned.

PRODUCT

- A responsive and flexible planning process utilizing staff capable of providing short-term findings and recommendations, as well as ongoing customer service to the public on all levels of planning projects and regulations.
- Provide transportation related webinars to staff, local officials and general public to educate on current transportation issues. These webinars are scheduled on a monthly basis and anticipate 5- 10 person viewings per showing. This number can fluctuate depending on the topic. Staff participation is anticipated to be 4-5 persons at these viewings. Webinars to the public will be monitored based on current health conditions with COVPD-19.
- In addition to the transportation specific webinars, staff also provides general planning webinars that are advertised to all city staff, local officials and the general public. These webinars are scheduled routinely and can include up to 3 webinars a month. Participation anticipated at these webinars is 5-10 person per viewing. This number can fluctuate depending on the topic. Staff participation is approximately 3-5 per viewing contingent on scheduling. Webinars to the public will be monitored based on current health conditions with COVPD-19.

FUNDING SCHEDULE - SERVICE

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$21,000	$21,000	$42,000
TOTAL	$21,000	$21,000	$42,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	50	50	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$22,000	$22,000	$44,000
TOTAL	$22,000	$22,000	$44,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

102 CITIZEN INVOLVEMENT (4303)

OBJECTIVE

- To solicit information concerning community values and goals and to receive community input into the development of plans and projects.

ACCOMPLISHMENTS - FISCAL YEAR 2020

Numerous meetings with service clubs, civic groups, and professional organizations were attended by staff members to discuss all facets of local planning. The Planning Board used extensive public input to review and receive comments on a wide range of planning issues throughout the City and County. Meetings of neighborhood task force organizations and neighborhood advisory committees were also attended as requested to answer questions and review long-range planning issues, particularly related to transportation planning and projects, as well as code enforcement complaints. Projects specifically related to citizens and citizen boards included the update to the 2018 Long Range Transportation Plan, the update to the 2018 Public Participation Plan and the development of the Billings Urban Traffic Model.

The City-County Planning Division developed alternative ways to ensure citizen participation in current planning projects, even during the COVID-19 pandemic. Projects include zoning and subdivision applications, sign and fence permits, and long range planning projects including Project Re-Code that was just starting its final review and adoption schedule when the virus hit its peak. Project Re-Code was delayed to ensure opportunities for citizen participation through multiple platforms. In addition, at this same time the Downtown Billings Traffic Study had just begun. The Consultant, Dowl, had to create alternative means to conduct this heavily public participation project. Virtual meetings, recorded information for Facebook and YouTube, and other platforms were used.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- Outreach to the public and all affected jurisdictions for ongoing transportation projects, including but not limited to several MDT planning and construction projects such as the North Billings Bypass, short and long term planning for rail traffic mitigation in downtown Billings, 6th Street Underpass project and several MPO projects. The MPO has several projects that will be completed and initiated this upcoming year including the completion of the Downtown Billings Traffic Study, the 5th Avenue Corridor Feasibility Study, North Billings Bypass Corridor Study, Bike/Scooter Share Transportation System Impact Study, and the Complete Streets Progress Report. New studies this year include an update to the 2016 Community Transportation Safety Plan and an update to the Safe Routes to School Plan.
- The staff will continue to support the Bicycle and Pedestrian Advisory Committee. The Committee is responsible for forwarding recommendations to the Planning Board and governing bodies on bicycle safety, bike lanes, pedestrian safety and access, and other matters. The group will be involved in the nomination and review of TA Program eligible projects, bicycle and pedestrian signing and safety projects, grant applications for non-motorized transportation projects, and community education and outreach on bicycle and pedestrian safety within the MPO.
- TAC and PCC meetings will be held and meeting information disseminated as necessary.
- Staff will continue to update and maintain the MPO's website to provide the most current up to date information to the community.

- Staff will utilize web-based GIS and web mapping software for assistance in transportation planning.
- Some of the specific projects that will involve community participation include the completion of the Downtown Billings Traffic Study, 5th Avenue Corridor Study, North Billings Bypass Corridor Study, Bike/Scooter Share Feasibility Study, the Complete Streets Progress Report, the Community Transportation Safety Plan Update and the Safe Routes to School Plan update.

Locally Funded Activities

- Meetings with various citizen groups will be coordinated and attended for the purpose of soliciting information and ideas on a broad range of planning issues within the Billings Urban Area and throughout Yellowstone County.
- Community participation using new tools and techniques will also be included in all planning studies proposed within this document.
- Staff will utilize web-based GIS and Web mapping software for assistance in land-use planning.

STAFFING

4.0 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- A comprehensive and coordinated solicitation and collection of public opinions in order to accurately reflect the preferences and priorities of the citizens within the Billings Urban Area.
- An enhanced integrated web-based public participation software that includes MPO and generally planning projects and procedures and other pertinent information.

FUNDING SCHEDULE - CITIZEN INVOLVEMENT

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$34,000	$34,000	$68,000
TOTAL	$34,000	$34,000	$68,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	50	50	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$35,000	$35,000	$70,000
TOTAL	$35,000	$35,000	$70,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.12.200 GENERAL DEVELOPMENT & COMPREHENSIVE PLANNING

200 Community Planning (4304)

OBJECTIVE

- To maintain records and make projections of population and dwelling unit data, land use information, employment data, and to maintain adequate financial records, files and reports.
- To provide current, accurate information pertaining to the quantity of residential, commercial, industrial, and public land in the MPO and across the County.
- To summarize and analyze development trends and to provide visual information to the City Council, County Commission, Planning Board and the public during the public input process for transportation and land-use decision making.
- To recommend implementation of the goals, policies, and strategies of the adopted 2016 City of Billings and Lockwood Growth Policies.
- Implementation of Long Range Transportation Plans and Planning Studies.
- The current ten planning factors have been reviewed and incorporated in this UPWP. The factors are:

    1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
    2) Increase the safety of the transportation system for motorized and non-motorized users;
    3) Increase the security of the transportation system for motorized and non-motorized users;
    4) Increase the accessibility and mobility of people and for freight;
    5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
    6) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
    7) Promote efficient system management and operation;
    8) Emphasize the preservation of the existing transportation system.
    9) Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
    10) Enhance travel and tourism.

ACCOMPLISHMENTS - FISCAL YEAR 2020

The 2010 Census and most recent American Community Survey (ACS) data has been updated and placed in various databases as it has become available. Data gathered and updated included annual information related to population estimates for city and counties within the State of Montana. This annual information is used by the public and public agencies for planning purposes. The ACS is accessed for review and dissemination, and updated information released by the US Census Bureau in regards to commuting patterns. Other data gathered includes:

- Building Permits, Demolition Permits, Electrical Permits, Subdivision Applications, Zoning Applications, Special Reviews, Variances, temporary use permits, sign permits, zoning

compliance permits and zoning clarification documents, annexation data, population trends, land use trends, school enrollment, employment data and general economic indicators.

The planning staff continues to review the 2010 Census data and the 2017 ACS figures and estimates for population and demographic data. Census information is made available to various local agencies and organizations and to the general public. The data is used for developing reports, grant applications and planning documents such as Transportation and Land Use Plans and for projects like the Recreational Trails Program Grant and other grants as needed.

The City-County Planning Division, on behalf of the Billings MPO, is responsible for preparing a Complete Streets Progress Report every three years. This direction was outlined in the City of Billings Complete Streets Policy: "The City will periodically collect, review and report performance data and benchmark measurements to demonstrate the effectiveness of the policy." This effort was completed with the first-ever Billings Complete Streets Benchmark Report prepared in 2013. An update to the Progress Report was completed in December of 2017 and included updated data sets and information regarding the performance of the Complete Streets Policy. Several datasets, including the general land use map of the County were updated so as to maintain an inventory of existing conditions. This information was utilized in various planning studies and provided to other departments and the general public. The MPO has been working on a report update in FY20 with the final report coming out in FY21.

Zoning data developed in element 204 for the entire City and County zoning jurisdictions was provided to neighborhood task force groups and others as requested.

Numerous other special purpose maps were prepared for meeting purposes including bicycle trail maps, annexation maps, estimated development density maps and tables for the Limits of Annexation Map area, and other project influence areas. Natural resource, 2010 Census, and jurisdictional boundary information was updated or developed. Traffic count station locations were geo-positioned and linked with the City-County traffic count matrix. The City also upgraded its internal mapping system with an ArcGIS product that makes access to the most current property data and aerial photography better and easier for staff when researching existing conditions of transportation corridors and adjacent property. The new system provides a robust City GIS base map for use in application reviews, transportation planning efforts, and general customer inquiries. Ongoing review and implementation of sub-area neighborhood and transportation plans, and other planning documents was carried out by staff.

2020 is a Decennial Census year; the City-County Planning Division was identified as lead for the County's Complete Count Committee. Staff developed a committee of community leaders to help guide the completion of census forms for a good count of the county. The City of Billings took the lead by providing funds to carryout census activities. This included purchasing promotional materials, banner display during the Census kickoff (April 1) and advertisement. Again, due to COVID-19, many of the promotional materials were unable to be handed out due to public meeting cancellations. Last check on July 9 showed that Yellowstone County had a 69.8% response rate. Montana overall is ranked 46 in response rate.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- The new web-based GIS software is compatible with available datasets and utilizes the existing data sets more effectively. The GIS will be utilized to develop a series of maps, including existing and proposed pedestrian trail routes and projects in the community, maps to implement the Long

Range Transportation Plan, updates to a preferred growth area map in conjunction with the City's Limits of Annexation Map, mapping of focus areas for implementation of the City's Infill Development Policy, and others.

- The City has also rolled out a new web-based system that works with the City's electronic project tracking and management system to provide a visual map view for staff and the public of the location of building permits that have been approved or are under review by the City. This web-based system will assist staff in identifying areas of impacts to the transportation system, specifically managing access.
- The planning staff, under the direction of the Board of Planning, will continue to work on long-range planning projects according to the priorities established by both the City of Billings and Yellowstone County. In particular, the continuing implementation of the South Billings Master Plan, the 2018 Long Range Transportation Plan Update, and the 2016 Bikeway and Trails Master Plan.

Work related to Bicycle-Pedestrian activities in this work element will include:

- Work with staff to insure a bike/pedestrian friendly community.
- Review of proposed subdivision for non-motorized transportation connectivity.

Locally Funded Activities

- Staff also will continue to work with the Big Sky Economic Development (BSED) to implement the Master Plan for the East Billings Urban Renewal District (EBURD), the Hospitality Corridor Planning Study, the Exposition Gateway Concept Plan and the South Billings Boulevard Urban Renewal District (SBBURD) Master Plan. The plans include detailed analysis of the transportation and land use connections in the area and promote sustainable development projects.
- Staff plans to work with the City, County, BSED, and neighborhood groups to identify planning needs in various parts of the urbanized area.
- Continued maintenance and update of socio-economic and land use data for both transportation and comprehensive planning activities will continue in 2020, with 2010 Census information and the newly released 2018 American Community Survey data.
- Various GIS databases and layers will continue to be developed and centrally maintained, including information on neighborhoods, community assets, route planning, trail systems and transportation plans.
- The new web-based system tracking and managing projects will include application information on zoning and subdivision applications.

STAFFING

21 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Various reports, files, and projections of socio-economic data necessary for current transportation and comprehensive planning activities, as well as support of City/County economic development activities.
- An ongoing GIS database/mapping system for the City of Billings and Yellowstone County.
- Ongoing updates to the preferred growth areas mapping and analysis for the City, implementation of the City Infill Development Policy, SBBURD Master Plan, the 2018 Long Range Transportation Plan Update, 2018 Public Participation Plan, the Downtown Area Traffic Circulation and Safety Study, Wayfinding Sign Plan, and the Heritage Trail Tour Map and App.

FUNDING SCHEDULE - COMMUNITY PLANNING

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$73,500	$171,500	$245,000
TOTAL	$73,500	$171,500	$245,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	30	70	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$77,100	$179,900	$257,000
TOTAL	$77,100	$179,900	$257,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

204 ZONING ADMINISTRATION (4308)

OBJECTIVE

- To oversee, interpret and enforce current City and County zoning regulations.
- To effectively administer the regulations and provide efficient service to the elected officials and the public.
- To maintain current zoning and land use information for all zoned property within the jurisdiction of the Billings Metropolitan Planning Organization to use in long-range transportation planning studies, traffic analysis, and transportation projects.

ACCOMPLISHMENTS - FISCAL YEAR 2020

During the past year, all applications for zone changes, special reviews, variances, and planned developments were reviewed and processed by the planning staff. Reports and recommendations were prepared on each case to the various boards, commissions, and governing bodies. Digital photos are now incorporated into all zoning reports and Microsoft Power Point presentations are given to all boards and commissions. Staff is in the process of ongoing scanning of historic zoning files in preparation of future citizen access through a new archiving system software. All applications for building permits were also reviewed for compliance with City and County zoning regulations. Special zoning studies and ordinance updates were prepared as requested by the governing bodies. These included making a series of zoning code amendments to bring the regulations into compliance with changes in State Law and changes driven by community interests.

Staff coordinated with the County GIS Department to ensure that all zone changes within the Billings MPO area were reflected on GIS online and printed maps to ensure land use information was current.

A significant amount of time was also spent assisting the public with general zoning questions. The status of all active zoning applications is now posted on the City/County Planning websites.

The large undertaking of completely re-writing the Zoning Code started in early 2018 and is expected to be completed by the end of 2020. This included separating the Unified Zoning Code into separate codes for the City and County.

The City Zoning Commission is beginning a series of public hearings on the Public Review Draft Code in July. The County Zoning Commission will start their series in August. At least one joint hearing with both City & County Zoning Commission will happen in September to review some site development sections that are similar for both jurisdictions – Signs, Landscaping, and Off Street Parking. We will have at least one hearing on the Map update. We expect to conclude the Zoning Commission hearings and have recommendations to the governing bodies – City Council and Board of County Commissioners – in Oct/Nov with eventual adoption before the end of 2020. The Project ReCode web page is still active and most information is found on this page https://project-recode.com including the complete Public Review Draft (one for the city and one for the county), the side-by-side comparison map, outreach materials and project announcements.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- Zoning, Special Review, and Variance applications will be reviewed for land use compatibility, traffic, access, and overall site design. The new Billings Travel Demand Model will be used to evaluate new roadway improvements including but not limited to links, lane changes, transit changes, and addition of bike/pedestrian facilities.
- Staff will continue to maintain its zoning maps and land use information so that it is applicable to long-range transportation planning efforts in the Billings MPO. This information is regularly applied to a variety of MPO functions, including corridor analysis efforts like those involved in the Billings Bypass project, specific road projects, TA program applications and non-motorized grant applications.
- Staff will continue the update to the Zoning Code. It is anticipated the new code will be adopted and implemented by fall of 2020.

Locally Funded Activities

- Carrying out the day to day activities required to effectively administer the zoning regulations as well as ensure that land use information is current and available for all long-range transportation planning efforts, including Transportation Plan updates, specific road projects, corridor studies and the North Bypass project.
- Activity in 2021 will include ordinance updates as required by State law or requested by the public or governing bodies.
- All zone change applications will be reviewed for compliance with local plans.
- Staff will continue the update to Zoning Code based on fulfilling policy goals set by the local governing body including Growth Policy, Neighborhood Plans, Complete Streets and Infill Policies.

STAFFING

10 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Effective zoning regulations and administration for the City of Billings and Yellowstone County. Effective enforcement of the zoning regulations for Yellowstone County.
- Online submittal capability for certain zoning permits, i.e. sign and fence will increase efficiency and convenience for applicants.

FUNDING SCHEDULE - ZONING ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$29,000	$116,000	$145,000
TOTAL	$29,000	$116,000	$145,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	20	80	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$30,400	$121,600	$152,000
TOTAL	$30,400	$121,600	$152,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

205 SUBDIVISION ADMINISTRATION (4309)

OBJECTIVE

- To maintain the current City and County subdivision regulations and ensure that they are updated when changes in State law occur.
- To effectively administer the regulations and provide efficient service to developers, engineers and surveyors, elected officials, and the community.
- To ensure that development is occurring with minimal negative impacts to the community and that subdivisions are designed to be safe and long lasting in the community.
- To evaluate traffic accessibility studies, general circulation data, and ensure conformity with the Functional Classification Map and associated elements of the Long Range Transportation Plan when a subdivision application is submitted.
- To collect, manage, and apply subdivision development information for long-range transportation planning activities for the MPO – including but not limited to updates to the transportation plan and maintenance of inputs for traffic modeling.

ACCOMPLISHMENTS - FISCAL YEAR 2020

The Board of Planning and the planning staff reviewed all preliminary major and minor plat applications. Numerous conceptual and pre-application meetings were coordinated and attended by staff. All final plats were reviewed and processed. Also, a significant amount of time was spent assisting the public with general subdivision questions. Updates to the City and County Subdivision Regulations due to legislative changes were drafted and approved.

Staff collected and compiled information on the details of each new subdivision in terms of numbers of lots and land area slated for development. This information is integral to any transportation plan updates or long-range transportation planning efforts undertaken by the MPO in the community to determine population growth and location of residents and commercial services that affect the transportation system. This involved monthly subdivision activity reporting and periodic reviews of new development locations. This is also considered in relation to the TA program and when the MPO pursues grants for non-motorized transportation projects in the community.

The MPO continues to implement and enforce the Suburban Subdivision Regulations that require property currently outside the city limits but within the County Zoning Jurisdiction that may be annexed in the future to develop at city standards for infrastructure such as curb, gutter, sidewalk, etc. This new procedure has been a positive to residential development on the city fringe areas.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- Staff will review all subdivisions for compliance with the Billings Area Long Range Transportation Plan, and for conformity with the Billings Area Bikeway and Trails Master Plan, Lockwood Transportation Plan, Blue Creek Transportation Plan, and other neighborhood and community transportation plans as applicable. The new Billings Travel Demand Model will be used to evaluate

new roadway improvements including but not limited to links, lane changes, transit changes, and addition of bike/pedestrian facilities.

- Staff also will continue to collect information on the details of each new subdivision as an integral data source for long-range transportation planning efforts undertaken by the MPO. The MPO expects to use this data in 2021 for a variety of projects, including the implementation of the Long Range Transportation Plan, the Bike/Ped Plan and continued analysis for the North Bypass.

Locally Funded Activities

- All subdivision applications will be reviewed for compliance with local and state subdivision law.
- To carry out the day to day activities required to effectively administer the subdivision regulations, and to keep the regulations current.
- Continued implementation of the Suburban Subdivision Regulations within the County Zoning Jurisdiction area.

STAFFING

11.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- An effective subdivision review process with regard to local and state law, the Growth Policy, and the Billings Area Transportation Plan.
- Correctly identified street segments in alignment with the 2018 Transportation Plan Functional Classification Map.

FUNDING SCHEDULE - SUBDIVISION ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$43,500	$101,500	$145,000
TOTAL	$43,500	$101,500	$145,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	30	70	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$45,600	$106,400	$152,000
TOTAL	$45,600	$106,400	$152,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

300 TRANSPORTATION SYSTEM DATA (4310)

OBJECTIVE

- To develop and maintain current transportation system data files and records.
- To provide transportation planning and data information to City and County staff, elected officials, developers, engineering firms, and the general public.

ACCOMPLISHMENTS - FISCAL YEAR 2020

The traffic count program for FY 2020 was completed. Travel times/delay/speed studies were completed, calculations computed, and level-of-service values determined. This data was used for various planning and engineering projects throughout the year. In addition, the public commonly requests this data for land use planning.

Staff participated in the update of the City of Billings Capital Improvement Plan (CIP). Crash information was compiled and analyzed. Crash data is also used in many of the planning studies undertaken by the MPO. The staff also continued to utilize the trail scanners that were purchased and found new and better ways to both use the scanners in more trail locations in the community and display the data for various applications. The MPO also took over collection and distribution of the data from the Lockwood sidewalk counters purchased through the Lockwood Pedestrian Safety District.

The MPO is currently in the process of completing the development of the Billings MPO TransCad Model program.

The transportation data is also being used for our current Planning Studies including the Downtown Billings Safety Plan and the 5th Avenue Corridor Study.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- Complete the development of the Billings MPO TransCad Model program. The ability of the Billings MPO to conduct transportation modeling in-house will benefit the community and will include modeling data on vehicles, bike and transit.
- The traffic count program for the Billings Urban Area as well as the Yellowstone County influence area will be conducted and the appropriate data recorded during FY2021. All traffic count data will be submitted to the MDT by February 1, 2021.
- Crash data will be compiled and analyzed to determine high hazard locations.
- Staff will update, where appropriate, the City's Capital Improvement Program.
- The Contract Position with City Engineering will continue duties of Traffic Demand Modeling and maintenance. This staff person is also certified in drone flight and has completed several flyovers for projects including the City of Billings BUILD grant application.
- Staff will collect and maintain bike/pedestrian information through the trail census and use of the trail-bike/pedestrian scanners. This activity is in conjunction with MPO region wide planning.

- Continued integration of the Transportation Planner II position into the Division's transportation project work and familiarity with transportation planning issues will continue under the direction of the Transportation Planning Coordinator. This individual continues to be responsible for managing traffic data for studies and reference, administering the TA Program, and training for future modeling of traffic conditions related to new developments and transportation system changes.
- The traffic count data archive will be maintained and accessible for other agencies and the public.
- Data will also be used during proposed FY21 Planning Studies.
- The Bicycle-Pedestrian activities will continue. Duties will include but not limited to:
  - Maintain Bike/pedestrian data bases in conjunction with MPO region wide planning purposes.
  - Maintain data base for easement acquisition.

STAFFING

13.5 Staff Months – City/County Planning
11.0 Staff Months - City Engineering (Contract Position)

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning/MDT

PRODUCT

- Documentation as necessary, support of transportation grant programs, transportation system modeling, updated Traffic Count Program, and research and integration of traffic information into planning projects and development review activities.
- Current traffic count data.
- Current bike/pedestrian counts.

FUNDING SCHEDULE - TRANSPORTATION SYSTEM DATA

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$230,000	$0	$230,000
TOTAL	$230,000	$0	$230,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$231,000	$0	$231,000**
TOTAL	$231,000	$0	$231,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

**This Includes - $10,000 for Maintenance of the Billings MPO Travel Demand Model

301 TRANSPORTATION PLAN (4311)

OBJECTIVE

- Implement the Goals and Objectives in the Billings Long Range Transportation Plan.
- Develop (where necessary) and maintain data for the urban area in order to effectively monitor and evaluate the validity of the Transportation Plan.

ACCOMPLISHMENTS - FISCAL YEAR 2020

Staff continued to implement the 2018 Long Range Transportation Plan. Elements in the Plan include Goals and Objectives, a Transit section, an analysis of the railroad interface with the community, and a review of current projects listed in the 2018 Study. The MPO did complete a LRTP Amendment to accommodate the City of Billings desire to convert North 29th and North 30th Streets from one-way to two-way. North 30th is a State route and not identified in the 2018 LRTP as a project. The amendment was adjusted to accommodate this project and make sure the LRTP met all FHWA and MDT conformity requirements.

Staff will continue to implement the 2017 Billings Area Bikeway and Trail Master Plan. This will include working with MDT, City and County Public Works and other organizations with the continued development of the non-motorized transportation system.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- Staff will work to implement the 2017 Billings Area Bikeway and Trails Master Plan.
- Staff will also integrate the 2018 Transportation Plan with the City's Capital Improvement Program to ensure consistency.
- Projects will continue to be reviewed for future implementation in the City's CIP and the MPO's TIP.

STAFFING

9.0 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Implementation of transportation projects identified in the Billings Area Bikeway and Trails Master Plan, the Transportation Improvements Program, Transportation Plan and the Capital Improvements Program.

FUNDING SCHEDULE - TRANSPORTATION PLAN

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$220,000	$0	$220,000
TOTAL	$220,000	$0	$220,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$231,000	$0	$231,000
TOTAL	$231,000	$0	$231,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

302 PLANNING STUDIES (4312)

OBJECTIVE

- To update and develop site-specific plans and transportation studies where appropriate.

ACCOMPLISHMENTS - FISCAL YEAR 2020

- The Downtown Billings Traffic Study is a heavily focused public participation study to gather citizen input on alternatives identified by the City of Billings Engineering Division downtown traffic circulation study, primarily the conversion of one-way streets to two-way streets. Dowl Engineering was the successful consultant selected for this project. Creative outreach had to be considered due to the virus and the inability to meet face to face with the public. Information regarding the ongoing project can be found here: https://dowl.mysocialpinpoint.com/downtown-billings-traffic-study
- The Inner Belt Loop Corridor is currently in final review and adoption by the local governing bodies. The PCC will take final action on the plan on July 21, 2020.
- Sanderson Stewart was chosen to complete the 5th Avenue North Corridor Feasibility Study, this study was started in July 2020. Initial outreach to individual stakeholder groups to start and gather input and comments regarding the project. With COVID-19, creative means to meet with stakeholders is being use and includes in-person (with social distancing protocols) and virtual opportunities.
- Alta Planning + Design was chosen in June 2019 as the consultant to complete the Wayfinding Signage Plan. The project finished in February 2020.
- The Heritage Trail Tour map and app was completed.
- Work was begun on the update to the Complete Streets Progress Report. The Active Transportation Planner is completing this report in-house with assistance from other staff and community partners. This report will be completed by fall of 2020.
- Alta Planning + Design was chosen to complete the Bike/Scooter Share Feasibility Study. This project has just started and is anticipated to be complete by the end of 2020.
- The North Bypass Corridor Study has not begun yet, the Scope of Work will be developed and shared with MDT for concurrence.
- The final project identified in this work element was funding for grant writing. The MPO hired SRF to complete a resubmittal of the City of Billings BUILD grant. This grant application includes a Program of Projects – Inner Belt Loop Connection, Skyline Trail, and Stagecoach Trail. We expect to hear about the grant results on September 15, 2020.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- Complete the Downtown Billings Traffic Study by fall of 2020.
- Complete Street Progress Report by fall of 2020.
- Complete the 5th Avenue North Corridor Feasibility Study. This project just got underway and is anticipated to be complete by the end of the year. This feasibility study will review potential connections, non-traditional motorized and non-motorized system along the 5th Avenue North Corridor between North 32nd Street and Main Street (approximately 2 miles) in downtown Billings. The study includes the railroad spur that begins at North 23rd Street and extends southeast to

Montana Avenue. This study was contemplated in 2016 but not completed. Further pressure from development and analysis of downtown traffic safety and circulation has brought this effort back as an important planning tool.

- Begin the North Billings Bypass Corridor Study. This study could evaluate transportation needs along the proposed alignment of the North Bypass. The study could include future access options as development occurs along the roadway, potential intersections, storm water management, bicycle and pedestrian access and transportation safety along the corridor. The study would focus on the norther portion of the Bypass alignment, at the City/County interface north of the Yellowstone River. ***This study will be in conformance with MDT's existing Environmental Documents.***
- Complete the Bicycle/Scooter Share Feasibility Study. This study is currently underway and will review impacts to the public right of way, including streets and sidewalks. It will assess whether bike/scooter share is possible in Billings.
- The MPO will continually research grant opportunities. This could include additional Federal grants similar to BUILD, or State and Local opportunities.
- Continue to update and distribute the MPO Heritage Trail Bike/Pedestrian Tour Maps.
- Implement and promote the web-based interactive Bike and Pedestrian Mobile Application.
- The Community Transportation Safety Plan was completed in 2016, staff is recommending completing an update to the plan that will include a review and comparison of crash data and re-visit Emphasis Areas for update.
- In 2011, the City of Billings Engineering Division completed a Safe Routes to School Plan for all the Elementary Schools in Billings. Since that plan was completed, the School District underwent a re-districting and boundary changes. The goals of the plan are to enhance the safety of students traveling to and from school and increase the number of students walking or bicycling to school.

Locally Funded Activities

- Staff will be involved in the coordination through completion of all planning studies undertaken. This includes contract negotiations, coordination of citizen advisory groups, public meetings, overseeing contract deliverables and project wrap-up.

STAFFING

6.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- Completed Urban Area-wide transportation studies for the Downtown Area Circulation and Safety Study, updated Complete Streets Benchmark Report, 5th Avenue Corridor, North Billings Bypass Corridor Study, and the Bicycle/Scooter Share Feasibility Study, an update to the Community Transportation Safety Plan and a Safe Routes to School Plan.

FUNDING SCHEDULE – PLANNING STUDIES

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$230,440	$153,560	$384,000
TOTAL	$230,440	$153,560	$384,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	60	40	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$261,000	$174,000	$435,000**
TOTAL	$261,000	$174,000	$435,000**

*The matching ratio is Federal PL--86.58% and State match-13.42%.

**Downtown Area Traffic Circulation and Safety Study Public Participation $20,000; 5th Avenue Corridor Feasibility Study $40,000; North Bypass Corridor Study $120,000; Bike/Scooter Share Transportation System Impact Study $15,000; Complete Streets Progress Report $2,500; Community Transportation Safety Plan Update $50,000; Safe Routes to School Plan $90,000; Grant Writing $45,000.

500 TRANSPORTATION IMPROVEMENT PROGRAM (4313)

OBJECTIVE

- To maintain a viable five-year program of transportation improvements for the Billings Urban Area.

ACCOMPLISHMENTS - FISCAL YEAR 2020

In June of 2020, a Transportation Improvement Program (TIP) covering the period of 2020-2024 was produced to reflect current project status. Determinations were prepared for conformity to the Clean Air Act. Compliance with the requirements of the FAST-Act authorization was completed.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- The Transportation Improvement Program (TIP) will be updated as needed to reflect current project status. A certification statement will be included, as appropriate, to conform to the planning regulations. Based on the Transportation Plan, projects will be evaluated and ranked in accordance with the Priority Ranking Procedures, and in accordance with consistency/conformity procedures. Necessary data will be gathered from primary and secondary sources by the planning staff based upon the Memorandum of Understanding with the City of Billings Public Works Department, establishing areas of data responsibility. Conformity determinations will be prepared as necessary to ensure conformity with the Clean Air Act.

STAFFING

2.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

- A current transportation improvement program which reflects conformity with FHWA, the Clean Air Act, and local priorities.

FUNDING SCHEDULE - TRANSPORTATION IMPROVEMENT PROGRAM

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$34,000	$0	$34,000
TOTAL	$34,000	$0	$34,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$35,000	$0	$35,000
TOTAL	$35,000	$0	$35,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

600 ENVIRONMENTAL CONSIDERATIONS (4314)

OBJECTIVE

- Maintain current records of monitored air pollution levels and obtain other environmental data as necessary within the Metropolitan Planning Area.
- Review proposed development and transportation system improvements with respect to environmental considerations within the MPO influence area.

ACCOMPLISHMENTS - FISCAL YEAR 2020

Air quality monitoring information was obtained from the County Air Pollution Control Board. Air quality mapping for the State Air Quality Bureau was revised. The Congestion Mitigation Air Quality (CMAQ) program was implemented. Staff continues to monitor carbon monoxide (CO) information in the Urbanized Area.

The Socio-Economic and Environmental (SEE) effects guidelines were used to review proposed developments and transportation system improvements.

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- The planning staff will continue to utilize the SEE effects guidelines to evaluate all major development proposals in terms of transportation systems. This would include the CMAQ program.
- Work will continue to maintain the Billings air quality designation.
- Staff will continue to review the MOVES Program and others like it and their relationship to the MPO.

STAFFING

2.5 Staff Months – City/County Planning

FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

PRODUCT

Current environmental data as well as a comprehensive planning and transportation planning process that will substantially addresses the socio-economic and environmental consequences associated with growth and development.

FUNDING SCHEDULE - ENVIRONMENTAL CONSIDERATIONS

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$33,000	$0	$33,000
TOTAL	$33,000	$0	$33,000

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$34,000	$0	$34,000
TOTAL	$34,000	$0	$34,000

*The matching ratio is Federal PL--86.58% and State match-13.42%.

41.17.700 OTHER ACTIVITIES

700 UN-PROGRAMMED FUNDS (4315)

OBJECTIVE

- To provide for the accounting of available un-programmed funds in the current UPWP.

ACCOMPLISHMENTS - FISCAL YEAR 2020
N/A

PROPOSED ACTIVITIES - FISCAL YEAR 2021

PL Eligible Activities

- This work element will be utilized for accounting purposes only. No specific work activity will be charged to this work element.

STAFFING
N/A

FUNCTIONAL AGENCY RESPONSIBILITY
N/A

PRODUCT
N/A

FUNDING SCHEDULE - CONTINGENCY

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	$713,545	$17,540	$731,085
TOTAL	$713,545	$17,540	$731,085

DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	$586,700	$100	$586,800
TOTAL	$586,700	$100	$586,800

*The matching ratio is Federal PL--86.58% and State match-13.42%.

SECTION II -- FUNDING

TABLE I
FUNDING SUMMARY
FEDERAL FISCAL YEAR 2021

WORK ELEMENT	FUNDING SOURCES FY 2021		
	PL*	LOCAL	EST. COST
100 Administration	$231,000	$189,000	$420,000
101 Service	22,000	22,000	44,000
102 Citizen Involvement	35,000	35,000	70,000
200 Community Planning	77,100	179,900	257,000
204 Zoning	30,400	121,600	152,000
205 Subdivision	45,600	106,400	152,000
300 Transportation System	240,000	0	240,000
301 Transportation Plan	231,000	0	231,000
302 Planning Studies	261,000	174,000	435,000
500 T.I.P.	35,000	0	35,000
600 Environmental	34,000	0	34,000
700 Un-Programmed Funds	586,700	100	586,800
TOTAL	$1,828,800	$828,000	$2,656,800

*The matching ratio is Federal PL--86.58% and State match-13.42%.

TABLE II
FUNDING COMPARISONS

WORK ELEMENT	FY 2021 ESTIMATED COST	FY 2020 ESTIMATED COST
100 Administration	$420,000	$382,000
101 Service	44,000	42,000
102 Citizen Involvement	70,000	68,000
200 Community Planning	257,000	245,000
204 Zoning Administration	152,000	145,000
205 Subdivision Administration	152,000	145,000
300 Transportation System Data	240,000	230,000
301 Transportation Plan	231,000	220,000
302 Planning Studies	435,000	384,000
500 T.I.P.	35,000	34,000
600 Environmental Considerations	34,000	33,000
700 Un-Programmed Funds	586,800	731,085
TOTAL	$2,656,800	$2,659,085

TABLE III
FUNDING PERCENTAGES FEDERAL FISCAL YEAR 2021

WORK ELEMENT	RECIPIENT	PL	LOCAL	TOTAL
100 Administration	MPO	55	45	100
101 Service	MPO	50	50	100
102 Citizen Inv.	MPO	50	50	100
200 Community Planning	MPO	30	70	100
204 Zoning Administration	MPO	20	80	100
205 Subdivision Admin.	MPO	30	70	100
300 Trans. System Data	MPO	100		100
301 Transportation Plan	MPO	100		100
302 Planning Studies	MPO	60	40	100
500 T.I.P.	MPO	100		100
600 Environmental	MPO	100		100
700 Un-Programmed Funds	MPO	100		100

TABLE IV
STAFF MONTHS BY WORK ELEMENT FISCAL YEAR 2021

WORK ELEMENT	DIRECTOR (Friday)	SENIOR PLANNER (TRANS.) (Walker)	PLANNER I (Husman)	PLANNING MANAGER (Plecker)	PLANNER II (Mattox)	CLERK (Deines)	PLANNER II (Green)	PLANNER I (Vacant)	SENIOR PLANNER (ZONING) (Cromwell)	Active Trans. Planner I (Monat)	TOTAL M.M.
100	7	1.5	2.5	5.5	.5	1.5	.5	.5	1	5.5	26
101	.5		1				.5	.5	1		3.5
102	.5		.5	.5	.5	.5	1	.5			4
200	1.5		5	2	1	2	1	5	1	2.5	21
204			.5	.5		.5	.5	2	6		10
205			.5	1		.5	7.5		2		11.5
300		2.5	.5	.5	5	2				3	13.5
301	.5	4		.5	2	2					9
302	.5	1		.5	1	1		2.5			6.5
500	.5	1			.5	.5					2.5
600		1	.5		.5	.5					2.5
TOTAL	11	11	11	11	11	11	11	11	11	11	110

*This table indicates approximately how many man months individual staff members work in each work element.

WORK ELEMENT	CITY TRAF. TECHNICIAN
300	11
TOTAL	11

SECTION III

INDIRECT COST PLAN

INTRODUCTION

The Office of Management and Budget Circular 2 CFR Part 200 is used as governing criteria for establishing the allowed costs.

IDENTIFICATION OF COSTS

The costs are delineated below by type:

DIRECT	INDIRECT	BENEFITS
Salaries & Wages	Maintenance	FICA
Legal Notices	Reproduction	PERS
Travel	Supplies	Workmen's Compensation
Printing	Postage	Accident Insurance
Training	Subscriptions	Health Insurance
Consultants	Telephone	Sick Leave
Equipment	Utilities	Vacation
Mileage	Rent	Holidays
Moving/Interview	Audit	Maternity
	Messenger	Military
		Life Insurance
		Dental Insurance

ALLOCATION OF COSTS

Direct costs will be charged to the work program line item to which they apply.

An indirect cost rate of **11%** of the City and County's direct salaries and wages is proposed. The **11%** rate will be applied to the direct wages and salaries of each line item within the work program to cover all indirect expenses.

Benefits will be calculated at a rate of **48%** of the City and County's direct salaries and wages charged to each line item.

FUNDING SOURCES

The degree of participation by each funding agency is based on the pro-rations which have been determined for each line item. Each agency will be billed their share of the total charges made against each line item according to the approved pro-rations.

Funding sources and amounts contained in the UPWP are as follows:

Planning Dept. Fees (City of Billings)	$250,000
Planning Dept. Fees (Yellowstone Co.)	$75,000
Yellowstone County (Mill)	$503,000
PL*	$1,828,800
TOTAL	$2,656,800

*The matching ratio is Federal PL--86.58% and State match-13.42%.

SUMMARY

The indirect cost rate is a predetermined fixed rate which is not subject to adjustment. The base period used in determining the rate is the period from July 1, 2019 through June 30, 2020. The calculated rate is applicable to the grant period, which is October 1, 2020 through September 30, 2021.

LIST OF ACRONYMS

ADA	American Disability Act
BSEDA	Big Sky Economic Development Authority
CAC	Citizen Advisory Committee
CMAQ	Congestion Mitigation Air Quality
CTEP	Community Transportation Enhancement Program
EBURD	East Billings Urban Renewal District
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GIS	Geographic Information System
HPMS	Highway Performance Monitoring System
ISTEA	Intermodal Surface Transportation Efficiency Act
MAP-21	Moving Ahead for Progress in the 21st Century
MDT	Montana Department of Transportation
MPO	Metropolitan Planning Organization
PCC	Policy Coordinating Committee
PEP	Private Enterprise Participation
PL	Planning Funds
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act for the 21st Century
TA	Transportation Alternative Program
TAC	Technical Advisory Committee
TDP	Transit Development Plan
TIP	Transportation Improvement Program
UPWP	Unified Planning Work Program
VMT	Vehicle Miles Traveled
YCBP	Yellowstone County Board of Planning

CHAPTER II

CITY OF BILLINGS TRANSIT DIVISION

SECTION I UNIFIED PLANNING WORK PROGRAM ELEMENTS

44.21.00 PROGRAM SUPPORT & ADMINISTRATION

44.21.01 ADMINISTRATION

OBJECTIVE

- To provide program support, general administration and grant administration
- To provide training in support of transit planning activities.

ACCOMPLISHMENTS - FISCAL YEAR 2020

Conformance with federal, state, and local administrative and regulatory requirements for maintenance of transit planning and development as well as execution of developed plans.

Staff remained informed of Federal and State requirements concerning all federal funding sources including, but not limited to, sections 5303, 5307, 5310, and 5339. Staff also adjusted grants in response to the CARES Act and Federal Transit Administration COVID response.

Staff continued to manage and execute programmed aspects of previously awarded 5339(B) funding for years FY18 and FY19.

Researched and procured automated passenger counters to aid in increased data collection efficiency and accuracy.

Staff attended training opportunities to enhance knowledge and skills, including the Transit Bus Conference, the Montana Transit Association NTD training, and multiple webinars focusing on the Transit Safety Plan requirements, Transit Asset Management, and COVID response.

Staff maintained and updated the Transit Asset Management (TAM) Plan with upcoming and in-process capital projects, as well as fleet and facility metrics to ensure accurate capital and asset planning.

Staff worked on improvements to electronic data-keeping practices to enhance grant management, National Transit Database reporting, and the overall planning process.

In response to findings of the 2019 Triennial Review, staff authored, and received approval of, updated Financial and Procurement Policies and Procedures, a Public Participation Plan, an updated Title VI plan, and an updated Equal Employment Opportunity policy and plan.

Staff managed FTA Section 5303 grant activities and prepared the transit aspect of Unified Planning Work Program.

Significantly revised the Billings Area Human Services Transportation Coordination Plan and Committee structure to support improved project guidance and discussion.

Transit members attended and participated in diverse range of transit-related and general community meetings including the Billings Technical Advisory Committee (TAC), the Policy Coordinating Committee (PCC), City of Billings Transportation Team meetings, Healthy By Design Coalition meetings, and various project specific coordinating committees for transportation related projects. As the lead agency on the Coordinated Human Services Transportation Plan Committee, staff also provided guidance and updates to the plan and submitted required annual grant forms.

PROPOSED ACTIVITIES - FISCAL YEAR 2020

All administrative functions necessary in support of transit planning and development will be performed under this work element. Activities will include:

- Continuing to improve data-keeping and gathering practices with further technology utilization and process improvement.
- Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation, Urban Planning Division to maintain funding requirements.
- The FY 2021 UPWP will be monitored and revised as necessary.
- The FY 2022 UPWP for transit activities will also be developed within this element.
- Staff will execute grant administrative functions; staff will continue research and development regarding the utilization of FTA funding, including furthering innovative funding practices and partnerships as well as ensuring proper execution of COVID related activities and expenditures
- Maintenance of coordination agreements with 5310 providers and, as the lead agency, updates to the Billings Area Human Services Transportation Coordination Plan.
- Development and application for capital grants as advised by the Transportation Coordination Plan Committee.
- Development and application for capital grants in the 5339(B) Bus and Bus Facilities program and other funding opportunities.
- Participation in recognized and approved training programs in order to improve skills and capabilities.
- Division policy assimilation of documents, regulations, codes, and practices to ensure compliance with federal, state, and local requirements as they relate to the transit planning process.

- Participate with the TAC, Transportation Coordination Plan Committee, citizen advisory boards and other committees throughout the community as needed.
- Staff will continue updating and maintaining the FTA mandated Transit Asset Management Plan
- Staff will continue to develop and implement the required Public Transit Agency Safety Plan including research and development of significant training and safety programs.

STAFFING

190.0 Transit Manager Staff Hours
57.0 Transit Supervisor Staff Hours (4 positions)
68.4 Administrative Support Staff Hours (2 positions)
38.0 Aviation/Transit Director Staff Hours

353.4 Total Staff Hours

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit

PRODUCT

- An ongoing administrative program to carry out the transit elements identified within this UPWP
- Administrative oversight and execution of transit planning, development functions.
- Enhancement of transit division skills and knowledge.
- Proper maintenance and administration of grant related activities.

FUNDING SCHEDULE - ADMINISTRATION

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$6,247	$24,988	$31,235
TOTAL	$6,247	$24,988	$31,235

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$5,743	$22,973	$28,716.00
TOTAL	$5,743	$22,973	$28,716.00

44.24.00 SHORT RANGE TRANSPORTATION PLANNING

01 FUTURE SERVICE EVALUATION AND ANALYSIS

OBJECTIVE

To facilitate considerations of means to ensure citizens will have acceptable public transportation alternatives in the future, including during times of limited financial resources.

ACCOMPLISHMENTS FISCAL YEAR 2020

Members of the transit division updated projections of future revenues and expenses and directed annual budget and financial resources analysis, including multi-year forecasts.

Staff arranged for and ensured execution of on-going data gathering and analysis efforts to monitor current system effectiveness and efficiency. This assisted in identification of operating and capital needs required to ensure a reliable and effective system into the future.

Staff assisted with and prepared related grant applications, grant revisions, and budget documents.

Researched, procured, and implemented a cloud-based software solution to assist with fixed-route planning and analysis.

Transit Division members performed an in-depth operational analysis of the transit system including analysis and implementation of potential system wide changes focused on increased frequency in key geographic areas. This process also included an initial assessment of moving the system to designated stops and away from the "flag stop" process currently in place.

Staff planned, created, and executed a Community Wide Transit Survey for feedback on potential future system modifications, receiving 627 total response. 446 responses received were form City of Billings residents; when considering a population of approximately 120,000, this means the survey results were well within a 95% confidence level with a 5% margin of error. The results are being utilized in both future service evaluation as well as current service enhancements.

Staff tracked and compiled on-going ridership metrics by route and mode to support planning practices.

Staff provided information and comments related to transit at meetings geared toward development, annexation, and traffic projects. Staff also received and responded to system inquiries, concerns, complaints, and suggestions.

PROPOSED ACTIVITIES FISCAL YEAR 2021

Functions necessary in support of future transit planning and development will be performed under this work element, including continuation of activities undertaken in FY 2020. These activities necessitate the ongoing cloud-based software costs for route development and planning, which is included under this element. Activities are as follows:

- Develop and implement a Transit Development Plan including both short term and long term transit goals. Staff will now utilize consultation services for this project with an RFP published and project awarded in Q4 of FFY21.
- Complete an in-depth analysis of the financial and operational feasibility of transitioning the system to designated stops and develop a bus stop master plan to support future planning.
- Finalize fixed-route system analysis in pursuit of additional service hours, additional routes to address growth projections, and more efficient and effective use of existing resources.
- Continue investigating feasibility of expanding service beyond existing city limits and engage county stakeholders in discussion regarding potential for service to outlying areas.
- Performance of financial analysis and planning in support of modified frequency and expanded service
- Assessing ongoing and future capital and operating requirements based upon projected demand and growth.
- Continued research on feasibility of additional technology conveniences for passengers including electronic signage and amenities at transfer centers and stop locations.
- Continuation of planning efforts regarding public and stakeholder involvement and input opportunities, including recruiting involvement from key partners.
- Facilitation of public meetings to support planned system improvements as well as specialized services for seniors and disabled.

STAFFING

485.00	Transit Manager Staff Hours
266.75	Transit Supervisor Staff Hours (4 positions)
198.85	Administrative Support Staff Hours (2 positions)
97.00	Aviation/Transit Director Staff Hours
1047.60	**Total Staff Hours**

PRODUCT

- Identification of and plans for efficient and effective transit service into the future.
- Financial and capital analyses for future transit enhancements.
- Identification and assistance in implementation of future system modifications.

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit

FUNDING SCHEDULE – FUTURE SERVICE EVALUATION AND ANALYSIS

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$14,171	$56,686	$70,857
TOTAL	$14,171	$56,686	$70,857

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$31,906	$127,623	$159,529
TOTAL	$31,906	$127,623	$159,529

02 CURRENT SERVICE ENHANCEMENT

OBJECTIVE

To improve service, ridership, and effectiveness of the existing transit system.

ACCOMPLISHMENTS FISCAL YEAR 2020

Division members assessed upcoming and immediate operational needs and made recommendations on capital and operational projects. Staff successfully completed the implementation of multiple technology enhancements including:

-Automated passenger counters
-On-board wireless internet access
-Pilot of automated voice annunciation in existing fleet vehicle; addition of annunciation systems to current fixed-route vehicle order at completion of pilot
-Electronic fare card implementations.

All of these systems also allows for the enhanced gathering of metrics including ridership and mileage while also enhancing customer experience.

Formulated contingency plans for potential service reductions and other impacts in response the COVID-19 health crisis.

Staff assisted in significant revisions to specifications for new fixed-route rollingstock and subsequently procured a significant number of replacement vehicles to support and enhance continuing service.

Staff reviewed ridership data in analysis of system functioning and updated passenger miles travelled metrics; members also provided monthly ridership analysis (including ADA lift use and bike rack use), assessed ridership trends, and prepared other information on system functioning as requested.

Staff prepared National Transit Database reports for monthly submission of required metrics as well as annual reporting requirements.

Division members monitored operational data to analyze ongoing improvements to routes and schedules, identifying minor system changes and implementing improvements as possible to existing routes and services.

Staff members regularly participated in group meetings and committee meetings (both in person and virtual) to solicit partner and public feedback on current system usage, demands, successes and shortfalls.

Staff successfully planned and implemented employee and passenger safeguarding procedures and policies in response to the COVID-19 health crisis.

PROPOSED ACTIVITIES FISCAL YEAR 2021

Functions necessary in support of planning and development of enhancements to the current systems will be performed under this work element, including continuation of activities undertaken in FY2020. Activities are as follows:

- Develop and implement a master marketing strategy to guide market research, promote public awareness and increase ridership. Staff will now utilize consultation services for this project with an RFP published and project awarded in Q4 of FFY21.
- Continue implementing current marketing strategy to attract and educate new transit users and existing passengers on how to utilize the transit system, including providing travel training options to the public; this will also serve to enhance the public image of the existing system and services.
- Develop and implement further outreach programs to increase community engagement through partnerships and other forms of participation.
- Identification and implementation of means to improve current service, including full system analysis of efficiency and effectiveness with recommendations on immediate improvements for the current transit system.
- Assessment of current personnel usage for areas of improvement in utilization of resources and effectiveness. Research and assess feasibility of adding electronic staff scheduling and run cutting system to increase efficiency of current operations in fixed-route service.
- Procurement and implementation of further technology enhancements to the existing technology solutions system to gather data, improve efficiency, provide further customer conveniences, and enhance safety.
- Maintain monthly ridership figures and summary figures for effective decision-making. ; complete related National Transit Database reports.
- Solicit and record public reaction to any modified routes, schedules, marketing efforts, and technology enhancements.
- Assessment of current budgetary impact of potential improvements.

STAFFING

451.94	Transit Manager Staff Hours
248.56	Transit Supervisor Staff Hours (4 positions)
185.29	Administrative Support Staff Hours (2 positions)
90.39	Aviation/Transit Director Staff Hours
976.18	**Total Staff Hours**

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit

PRODUCT

- **Information relating to potential enhancements for existing service and system.**
- **Recommendations for immediate improvements.**
- **Information and recommendations on passenger marketing and outreach**
- **Analyses of current system functions.**
- **Budget alternatives.**

FUNDING SCHEDULE – CURRENT SERVICE ENHANCEMENTS

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$14,479	$57,918	$72,397
TOTAL	$14,479	$57,918	$72,397

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$16,734	$66,935	$83,669
TOTAL	$16,734	$66,935	$83,669

44.25.00 Transportation Improvement Program (TIP)

01 T.I.P

OBJECTIVE

To maintain a viable five year program of transit improvements for the Billings Urbanized Area.

ACCOMPLISHMENTS FISCAL YEAR 2020

The Transportation Improvement Program (TIP) was updated to more effectively reflect project status and include upcoming projects. The TIP underwent an significant formatting change that resulted in an improved sharing of information regarding area projects. Updated projects were also added to the Division's Transit Asset Management Plan (TAM), Capital Improvement Plan (CIP), and Equipment Replacement Plan (ERP).

An MPO representative was directly integrated into the Human Services Transportation Committee to assist in community-wide Section 5310 project prioritization for inclusion in the TIP. The Statewide Transportation Improvement Program (STIP) process was also addressed and monitored.

PROPOSED ACTIVITIES FISCAL YEAR 2021

Functions necessary in support of transit related project inclusion in the Transprotation Improvement Program will be performed under this work element. Activities are as follows:

- Division members will develop and compile information on operating and capital projects which MET Transit plans to pursue grant assistance for inclusion in the TIP; this includes utilizing and updating the Division's TAM, CIP, and ERP as required.
- All applicable projects will be provided to the MPO for inclusion in the program.
- Staff will monitor inclusion in the TIP and STIP to ensure ability to obtain federal Sections 5307, 5310 & 5339 and other applicable grants are not affected.

STAFFING

67.30	Transit Manager Staff Hours
20.19	Transit Supervisor Staff Hours (4 positions)
24.23	Administrative Support Staff Hours (2 positions)
13.46	Aviation/Transit Director Staff Hours
125.18	**Total Staff Hours**

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit will provide transit-related information to the City/County Planning Department for the MPO's inclusion in the TIP document.

PRODUCT

- Updated Division plans including Transit Asset Management, the Capital Improvement Program, and components of the Equipment Replacement Plan
- Annual inclusion of projects in TIP as necessary per FTA regulations.
- Amendments to TIP as necessary to include new projects.

FUNDING SCHEDULE – T.I.P.

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$2,127	$8,509	$10,636
TOTAL	$2,127	$8,509	$10,636

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$2,034	$8,138	$10,172
TOTAL	$2,034	$8,138	$10,172

44.26.00 Implementation of Americans with Disabilities Act (ADA)

01 IMPLEMENTATION OF AMERICANS WITH DISABILITIES ACT (ADA)

OBJECTIVE

To ensure optimal use of City of Billings funds in meeting the transportation needs of seniors and individuals with disabilities in both specialized and fixed route transportation in accordance with Federal Regulations, especially concerning the Americans with Disabilities Act (ADA).

ACCOMPLISHMENTS FISCAL YEAR 2020

Division members significantly improved the paratransit Eligibility Certification process, including streamlining the application and addressing operational policy issues.

Staff investigated methods to improve paratransit efficiency and cost-effectiveness, including assessing and procuring new a dispatching and scheduling software solution.

Members also assessed financial and operational functioning of paratransit services including contractual agreements with area agencies including the Adult Resource Alliance and the State of Montana Developmental Disabilities Bureau. These agreements were subsequently re-negotiated, updated, and modified to ensure more effective transportation service to seniors and individuals with disabilities.

Staff monitored procedures and policies involving lift-equipped fixed-route service and other accessibility features/requirements; this included assessing future vehicle needs and relevant procurement of vehicles as related to service for seniors and individuals with disabilities.

Staff familiarized seniors and individuals with disabilities with fixed route system use as appropriate via MET's travel training program.

Staff continued to coordinate transportation services among 5310 transit providers, social service agencies and the general public to provide an overall strategy to enhance transportation access, minimize duplication of services and facilitate the most appropriate cost-effective transportation possible within available resources. This also included outreach and engagement to improve and advance the coordination plan as well as to improve community relations.

PROPOSED ACTIVITIES FISCAL YEAR 2021

Functions necessary in support of planning and development of transit related Americans with Disabilities projects, procedures, outreach, and other related activities will be performed under this work element. Activities are as follows:

- Plan and develop additional training for MET operators and employees focused on interacting with seniors and individuals with disabilities.
- Staff will continue to provide outreach and education for professionals, organizations, and

other identified entities in the community including participating on advisory groups in order to maintenance positive relationships with individuals with disabilities and senior communities.

- Staff will continue to facilitate and encourage involvement in regular Billings Area Human Services Transportation Coordination Plan meetings with human service providers, social service agencies, transportation providers and the public to coordinate efforts associated with transit capital and service planning.
- Continue to facilitate effective service provision and usage of lift-equipped fixed-route vehicles; assess and recommend capital and operational projects with the intent of supporting existing service and adding potential enhancements.
- Continue identification of means to address transit and paratransit needs, assessing both short and long term paratransit needs, the organizational and financial capabilities of addressing those needs, and the inclusion of such needs in an overall Transit Development Plan.
- Conduct an overall paratransit system analysis for efficiency and effectiveness in relation to the current COVID crisis, with emphasis on demand and best utilization of paratransit resources moving forward.
- Continue community outreach to the public and organizations in support of improving access to transportation for seniors, individuals with disabilities, and low-income populations; continue participation on community committees meetings while exploring avenues for further outreach and engagement.
- Continue working with contracted providers in execution of agreements including existing agreements with the Adult Resource Alliance and the State of Montana, ensuring modifications are made as necessary to increase the efficiency and effectiveness of service.

STAFFING

420.00	Transit Manager Staff Hours
231.00	Transit Supervisors Staff Hours (4/ positions)
172.20	Administrative Support Staff Hours (2 positions)
84.00	Aviation/Transit Director Staff Hours
907.20	**Total Staff Hours**

FUNCTIONAL AGENCY RESPONSIBILITY

City of Billings Transit Division – MET Transit

PRODUCT

- Continued consensus with and support of City of Billings compliance with ADA regulations related to transit
- Continued community consensus and support of City of Billings methods for addressing of specialized needs, including lift-equipped vehicles and other options for individuals with disabilities and seniors.
- Recommendations and proposals for enhancements to existing system and programs in support of ADA compliance and regulations aimed at increasing efficiency and effectiveness.

- Public involvement and feedback regarding potential system enhancements in support of transportation for seniors and individuals with disabilities.

FUNDING SCHEDULE – T.I.P.

FUNDS PROGRAMMED - FISCAL YEAR 2020

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$13,093	$52,373	$69,228
TOTAL	$13,093	$52,373	$69,228

FUNDS PROGRAMMED - FISCAL YEAR 2021

FUNDING SOURCE

AGENCY	LOCAL	FTA	TOTAL
MET	$14,064	$56,257	$70,321
TOTAL	$14,064	$56,257	$70,321

SECTION II FUNDING SUMMARY

FEDERAL FISCAL YEAR 2021

WORK ELEMENT	FUNDING SOURCES FY 2021			STAFF HOURS
	LOCAL	FTA	EST. COST	
44.21.01 Administration	$5,743	$22,973	$28,716	353.40
44.24.01 Future Service	$31,906	$127,623	$159,529	1047.60
44.24.02 Current Service	$16,734	$66,935	$83,669	976.18
44.25.01 T.I.P.	$2,034	$8,138	$10,172	125.18
44.26.15 ADA Service	$14,064	$56,257	$70,321	907.20
Planning Software	$3,000	$12,000	$15,000	N/A
TOTAL	$73,481	$293,926	$367,407	3409.56

ALLOCATION OF COSTS

Expenditures identified include direct costs, benefits at the rate of 48% of direct salary or wages, and indirect costs at the rate of 11% of direct salary or wages.

Federal Transit Administration Section 5303 funding is available at an 80% reimbursement rate, meaning the local to FTA funding ratio for all categories is 20% local, 80% federal.

City Council Regular
Date: 07/12/2021
Title: Amendment One to Automobile Rental Concession and Leases
Presented by: Kevin Ploehn, Director of Aviation and Transit
Department: Airport
Presentation: No

RECOMMENDATION

Staff recommends that City Council approve Amendment One to each of the Automobile Rental Concession and Leases, extending the term of each Lease to June 30, 2022.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The current Automobile Rental Concession and Leases with the five car rental concessionaires at the Airport expire on June 30, 2021. The current concessionaires are: (1) Overland West, Inc., DBA Hertz Rent A Car, (2) Enterprise RAC Company of Montana/Wyoming, LLC DBA Enterprise Rent-A-Car, (3) Larson Enterprises, Inc. DBA Avis Rent a Car and Blackfoot Rentals Inc. DBA Budget Rent A Car, (4) Enterprise RAC Company of Montana/Wyoming, LLC DBA Alamo Rent A Car and National Car Rental, and (5) Overland West, Inc. DBA Thrifty Car Rental and Dollar Car Rental. Given the current shortage of available automobiles, and the other unique, challenging, and continuing impacts to the travel and car rental industries resulting from the COVID-19 pandemic, the Concessionaires desire to extend the existing Leases for an additional year to allow more time for the travel and car rental industry constraints to return to more normal conditions.

In February 2021, the Airport issued and advertised a Request for Expression of Interest (RFI) for interested parties to operate an automobile rental concession in the Terminal Building. The RFI was advertised in the *Yellowstone County News* on February 19 and 26, and posted on both the City Website and the Airport Website. The purpose of the RFI was to determine if any other companies were interested in operating an automobile rental concession in the Terminal. If there were numerous new companies with an interest in operating an automobile rental concession in the Terminal, the Airport would proceed with the Request for Proposal (RFP) process. Six responses to the RFI were received; five of the responses were from the five current concessionaires already operating in the Terminal and one additional new respondent. As the availability of vehicles for the car rental fleets became increasingly difficult to obtain, staff followed up with the single new respondent, a small company that had never operated an airport automobile rental concession, to inquire about their ability to provide vehicles under a concession lease. Staff received no further response or interest from the new respondent. As a result, staff determined that a one-year extension to the existing Leases was in the best interest of all parties, to allow time for conditions to normalize. Amendment One to each Lease extends the term of each Lease by one year for a new expiration date on June 30, 2022.

ALTERNATIVES

City Council may:

- Approve Amendment One to each of the Automobile Rental Concession and Leases; or
- Not Approve Amendment One to each of the Automobile Rental Concession and Leases.

FISCAL EFFECTS

The one-year extension maintains all concession terms and conditions, the existing space, fee structure, and Minimum Annual Guarantee (MAG) as expressed in each of the expiring Leases, and only extends the Concession and Lease period for each Automobile Rental Concession for one year.

City Council Regular

Date: 07/12/2021
Title: Purchase Playground Equipment for Lillis Park
Presented by: Mark Jarvis
Department: Parks/Rec/Public Lands
Presentation: No

RECOMMENDATION

Staff recommends Council approve the purchase of playground equipment for Lillis Park from Norhtwest Playgrounds in the amount of $199,772.87.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The playground equipment at Lillis Park has reached the end of its useful life and needs to be replaced. Council approved $300,000 for this purpose in FY 21. Staff intends to use the State of Montana Cooperative Purchasing Program to purchase the equipment. The Cooperative Purchasing Program negotiates a discounted price with vendors, enabling municipalities to purchase items directly from approved vendors in lieu of the traditional bidding process.

The department engaged the community and increased public input through a voting contest that allowed community members to view a series of playground design layouts and cast a vote for the ones they liked best. Staff selected and developed two playground layouts for Lillis Park. The voting contest allowed citizens to participate directly in the playground selection process and shape the final playground design. Links for community members to vote were located on our website and department Facebook page. We received over 1,200 votes in the contest and the winning choice comprised the final playground layout design. See Attachment A. The equipment will be purchased from Berliner through Northwest Playgrounds at a cost of $199,772.87. This vendor is a manufacturer of play equipment nationally and internationally meeting all industry and federal standards. Staff is seeking Council approval for the purchase of this equipment.

The remaining funding will provide for sub-surface drainage, fall protection and play equipment installation.

ALTERNATIVES

City Council may:

- Approve purchasing the Northwest Playground equipment for $199,772.87; or,
- Not Approve the purchase and provide guidance to staff.

FISCAL EFFECTS

This project was budgeted in FY 21 and is available within Park District 1. Upon approval of this purchase, a budget amendment will be needed to re-appropriate the funds for FY 22.

Attachments

Lillis Park Option 1



AGES 2-5 STRUCTURE



MUSIC/ SOCIAL INTERACTION

Lillis Park

NW030921-1

Northwest Playground Equipment, Inc.
We Work So Others Can Play
P.O. Box 2410 Issaquah, WA 98027
Toll Free: 1.800.726.0031
www.nwplayground.com
sales@nwplayground.com

Equipment Manufacturer

PLAYWORLD The world needs play.

Berliner Play equipment for life



EXTRA WIDE MULTI-PERSON SLIDE



MULTI-LEVEL CLIMBING STRUCTURE FOR 5-12

City Council Regular

Date:	07/12/2021
Title:	Purchase Playground Equipment for Terry Park
Presented by:	Mark Jarvis
Department:	Parks/Rec/Public Lands
Presentation:	No

RECOMMENDATION

Staff recommends Council approve the purchase of playground equipment for Terry Park from Dakota Playgrounds in the amount of $189,702.00.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The playground equipment at Terry Park has reached the end of its useful life and needs to be replaced. Council approved $300,000 for this purpose in FY 21. Staff intends to use the State of Montana Cooperative Purchasing Program to purchase the equipment. The Cooperative Purchasing Program negotiates a discounted price with vendors, enabling municipalities to purchase items directly from approved vendors in lieu of the traditional bidding process.

The department engaged the community and increased public input through a voting contest that allowed community members to view a series of playground design layouts and cast a vote for the ones they liked best. Staff selected and developed two playground layouts for Terry Park. The voting contest allowed citizens to participate directly in the playground selection process and shape the final playground design. Links for community members to vote were located on our website and department Facebook page. We received over 1200 votes and the winning choice comprised the final playground layout design. See Attachment A. The equipment will be purchased from Landscape Structures through Dakota Playgrounds at a cost of $189,702.00. This vendor is a manufacturer of play equipment nationally and internationally meeting all industry and federal standards. Staff is seeking Council approval for the purchase of this equipment.

The remaining funding will provide for sub-surface drainage, fall protection, and play equipment installation.

ALTERNATIVES

City Council may:

- Approve purchasing the Dakota Playground equipment for $189,702.00; or,
- Not Approve the purchase and provide guidance to staff.

FISCAL EFFECTS

This project was budgeted in FY21 and is available within Park District 1. Upon approval of this purchase, a budget amendment will be needed to re-appropriate the funds for FY22.

Attachments

LSI Terry Park Playground Option 1



City Council Regular

Date:	07/12/2021
Title:	Acknowledge Receipt of Petition to Vacate a portion of the Alley adjacent to Western Towers and Set a Public Hearing
Presented by:	Debi Meling
Department:	Public Works
Presentation:	No

RECOMMENDATION

Staff recommends that Council acknowledge the receipt of petition to vacate a portion of the alley right of way adjacent to Lots 13 and 14, Block 5, of the Original Town of Billings, and set a public hearing for August 9, 2021.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The Western Towers apartment complex, located at 429 North 33rd Street, was recently purchased by Apex Billings, LLC. The complex is bordered by an alley along the south side of the property. The complex also has a retaining wall along the southern boundary. With the purchase of the apartment complex, it was determined that the existing retaining wall encroaches on the alley right of way by 1-foot. Apex is requesting the city vacate 1-foot of the alley right-of-way. YMCA owns the property on the other side of the alley. Apex is going to purchase 1-foot of property from the YMCA and dedicate it to the city for the alley. The alley will then remain 20-feet in width. Since this process is a trade in land with no net property lost or gained, there would be no compensation from Apex for the right-of way-vacation. Attached is exhibit showing the proposed vacation and dedication.

ALTERNATIVES

City Council may:

- Approve acknowledgment of petition to vacate the above-mentioned right-of-way and set a public hearing for August 9, 2021.
- Do not acknowledge the petition and terminate the right-of-way vacation process.

FISCAL EFFECTS

There is no financial impact to the city to acknowledge the petition and set a public hearing date.

Attachments

Petition to Vacate
Letter from Petitioner
Alley Vacation Exhibit

REQUEST TO VACATE PUBLIC RIGHT-OF-WAY
CITY OF BILLINGS

Description of Right-of-Way to be vacated:
A parcel of land 1 foot in width and 140 feet in depth along the north portion of the 20 foot public alley between Western Towers and the YMCA as depicted in the attached survey.

We, being all the abutting property owners, request of the City Council the vacation of the above described:

_____Street _ X__Alley _____Other R/W

SIGNATURE	DATE	PROPERTY OWNERSHIP
Apex Billings, LLC By: Justin Hunt Its: Justin Hunt - Member	5-6-21	See Exhibit A attached
Young Men's Christian Association By: Its: CEO	10/27/2020	T01S, R26E Section 3: Block 5, Lot 1-12, & ADJ 80'X 140' Abandoned RR Row, Lots 16-A 17-20 E2 Lots 21-24 & Vac Alley (01)

(Additional signatures, if needed, can be on additional sheets.)

WE, the utility companies and governmental departments, listed below, approve, or disapprove this request as noted by our signatures.

	Approved By/Date	Disapproved By/Date
City Public Works	ATTACHED	
Heights Water	ATTACHED	
Montana Dakota Utilities	ATTACHED	
Northwestern Energy	ATTACHED	
Charter	ATTACHED	
CenturyLink	ATTACHED	
City/Co. Planning	ATTACHED	

(A letter of explanation may be attached with "See Attached Letter" entered in the appropriate signature slot.)

Petitioner's interest in vacating the public right-of-way: See Attached Letter.

REQUEST TO VACATE PUBLIC RIGHT-OF-WAY
CITY OF BILLINGS

Description of Right-of-Way to be vacated:
A parcel of land 1 foot in width and 140 feet in depth along the north portion of the 20 foot public alley between Western Towers and the YMCA as depicted in the attached survey.

We, being all the abutting property owners, request of the City Council the vacation of the above described:

_____Street _ X__Alley _____Other R/W

SIGNATURE	DATE	PROPERTY OWNERSHIP
Apex Billings, LLC By: _____ Its: _____	_____	See Exhibit A attached
Young Men's Christian Association By: _____ Its: _____	_____	T01S, R26E Section 3: Block 5, Lot 1-12, & ADJ 80'X 140' Abandoned RR Row, Lots 16-A 17-20 E2 Lots 21-24 & Vac Alley (01)

(Additional signatures, if needed, can be on additional sheets.)

WE, the utility companies and governmental departments, listed below, approve, or disapprove this request as noted by our signatures.

	Approved By/Date	Disapproved By/Date
City Public Works	_____	_____
Heights Water	_____	_____
Montana Dakota Utilities	_____	_____
Northwestern Energy	_____	_____
Charter	_____	_____
CenturyLink	_____	_____
City/Co. Planning	MMech 3/10/21	_____

(A letter of explanation may be attached with "See Attached Letter" entered in the appropriate signature slot.)

From: Duke Nieskens <cwdbh@hotmail.com>
Sent: Wednesday, February 10, 2021 8:38 AM
To: Pete Knapp
Subject: RE: 20001 - APEX Apartments YMCA alley vacation

Pete,

The District is a governmental agency, not a private utility and has no say in what another government agency does within its jurisdiction.

Thanks,

Duke Nieskens
Manager
County Water District of Billings Heights

From: Pete Knapp <pknapp@sandersonstewart.com>
Sent: Tuesday, February 9, 2021 4:20 PM
To: Duke Nieskens (cwdbh@hotmail.com) <cwdbh@hotmail.com>
Cc: Tim Filz <filz@cfflawfirm.net>
Subject: 20001 - APEX Apartments YMCA alley vacation

Duke,
This is more of a formality than anything else for Height Water.
Tim Filz and Chris Hertz have been in a discussion on a solution to an apparent encroachment onto the alley in Block 5 of the Original Town of Billings.
Tim has prepared the attached petition and we are collecting the needed signatures.
Please sign on Page 3 and return a copy to me and Tim via e-mail.
Thanks.
Pete

Pete Knapp PLS
Senior Professional Land Surveyor

t: 406-869-3312

SANDERSONSTEWART

Billings • Bozeman • Denver • Fort Collins



REQUEST TO VACATE PUBLIC RIGHT-OF-WAY
CITY OF BILLINGS

Description of Right-of-Way to be vacated:
A parcel of land 1 foot in width and 140 feet in depth along the north portion of the 20 foot public alley between Western Towers and the YMCA as depicted in the attached survey.

We, being all the abutting property owners, request of the City Council the vacation of the above described:

_____Street _X_Alley _____Other R/W

SIGNATURE	DATE	PROPERTY OWNERSHIP
Apex Billings, LLC By: _____ Its: _____	_____	See Exhibit A attached
Young Men's Christian Association By: _____ Its: _____	_____	T01S, R26E Section 3: Block 5, Lot 1-12, & ADJ 80'X 140' Abandoned RR Row, Lots 16-A 17-20 E2 Lots 21-24 & Vac Alley (01)

(Additional signatures, if needed, can be on additional sheets.)

WE, the utility companies and governmental departments, listed below, approve, or disapprove this request as noted by our signatures.

	Approved By/Date	Disapproved By/Date
City Public Works		
Heights Water		
Montana Dakota Utilities	2-9-21	
Northwestern Energy		
Charter		
CenturyLink		
City/Co. Planning		

(A letter of explanation may be attached with "See Attached Letter" entered in the appropriate signature slot.)

REQUEST TO VACATE PUBLIC RIGHT-OF-WAY
CITY OF BILLINGS

Description of Right-of-Way to be vacated:
A parcel of land 1 foot in width and 140 feet in depth along the north portion of the 20 foot public alley between Western Towers and the YMCA as depicted in the attached survey.

We, being all the abutting property owners, request of the City Council the vacation of the above described:

_____Street _X__Alley _____Other R/W

SIGNATURE	DATE	PROPERTY OWNERSHIP
Apex Billings, LLC By: _____ Its: _____	_____	See Exhibit A attached
Young Men's Christian Association By: _____ Its: _____	_____	T01S, R26E Section 3: Block 5, Lot 1-12, & ADJ 80'X 140' Abandoned RR Row, Lots 16-A 17-20 E2 Lots 21-24 & Vac Alley (01)

(Additional signatures, if needed, can be on additional sheets.)

WE, the utility companies and governmental departments, listed below, approve, or disapprove this request as noted by our signatures.

	Approved By/Date	Disapproved By/Date
City Public Works		
Heights Water		
Montana Dakota Utilities		
Northwestern Energy	Jordan Mellinger 11/16/20	
Charter		
CenturyLink		
City/Co. Planning		

(A letter of explanation may be attached with "See Attached Letter" entered in the appropriate signature slot.)

REQUEST TO VACATE PUBLIC RIGHT-OF-WAY
CITY OF BILLINGS

Description of Right-of-Way to be vacated:
A parcel of land 1 foot in width and 140 feet in depth along the north portion of the 20 foot public alley between Western Towers and the YMCA as depicted in the attached survey.

We, being all the abutting property owners, request of the City Council the vacation of the above described:

_____Street _X_Alley _____Other R/W

SIGNATURE	DATE	PROPERTY OWNERSHIP
Apex Billings, LLC By: _____ Its: _____	_____	See Exhibit A attached
Young Men's Christian Association By: _____ Its: _____	_____	T01S, R26E Section 3: Block 5, Lot 1-12, & ADJ 80'X 140' Abandoned RR Row, Lots 16-A 17-20 E2 Lots 21-24 & Vac Alley (01)

(Additional signatures, if needed, can be on additional sheets.)

WE, the utility companies and governmental departments, listed below, approve, or disapprove this request as noted by our signatures.

	Approved By/Date	Disapproved By/Date
City Public Works		
Heights Water		
Montana Dakota Utilities		
Northwestern Energy		
Charter	11/16/20	
CenturyLink		
City/Co. Planning		

(A letter of explanation may be attached with "See Attached Letter" entered in the appropriate signature slot.)

REQUEST TO VACATE PUBLIC RIGHT-OF-WAY
CITY OF BILLINGS

Description of Right-of-Way to be vacated:
A parcel of land 1 foot in width and 140 feet in depth along the north portion of the 20 foot public alley between Western Towers and the YMCA as depicted in the attached survey.

We, being all the abutting property owners, request of the City Council the vacation of the above described:

_____Street _ X__Alley _____Other R/W

SIGNATURE	DATE	PROPERTY OWNERSHIP
Apex Billings, LLC By: Its:		See Exhibit A attached
Young Men's Christian Association By: Its:		T01S, R26E Section 3: Block 5, Lot 1-12, & ADJ 80'X 140' Abandoned RR Row, Lots 16-A 17-20 E2 Lots 21-24 & Vac Alley (01)

(Additional signatures, if needed, can be on additional sheets.)

WE, the utility companies and governmental departments, listed below, approve, or disapprove this request as noted by our signatures.

	Approved By/Date	Disapproved By/Date
City Public Works		
Heights Water		
Montana Dakota Utilities		
Northwestern Energy		
Charter		
CenturyLink	Kenneth Smith 12/8/2020	
City/Co. Planning		

(A letter of explanation may be attached with "See Attached Letter" entered in the appropriate signature slot.)

Petitioner's interest in vacating the public right-of-way: See Attached Letter.

The petitioner acknowledges and understands that the City will appoint an appraiser to estimate the value of the real property being vacated, and the petitioner agrees that the fee for the appraiser will be borne by the petitioner(s).

ATTACHMENTS:

_____Title Report(s)
_____Comments from all Utilities
_____Map of R/W to be Vacated
_____Traffic Accessibility Study (When required by the City)

AN APPLICATION FEE OF $200 MUST ACCOMPANY THIS PETITION.

Fee Received By:_____ Date:_____
City Engineers Office

A DEPOSIT FOR AN APPRAISAL MUST ALSO ACCOMPANY THIS REQUEST.

Deposit Amount:_____

Received By:_____ Date:_____
City Clerk

Copies of City of Billings Ordinance No. 80-4269 and 90-4822, establishing the procedure and compensation to the City of Billings for Discontinuance and Vacation of City Streets, Alleys, and Rights-of-Way, are attached for reference.

The application fee, as stated in BMC 22-602, will be set by the City Administrator after review by the staff. The City Clerk will advertise the public hearing at least one week before the petition is acted upon by the City Council.

This petition is to be returned to the City Clerk, PO Box 1178, Billings, MT 59103. (First Floor, City Hall)

This petition must be accompanied by the statements and reports as listed in BMC 22-601 (a), (b), (c), (d), (e), and (f). (Copy attached)

CONTACT PERSON FOR PETITION:

Tim Filz
Telephone No.:406 869-4472
Mailing Address: 19 36th Street
West, Suite 3, Billings MT 59012

Date:_____

CITY COUNCIL ACTION:_____

DATE:_____

EXHIBIT A

Parcel A:
Block 3: Lots 22, 23, 24 and the Southerly 10.69 feet of Lot 21;
Block 5: Lots 13 and 14;
all in Town of Billings, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document #16312.

TOGETHER with vacated Fifth Avenue North lying Easterly of the East line of North 33rd Street and Easterly of the Eastline of Division Street as said vacated Fifth Avenue North adjoins said Lot 24 of Block 3 on the South and as said vacated Fifth Avenue adjoins said Lot 13 of Block 5 on the North.

Parcel B:
Lots 45 and 46, Block 6, of West Side Addition, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County.

EXHIBIT B

PARTIAL ALLEY VACATION

WITHIN

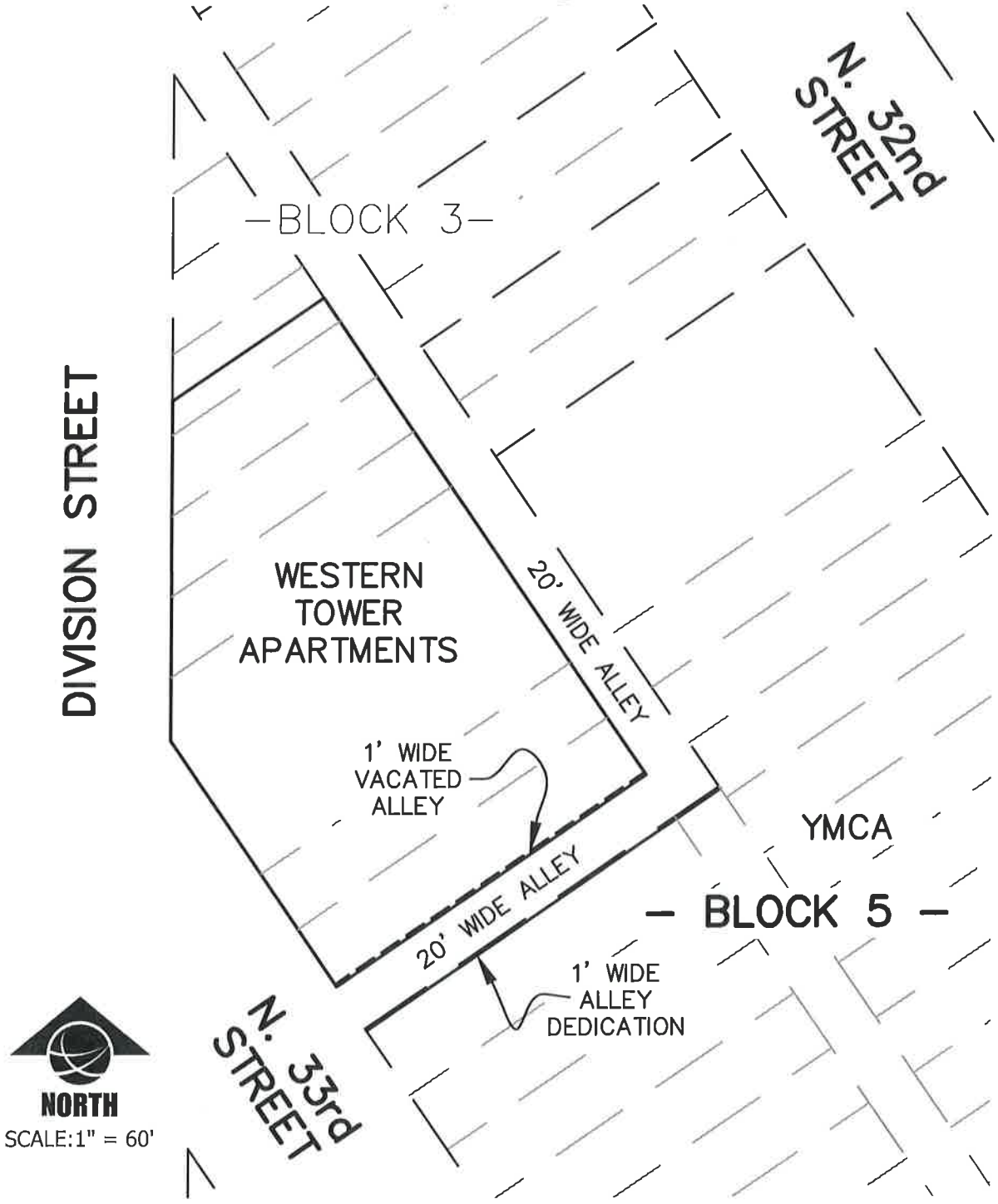
BLOCK 5, ORIGINAL TOWN OF BILLINGS

PREPARED FOR : APEX BILLINGS LLC

PREPARED BY : SANDERSON STEWART

NOVEMBER 2020

BILLINGS, MONTANA



WESTERN_TOWER_EXHIBIT.DWG 20001 11/13/20 PBK

First American Title Company

1001 South 24th Street West Ste 200
Billings , MT 59102
(406)248-7877- Fax (406)248-7875

"Deed and Encumbrance Report"
Effective Date: October 15, 2020 at 7:30 A.M.

Important Notice: This is not an insurance product. Please review the enclosed Contractual Limitation of Liability carefully. If you use or rely upon the information provided in this Report, any damages you suffer as a result of your use or reliance are expressly limited to the amount paid as a fee for this Report.

Prepared for:
Christensen, Fulton & Filz, PLLC
19 36th Street West, Suite 3
Billings, MT 59102
Attn: Tim Filz

File No.: 937294
Customer No.:
Fee: $ 250.00
Revision No.:

Subject Property Address: 429 N. 33rd St, Billings, Montana 59101

Legal Description:

Parcel A:
Block 3: Lots 22, 23,24 and the Southerly 10.69 feet of Lot 21;
Block 5: Lots 13 and 14;
all in Town of Billings, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document #16312.
Together with vacated Fifth Avenue North lying Easterly of the East line of North 33rd Street and Easterly of the Eastline of Division Street as said vacated Fifth Avenue North adjoins said Lot 24 of Block 3 on the South and as said vacated Fifth Avenue adjoins said Lot 13 of Block 5 on the North.

Parcel B:
Lots 45 and 46, Block 6, of West Side Addition, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County.

Grantee(s) on the last deed purporting to transfer title shown in our records:

Special Warranty Deed executed by Western Towers, LLC, a Montana limited liability company to Apex Billings LLC, a Montana limited liability company, recorded February 28, 2020, as under Document #3912784.

Documents of Record: (Includes only the following recorded documents titled as such: Mortgages, Deeds of Trust, liens, judgments, claims of lien and federal tax liens). Our search is only from the date the last deed purporting to transfer title was recorded to the date of this report.

(x) Exhibit Attached () Exhibit not attached

1. Multifamily Trust Indenture, Assignment of Leases and Rents, Security Agreement and Fixture Filing, to secure an original indebtedness of $3,500,000.00, dated March 24, 2020 and any other amounts and/or obligations secured thereby.
   Recorded: March 24, 2020, under Document #3915099
   Grantor: Apex Billings LLC
   Trustee: First American Title Company of Montana
   Beneficiary: Jones Lang Lasalle Multifamily, LLC.

   Assigned to Fannie Mae, by instrument recorded March 24, 2020, under Document #3915114.

2. Financing Statement covering fixture
   Recorded: March 24, 2020, under Document #3915141
   Debtor: Apex Billings LLC
   Secured Party: Fannie Mae.

Tax Information:
Parcel Number: A00029; A17747
Status: Full Year Paid
Amount/Year: $27,700.36 for 2019

Limitations of Liability:

THIS IS NOT A TITLE INSURANCE POLICY, A COMMITMENT FOR TITLE INSURANCE, OR A TITLE OR OWNERSHIP REPORT. THIS REPORT IS BASED UPON A LIMITED SEARCH OF OUR COPIES OF RECORDS THAT IMPART CONSTRUCTIVE NOTICE. NO EXAMINATION OF THE TITLE TO THE PROPERTY DESCRIBED HEREIN HAS BEEN MADE. NO REPRESENTATIONS ARE MADE WITH RESPECT TO THE IDENTITY OF PARTIES OR TO THE VALIDITY, LEGAL EFFECT OR PRIORITY OF ANY MATTER REFLECTED HEREIN. NO ASSURANCES ARE MADE THAT THE LEGAL DESCRIPTION CONTAINED HEREIN CORRESPONDS TO THE STREET ADDRESS OR NAME OF THE PARTY. NO LIABILITY BEYOND THE AMOUNT PAID FOR THIS REPORT IS ASSUMED HEREUNDER, AND THE COMPANY IS NOT RESPONSIBLE BEYOND THE AMOUNT PAID FOR ANY ERRORS OR OMISSIONS CONTAINED HEREIN, OR FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES WHICH MAY RESULT FROM RELIANCE UPON THIS REPORT INSTEAD OF UPON A TITLE INSURANCE OR ASSURANCE PRODUCT.

PURCHASE OF THIS REPORT CONSTITUTES: (1) ACCEPTANCE OF ANY AND ALL LIMITATIONS OF LIABILITY CONTAINED HEREIN; (2) ACCEPTANCE OF IT AS A FINAL EXPRESSION OF THE UNDERSTANDING OF THE PARTIES; (3) AND AGREEMENT THAT NO PRIOR REPRESENTATIONS OR WARRANTIES HAVE BEEN MADE.

First American Title Company

BY:



CHRISTENSEN FULTON & FILZ, PLLC

19 36th Street West, Suite 3, Billings, Montana 59102-4303

Direct 406-869-4472
Main 406-248-3100
Fax 406-248-7908
filz@cfflawfirm.net

John R. Christensen
Timothy A. Filz*
Angus B. Fulton*
Patience A. Llewellyn*

*LL.M. Taxation

May 7, 2021

City of Billings
Attn: Billings City Clerk/Denise Bohlman
PO Box 1178
Billings, MT 59103

RE: Request to Vacate
Our File No.: 92421.001

Dear Ms. Bohlman:

This firm represents Apex Billings, LLC ("Petitioner"). This letter is attached to a Request to Vacate Public Right-of-Way and sets for the reasons for the request.

Petitioner is the owner of the Western Towers apartment complex located at 429 N 33rd St Billings, MT 59101. There is a stockade fence on a concrete wall running along what was thought to be the south boundary of the property. However, when Petitioner purchased the property it discovered there was encroachment onto the city alley as depicted on the attached survey labeled Exhibit A-1.

In order to avoid future difficulties in connection with financing or transactions involving the property Petitioner desires to have the encroachment area vacated.

In lieu of compensating the City of Billings for the land area being vacated Petitioner is proposing that the approval of the vacation of the encroachment area be made contingent upon Petitioner acquiring from Young Men's Christian Association ("YMCA") an equivalent area of land along the north boundary of the YMCA property in the same configuration as the area being vacated. It is the intent of this proposal that the alley dimension remains the same over all with the 1 foot lost on the north replaced by the 1 foot on the south. As such, there should be no impact on traffic or accessibility as a result of granting the Request to Vacate.

As evidenced by the signature of the YMCA, Petitioner has obtained the approval of YMCA for Petitioner to purchase the area of land being vacated and to perform all of the necessary surveying services to have the substitute area properly surveyed and rendered into a tract to be dedicated to the City of Billings. The Petitioner is proposing that the City of Billings waive the requirement of an appraisal for the reason it will be

compensated with an equivalent area of land as opposed to a cash payment.

As required by BMC22-601, the following documents are either to the Request to Vacate, or, for the reasons set forth below, Petitioner requests that the required documents be waived:

1. Title Report—see attached;

2. Comments from private and public utilities—see signatures indicating consent;

3. Petitioner's indication of the nature and interest in the property—the above letter explains the interest;

4. Statement acknowledging the City will appoint an appraiser—Petitioner requests this requirement be waived;

5. The effect of traffic movement—Petitioner requests this requirement be waived for the reason there will be no impact on traffic movement for the reason the dimensions of the alley will not change as a result of the dedication of a one foot strip on the south side of the alley;

6. The effect on accessibility—see Item 5 above.

Sincerely,

Tim Filz

Enclosure

TAF/no

cc: Apex Billings, LLC

EXHIBIT B

PARTIAL ALLEY VACATION

WITHIN

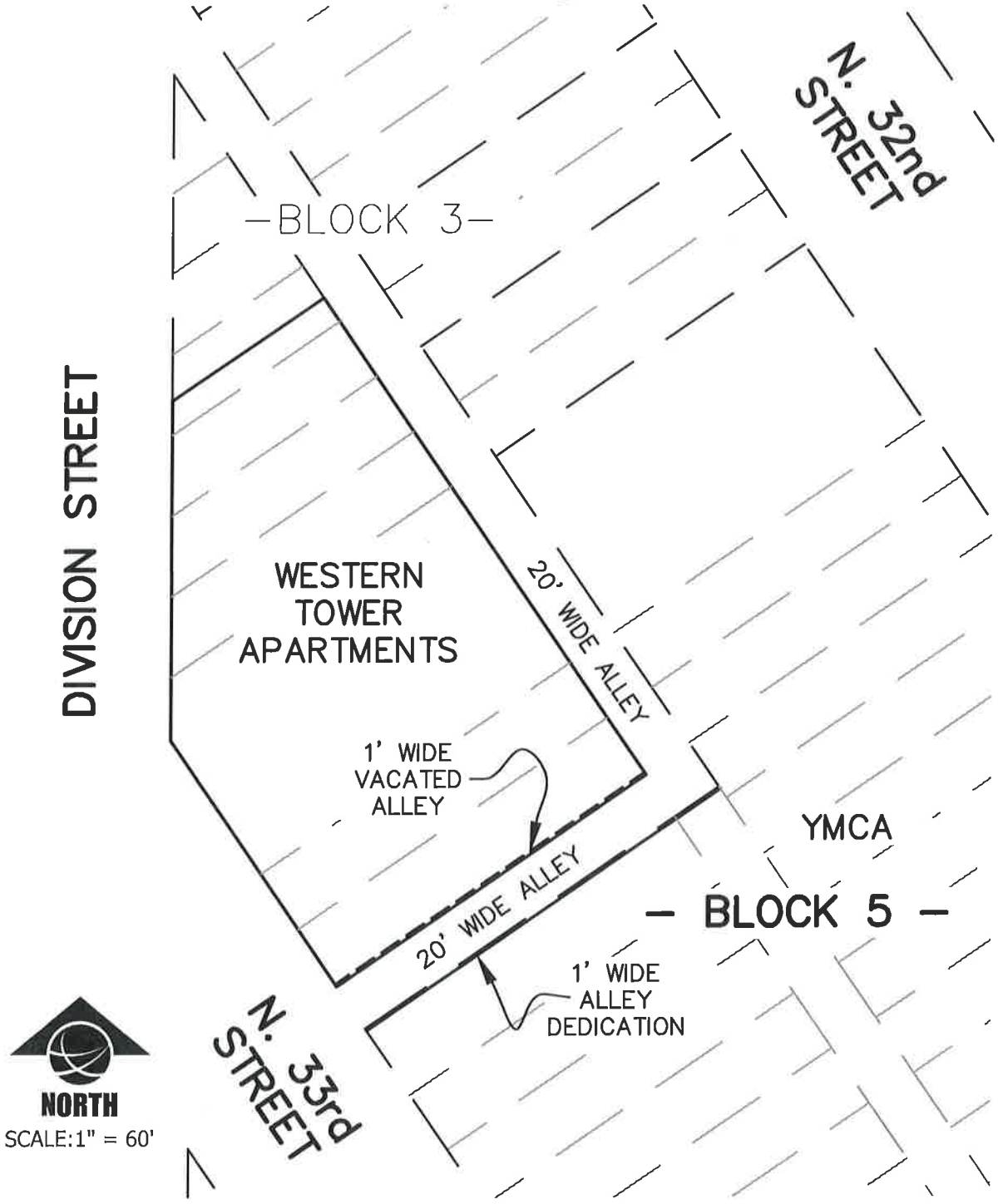
BLOCK 5, ORIGINAL TOWN OF BILLINGS

PREPARED FOR : APEX BILLINGS LLC

PREPARED BY : SANDERSON STEWART

NOVEMBER 2020

BILLINGS, MONTANA



WESTERN_TOWER_EXHIBIT.DWG 20001 11/13/20 PBK

City Council Regular

Date:	07/12/2021
Title:	Resolution Approving the Center for Public Safety Management Fire Operational and Administrative Analysis
Presented by:	Kevin Iffland, Assistant City Administrator
Department:	City Hall Administration
Presentation:	No

RECOMMENDATION

Staff recommends the City Council adoption of the Center for Public Safety Management Fire Operational and Administrative Analysis by resolution.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

During the FY21 budget process City Council approved an analysis of the Fire, EMS and Police Services. The Center for Public Safety Management, LLC (CPSM) was retained by the City of Billings to conduct an Operational and Administrative Analysis for the fire department, including a detailed review of department operations, its interaction with AMR, workload, staffing, fire stations, fire apparatus, and deployment practices. This analysis included a thorough review of the organization structure, training, performance measures, prevention activities, and its service responsibilities in the Billings Urban Fire Service Area (BUFSA). Specifically, CPSM was tasked with providing recommendations and alternatives regarding fire department operations, staffing levels, and alternative modes of operation for current service demand and in terms of options that can best position the department to respond to the community's anticipated growth.

CPSM analyzed performance data provided by the Billings Fire Department (BFD) and also conducted a firsthand examination of the department's operations. To begin the review, project staff asked for documents, data, and information. The project staff used this information/data to familiarize themselves with the department's structure, assets, and operations. The provided information was supplemented with information collected during an on-site visit to observe the performance of the department and to compare that performance to national benchmarks. CPSM will typically utilize benchmarks that have been developed by organizations such as the National Fire Protection Association (NFPA), Center for Public Safety Excellence, Inc. (CPSE), the ICMA Center for Performance Measurement, as well as others.

Thirty-four recommendations were provided based on the analysis. The recommendations are based on best practices derived from the NFPA, CPSM, ICMA, the U.S. Fire Administration, the International Association of Emergency Managers (IAEM), and the Federal Emergency Management Agency (FEMA).

ALTERNATIVES

City Council may:

- Approve the Center for Public Safety Management Fire Operational and Administrative Analysis as the guiding document,
  Modify the analysis, or;
  Disapprove the analysis and provide staff with additional direction

FISCAL EFFECTS

Immediate fiscal effects of analysis implementation was presented to City Council on June 14, 2021. The estimated cost for immediate analysis recommendation implementation is $1.5M.

Attachments

CPSM Fire

RESOLUTION 21-_____

(A RESOLUTION ADOPTING THE CENTER FOR PUBLIC SAFETY ANALYSIS FIRE OPERATIONAL AND ADMINISTRATIVE ANAYSIS AS A GUIDING DOCUMENT)

WHEREAS the City of Billings is experiencing an increase call volume in the Fire Department; and

WHEREAS, the City of Billings has funding imbalance in the general/public safety fund; and

WHEREAS, the City of Billings desires to be more efficient with existing and additional resources; and

WHEREAS, the City of Billings contracted with the Center for Public Safety Management to conduct an analysis of fire operations .

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA: the intent is to adopt the Center for Public Safety Management Fire Operational and Administrative Analysis as a guiding document for implementing increased effectiveness and efficiency in police operations and addition of resources.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the_____day of_, 2021.

CITY OF BILLINGS

By:_____
William A. Cole, Mayor

ATTEST:

By:_____
Denise R. Bohlman, City Clerk

City Council Regular

Date:	07/12/2021
Title:	Resolution Approving the Center for Public Safety Management Police Operational and Data Analysis
Presented by:	Kevin Iffland, Assistant City Administrator
Department:	City Hall Administration
Presentation:	No

RECOMMENDATION

Staff recommends City Council adoption of the Center for Public Safety Management Police Operational and Data Analysis by resolution.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

During the FY21 budget process City Council an analysis of the Fire, EMS and Police Services. The Center for Public Safety Management, LLC (CPSM) was commissioned to review the operations of the Billings Police Department. The analysis covered all aspects of the department's operations, particular areas of focus of this study included identifying appropriate staffing of the department given the workload, community demographics, and crime levels; the effectiveness of the organizational structure; and efficiency and effectiveness of division/unit processes.An analysis of the department's workload using operations research methodology and compared that workload to staffing and deployment levels. Performance indicators were reviewed that enabled a better understand of the implications of service demand on current staffing. The study involved data collection, interviews with key operational and administrative personnel, focus groups with line-level department personnel, on-site observations of the job environment, data analysis, comparative analysis, and the development of alternatives and recommendations.

Based upon CPSM's detailed assessment of the Billings Police Department, the BPD overall, provides quality law enforcement services. The staff is professional and dedicated to the mission of the department. Three common themes speak to operational challenges facing the department: (1) Facilities, or lack thereof, (2) insufficient staffing at both mid-level supervisory and line levels, and (3) organizational structure. Each of these has a significant and adverse impact on operational efficiency and effectiveness, and ultimately, the quality of life for the business community, residents, and visitors of the City of Billings.

ALTERNATIVES

City Council may:

- Approve the Center for Public Safety Management Police Operational and Data Analysis as the guiding document
- Modify the analysis, or;
- Disapprove the analysis and provide staff with additional direction

FISCAL EFFECTS

Immediate fiscal effects of analysis implementation was presented to City Council on June 14, 2021. The estimated cost for immediate analysis recommendation implementation is $1.65M.

Attachments

CPSM Police

RESOLUTION 21-_____

(A RESOLUTION ADOPTING THE CENTER FOR PUBLIC SAFETY ANALYSIS POLICE OPERATIONAL AND DATA ANAYSIS AS A GUIDING DOCUMENT)

WHEREAS, the City of Billings is experiencing a significant crime problem with an increase of violent crime; and

WHEREAS, the City of Billings has a funding imbalance in the general/public safety fund; and

WHEREAS, the City of Billings desired to be more efficient with existing and additional resource; and

WHEREAS, the City of Billings contracted with the Center for Public Safety Management to conduct an analysis of police operations .

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA: the intent is to adopt the Center for Public Safety Management Police Operational and Data Analysis as a guiding document for implementing increased effectiveness and efficiency in police operations and addition of resources.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the_____day of_____, 2021.

CITY OF BILLINGS

By:_____
William A. Cole, Mayor

ATTEST:

By:_____
Denise R. Bohlman, City Clerk

Consent 1. L.

Regular City Council Meeting
Meeting Date: 07/12/2021
TITLE: W.O. 21-40 Bank Stabilization Emergency Resolution
PRESENTED BY: Debi Meling
Department: Public Works
Presentation: No

PROBLEM/ISSUE STATEMENT

On May 26, 2021, city staff was notified that the asphalt on Park Place was heaving. Upon inspection, it was discovered that the slope above Park Place was unstable. City staff contacted a local geotechnical firm to ask them to inspect the slope. The geotechnical professionals indicated to staff that a landslide was imminent and that if it occurred, the BBWA Canal at the top of the slope would be breached thereby causing flooding throughout a large part of the city.

Due to the concerns about slope stability and the catastrophic risk of failure, it was the City Staff's decision that the work to stabilize the slope needed to begin immediately. Section 18-8-203 of the MCA requires advanced publishing for Request for Proposals (RFPs) for professional consulting and engineering services. However, section 18-8-211, MCA, provides that 18-8-203 does not need to complied with when the contracting authority makes a finding that an emergency requires the immediate execution of the work involved. Based on the immediate necessity to stabilize the slope to protect the health, safety and welfare of the public, it was not practical to publish for RFPs due to the time to advertise and analyze RFPs and award a contract would require several weeks before the work could begin. The City has extensive experience working with SK Geotechnical, Geostabilization International and Castlercock Excavating. Each have been reliable, fair and perform quality work.

Therefore, city staff is asking Council to make the appropriate finding that this emergency situation required the immediate execution of the work involved thereby ratifying the contracts city staff entered into for the work that was completed.

ALTERNATIVES ANALYZED

City Council may:

- Approve the emergency resolution for bank stabilization near Park Place. There are no viable alternatives for this item given city staff has already contracted with contractors to perform the work.

FISCAL EFFECTS

Three contracts were necessary to perform the work to stabilize the bank. SK Geotechnical was used to assess the slope, install monitoring equipment, monitor the slope, and develop a strategy for the stabilization. Geostabilization International was hired to perform the construction work necessary to stabilize the bank. Castlerock Excavating constructed an access road and removed material from the site that was necessary to provide access for the equipment.

SK Geotechnical contract amount: $160,000
Geostabilization International contract amount: $328,118
Castlerock Excavating: contract amount $50,000

RECOMMENDATION

Staff recommends that Council adopt a resolution finding that the emergency situation required the immediate execution of the work involved.

Attachments

Resolution Declaring Emergency and Waiver of RFP

RESOLUTION 21-

A RESOLUTION DECLARING AN EMERGENCY AND WAIVING REQUIREMENT FOR REQUEST FOR PROPOSALS

WHEREAS, recently-discovered cracking and earth movement is occurring on the downslope of City park land located on Park Place below the Billings Bench Water Association (BBWA) commercial irrigation ditch canal which professional engineers deem requires immediate and on-going stabilization and monitoring to avert catastrophic property damage and potential personal injury or loss of life;

WHEREAS, Section 18-8-203, MCA, and the City's Purchasing Procedures require advanced publishing for Request For Proposals (RFPs) for professional consulting and engineering services;

WHEREAS, Section 18-8-211, MCA, provides that Section 18-8-203, MCA, need not be complied with when the contracting authority makes a finding that an emergency requires the immediate execution of the work involved.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, as follows:

1. EMERGENCY DECLARED. Recently-discovered cracking and earth movement occurring on the downslope of City park land located on Park Place below the BBWA commercial irrigation ditch canal created an emergency due to the immediate and on-going necessity to stabilize and monitor the slope to avert catastrophic property damage, personal injury or loss of life.

2. RFPs WAIVED. Due to the emergency that required the need for immediate execution of the work involved, advanced publishing for RFPs could not be performed and is waived for the contracts with SK Geotechnical, Geostabilization International, and Castlerock Excavating.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, on the _____ day of _____, 2021.

CITY OF BILLINGS

By: _____

William A. Cole, Mayor

ATTEST:

By: _____

Denise R. Bohlman, City Clerk

City Council Regular

Date: 07/12/2021
Title: Bond Resolution for Pooled SID Bonds
Presented by: Andy Zoeller, Finance Director
Department: Finance
Presentation: No

RECOMMENDATION

Staff recommends the City Council approve the bond resolutions for SID 1418, SID 1417, and SID 1416.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On June 28, 2021, City Council approved a resolution authorizing the issuance and calling for a negotiated bond sale for SIDs 1418, SID 1417, and SID 1416. A bond purchase agreement has been signed between the City of Billings and First Interstate Bank on June 30, 2021. Once the resolutions have been approved, the closing will take place on July 28th and the bond proceeds will be disbursed to the construction project funds.

ALTERNATIVES

There are no viable alternatives because the City has signed a bond purchase agreement.

FISCAL EFFECTS

The term of both bonds will be 15 years. The interest rate will be 4.05% for Series 2021A and 3.10% for Series 2021B. The property owners identified in the creation documents will be assessed yearly on their property tax bill.

Attachments

2021B
2021A

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. _____ entitled: "RESOLUTION RELATING TO $354,453.66 POOLED SPECIAL IMPROVEMENT DISTRICT BONDS (SPECIAL IMPROVEMENT DISTRICT NOS. 1416 AND 1418), SERIES 2021B; FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on July 12, 2021, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: _____ _____; voted against the same: _____; abstained from voting thereon: _____; or were absent: _____.

WITNESS my hand and seal officially this 12th day of July, 2021.

(SEAL)

_____
City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO $354,453.66 POOLED SPECIAL IMPROVEMENT DISTRICT BONDS (SPECIAL IMPROVEMENT DISTRICT NOS. 1416 AND 1418), SERIES 2021B; FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR

BE IT RESOLVED by the City Council (the "Council") of the City of Billings, Montana (the "City"), as follows:

Section 1. Recitals. It is hereby found, determined and declared as follows:

1.01. Resolutions of Intention. By Resolution No. 21-10926, duly adopted by the Council on February 22, 2021 and Resolution No. 21-10951, duly adopted by the Council on May 24, 2021 (each, a "Resolution of Intention" and, collectively, the "Resolutions of Intention"), this Council declared its intention to create Special Improvement District No. 1416 ("SID No. 1416") and Special Improvement District No. 1418 ("SID No. 1418"), respectively (each, a "District" and, collectively, the "Districts"), for the purpose of financing costs of certain public improvements of special benefit to the properties within the respective District. Each of the Resolutions of Intention designates the number of the respective District, describes the boundaries thereof, states whether such District is an extended district, states the general character of the improvements to be made (collectively, the "Improvements") and states an approximate estimate of the costs thereof, in accordance with the provisions of Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended (the "Act"). By each Resolution of Intention this Council has also declared its intention to cause the costs and expenses of making the Improvements specially benefiting the respective District to be assessed against the properties included within the boundaries thereof in accordance with one or more methods of assessment authorized in Sections 7-12-4161 to 7-12-4165 of the Act, and as set forth in the respective Resolution of Intention.

In each Resolution of Intention, this Council stated its intention to issue special improvement district bonds drawn against the respective District to pay a portion of the costs of the Improvements and costs of issuance of such bonds. This Council further found that it is in the public interest, and in the best interest of the City and the Districts, to secure payment of principal of and interest on such bonds by the Special Improvement District Revolving Fund of the City (the "Revolving Fund"), on the basis of factors required to be considered under Section 7-12-4225 of the Act. Those findings are hereby ratified and confirmed.

1.02. Notices. Notices of the passage of each Resolution of Intention were given by two publications, with at least six days between publications, in the *Yellowstone County News*, weekly newspapers of general circulation published within the City. Notices of the passage of each Resolution of Intention were also mailed the same day the notice was first published to all persons, firms or corporations or the agents thereof having real property within the respective District, listed in their names upon the last completed assessment roll for State, county and school district taxes, at their last known addresses. The notices described the general character

of the Improvements, stated the estimated cost of the Improvements and the method or methods of assessment of such costs against properties in the respective District, specified the time when and the place where the Council would hear and pass upon all protests made against the making of the Improvements or the creation or extension of the respective District, and referred to the respective Resolution of Intention as being on file in the office of the City Clerk for a description of the boundaries of the respective District, all in accordance with the provisions of the respective Resolution of Intention, and included a statement that, subject to the limitations of Section 7-12-4222 of the Act, the general fund of the City may be used to provide loans to the Revolving Fund or a general tax levy may be imposed on all taxable property in the City to meet the financial requirements of the Revolving Fund. In each Resolution of Intention, the Council also declared its intention to reimburse the City for costs paid before issuance of bonds, as required by Section 1.150-2 of the Treasury Regulations promulgated under the Internal Revenue Code.

1.03. Creation of Districts. At the times and places specified in the notices hereinabove described, this Council met to hear, consider and pass upon all protests made against the making of the Improvements and the creation of the respective District, and, after consideration thereof, it was determined and declared that insufficient protests against the creation or extension of the respective District or the proposed work had been filed in the time and manner provided by law by the owners of the property to be assessed for the Improvements in the respective District, and this Council did therefore by Resolution No. 21-10936, adopted March 22, 2021, and Resolution No. 21-10958, adopted June 14, 2021, create SID No. 1416 and SID No. 1418, respectively, and confirm the findings it made with respect to the pledge of the Revolving Fund in the respective Resolution of Intention.

1.04. Construction Contracts. The City will cause or has caused to be constructed the Improvements described in the Resolutions of Intention. Plans, specifications, maps, profiles and surveys for construction of the Improvements to be constructed to benefit the Districts were prepared by the engineers acting for the City or by City engineers, and were thereupon examined and approved by this Council. Advertisements for bids for construction of the Improvements to be undertaken in SID No. 1416 and SID No. 1418 were published in the official newspaper of the City in accordance with the provisions of Section 7-12-4141 of the Act, after which the bids theretofore received were opened and examined. After referring the bids to the engineers for the City it was determined that the lowest regular proposal for the furnishing of all work and materials required for constructing the Improvements in accordance with the approved plans and specifications was the following:

SID No. 1416:

Work	Bidder	Contract Price
Installation of water, sanitary sewer and storm drain system improvements and construction of the roadway to extend Gleneagles Boulevard to the intersection of Sierra Granda and widen to the intersection of Black Diamond Road. This project will also widen a portion of Sierra Granda Boulevard	Askin Construction, LLC	$674,869.20

SID No. 1418:

Work	Bidder	Contract Price
Constructing approximately 2,450 LF of roadway, including asphalt pavement, curb, gutter, drive approaches, storm sewer infrastructure, replacing approximately 2,350 LF of water main, sanitary sewer improvements, and landscaping	Knife River - Billings	$251,815.00

Contracts for the construction of the Improvements were therefore awarded to said bidders, subject to the right of owners of property liable to be assessed for the costs thereof to elect to take the work and enter into written contracts therefor in the manner provided by Section 7-12-4147 of the Act, whereupon the City and the successful bidders entered into written contracts for construction of the Improvements upon the bidders having executed and filed bonds satisfactory to this Council and in the form and manner provided by Montana Code Annotated, Title 18, Chapter 2, Part 2, as amended.

1.05. Costs. It is currently estimated that the costs and expenses to be assessed against properties in the Districts benefited by the Improvements, including costs of preparation of plans, specifications, maps, profiles, engineering superintendence and inspection, preparation of assessment rolls, expenses of making the assessments, the cost of work and materials under the construction contracts and all other costs and expenses, including costs of issuance of the Series 2021B Bonds (as hereinafter defined) and the deposit of proceeds in the Revolving Fund, are as follows:

	District No. 1416	District No. 1418
Construction	$674,869.20	$251,815.00
Contingency	3,500.00	12,501.51
Design & CA	104,548.00	-
Engineering	19,996.15	30,217.80
Total Project Costs	**$802,913.35**	**$294,534.31**
Less City Contribution	(181,026.43)	(66,057.00)
Less Developer Contribution	(523,177.83)	-

Total Project Costs to be Assessed	**$98,709.09**	**$228,477.31**
Finance Fee	$500.00	$500.00
Revolving Fund 5%	5,495.00	12,227.68
Bank Fees	774.56	1,725.44
Issuance Costs	4,421.32	1,623.26
Bond Amount	**$109,899.97**	**$244,553.69**

After deducting amounts contributed by the City for the Improvements and prepayments by property owners in the Districts, the aggregate principal amount required to finance the construction of the Improvements is $354,453.66, of which $109,899.97 shall be allocated to SID No. 1416 and $244,553.69 shall be allocated to SID No. 1418, as provided in the table above.

Such amounts will be levied and assessed against the property within the respective District on the bases described in the respective Resolution of Intention. This Council has jurisdiction and is required by law to levy and assess such amounts, to collect such special assessments and credit the same to the respective District Account (as defined in Section 3.01 herein) created for each District, which District Accounts are to be maintained on the official books and records of the City separate from all other City funds, within the 2021 Pooled Special Improvement District Sinking Fund (the "Sinking Fund") for the payment of principal and interest when due on the Series 2021B Bonds.

1.06. Sale and Issuance of Series 2021B Bonds. For the purpose of financing a portion of the costs and expenses of making the Improvements, funding a deposit to the Revolving Fund and paying costs of issuance of the Series 2021B Bonds, which are to be assessed against the property within the respective District as provided in the respective Resolution of Intention, this Council, pursuant to Resolution No. 21-10961, adopted June 28, 2021 (the "Authorizing Resolution"), determined that it would be in the best interests of the City to sell its Pooled Special Improvement District Bonds (Special Improvement District Nos. 1416 and 1418), Series 2021B (the "Series 2021B Bonds"), at a private negotiated sale, subject to the limitations and conditions set forth therein, and authorized the City Finance Director to select a purchaser for the Series 2021B Bonds. The City Finance Director has selected First Interstate Bank (the "Purchaser") to act as purchaser of the Series 2021B Bonds. The Purchaser has agreed to purchase from the City the Series 2021B Bonds at an aggregate purchase price of $354,453.66 (representing the stated principal amount of the Series 2021B Bonds), and with an interest rate of 3.10% per annum as set forth in Section 2.01 hereof. The Purchaser has also agreed to purchase the City's Special Improvement District No. 1417 Bonds, Taxable Series 2021A (the "Series 2021A Bonds"), at an aggregate purchase price of $2,685,546.34 (representing the stated principal amount of the Series 2021A Bonds). Notwithstanding anything to the contrary in the Authorizing Resolution, the Series 2021A Bonds are being issued as a separate series and pursuant to a separate bond resolution and are not pooled with the Series 2021B Bonds under Section 7-12-4193 of the Act. In the event of any discrepancy between the Authorizing Resolution and this Resolution, this Resolution shall control.

1.07. Recitals. All acts, conditions and things required by the Constitution and laws of the State of Montana, including the Act, and the home rule charter of the City, in order to make the Series 2021B Bonds valid and binding special obligations in accordance with their terms and in accordance with the terms of this Resolution have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required.

Section 2. The Series 2021B Bonds.

2.01. Principal Amount, Maturity, Denominations, Date, Interest Rate. For the purpose of paying the costs and expenses of making the Improvements, funding a deposit to the Revolving Fund and paying costs of issuance of the Series 2021B Bonds, and in anticipation of the collection of special assessments to be levied therefor, and pursuant to the Bond Purchase Agreement, the City shall forthwith issue and deliver to the Purchaser the Series 2021B Bonds, denominated "Pooled Special Improvement District Bonds (Special Improvement District Nos. 1416 and 1418), Series 2021B," in the aggregate principal amount of $354,453.66, payable solely from the Sinking Fund. The Series 2021B Bonds shall be dated, as originally issued, and be registered as of July 28, 2021, shall mature on July 1, 2036, and shall bear interest from the date of original registration until paid or duly called for redemption at the rate of 3.10% per annum. Interest shall be calculated on the basis of a 360-day year composed of twelve 30-day months.

2.02. Interest Payment Dates. Interest on the Series 2021B Bonds shall be payable on each January 1 and July 1, commencing January 1, 2022, to the owner of record thereof as such appear on the bond register at the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Upon the original delivery of the Series 2021B Bonds to the Purchaser and upon each subsequent transfer or exchange of a Series 2021B Bond pursuant to Section 2.04, the Registrar (as hereinafter defined) shall date the Series 2021B Bonds as of the date of its authentication.

2.03. Method of Payment. The Series 2021B Bonds shall be issued only in fully registered form. The interest on and, upon presentation and surrender thereof at the principal office of the Registrar, the principal of the Series 2021B Bonds shall be payable by check or draft drawn on the Registrar. Notwithstanding the foregoing, so long as a Series 2021B Bond is evidenced by a single, fully registered term bond, it shall not be necessary to present and surrender such Series 2021B Bond until the full redemption thereof pursuant to Section 2.05, but the Registrar shall note in the bond register such principal payment. The principal of and interest on the Series 2021B Bonds are payable in lawful money of the United States of America.

2.04. Registration. The City hereby appoints the City Finance Director to act as bond registrar, transfer agent and paying agent for the Series 2021B Bonds (the "Registrar"). The City reserves the right to appoint a bank, trust company or fiscal company as successor bond registrar, transfer agent or paying agent, as authorized by the Model Public Obligations Registration Act of Montana (the "Registration Act"), but the City agrees to pay the reasonable and customary charges of the Registrar for the services performed. This Section 2.04 shall establish a system of registration for the Series 2021B Bonds as defined in the Registration Act. The effect of

registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Bond Register. The Registrar shall keep at its principal office a bond register in which the Registrar shall provide for the registration of ownership of the Series 2021B Bonds and the registration of transfers and exchanges of the Series 2021B Bonds.

(b) Transfer. The Series 2021B Bonds may be transferred in whole but not in part and only to (i) an affiliate of the Purchaser; (ii) a trust or other custodial arrangement established by the Purchaser or one of its affiliates, the owners of any beneficial interest in which are limited to qualified institutional buyers or accredited investors; or (iii) a person or entity that the Purchaser reasonably believes is qualified to purchase the Series 2021B Bonds or that makes representations substantially similar to the representations the Purchaser makes in the Bond Purchase Agreement. Upon surrender to the Registrar for transfer of any Series 2021B Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing and guaranteed by an "eligible guarantor institution" meeting the requirements of the Registrar, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, a new Series 2021B Bond of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer of the Series 2021B Bonds or any portions thereof selected or called for redemption.

(c) Exchange. Whenever any Series 2021B Bond is surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver a new Series 2021B Bond of a like aggregate principal amount, interest rate and maturity, as requested by the registered owner or the owner's attorney duly authorized in writing.

(d) Cancellation. Any Series 2021B Bond surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Series 2021B Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Series 2021B Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owner. The City and the Registrar may treat the person in whose name any Series 2021B Bond is at any time registered on the bond register as the absolute owner of such Series 2021B Bond, whether such Series 2021B Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Series 2021B Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the City upon such Series 2021B Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer of a Series 2021B Bond or exchange of a Series 2021B Bond (except for an exchange upon the partial redemption of a Series 2021B Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Series 2021B Bonds. In case any Series 2021B Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Series 2021B Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Series 2021B Bond or in lieu of and in substitution for any such Series 2021B Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Series 2021B Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Series 2021B Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. Any Series 2021B Bond so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the City. If the mutilated, destroyed, stolen or lost Series 2021B Bond has already matured or such Series 2021B Bond has been called for redemption in accordance with its terms, it shall not be necessary to issue a new Series 2021B Bond prior to payment.

2.05. Redemption.

(a) Mandatory Redemption. If on any interest payment date there will be a balance in the Sinking Fund after payment of the principal and interest due on the Series 2021B Bonds drawn against it, either from the prepayment of special assessments levied for the Improvements or from the transfer of surplus money from a Construction Subaccount to a Principal Subaccount as provided in Section 3.02, the City Finance Director shall call for redemption on the interest payment date the principal amount of the Series 2021B Bonds which, together with the interest thereon to the interest payment date, will equal the amount of such funds on deposit in the Sinking Fund on that date. The redemption price shall equal the principal amount of the Series 2021B Bonds to be redeemed plus interest accrued to the date of redemption. Such mandatory redemption payments shall reduce the Mandatory Sinking Fund Payments pro rata among all Series 2021B Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021B Bond shall be applied to Mandatory Sinking Fund Payments in inverse order of Sinking Fund Payment Dates.

(b) Optional Redemption. The Series 2021B Bonds are subject to redemption at any time, at the option of the City, in whole or in part, from sources of funds available therefor (other than those described in Section 2.05(a)), at a redemption price equal to the principal amount thereof to be redeemed plus interest accrued to the redemption date, without premium; *provided, however,* that if the Series 2021B Bonds are redeemed with proceeds of refunding bonds or other debt obligations of the City, the Series 2021B Bonds shall be subject to a prepayment premium of 1% of the principal amount so redeemed. Optional redemption payments shall reduce the Mandatory Sinking Fund Payments pro rata among all Series 2021B Bonds based upon the

respective outstanding principal amounts, and with respect to each Series 2021B Bond shall be applied to Mandatory Sinking Fund Payments in inverse order of Sinking Fund Payment Dates.

(c) Mandatory Sinking Fund Redemption. The Series 2021B Bonds are subject to redemption on July 1 of the respective years shown below (herein referred to as a "Sinking Fund Payment Date") and in the principal amounts (hereinafter referred to as a "Mandatory Sinking Fund Payment") set forth below:

Term Bond			
Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount	Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount
2022	$19,653.43	2030	$24,099.26
2023	19,430.53	2031	24,852.12
2024	20,037.54	2032	25,628.51
2025	20,663.52	2033	26,429.15
2026	21,309.06	2034	27,254.80
2027	21,974.76	2035	28,106.24
2028	22,661.25	2036*	28,984.29
2029	23,369.20		

*Final maturity.

(d) Notice and Effect of Redemption. The date of redemption and the principal amount of the Series 2021B Bonds to be redeemed shall be fixed by the City Finance Director, who shall give notice thereof to the Registrar 45 days prior to the date set for redemption in order for the Registrar to give notice, by first class mail, postage prepaid, to the owners of the Series 2021B Bonds at their addresses appearing on the bond register, of the respective principal amounts of the Series 2021B Bonds to be redeemed and the date on which payment will be made, which date shall be not less than 30 days after the date of mailing notice. On the date so fixed, interest on the principal amounts of the Series 2021B Bonds so redeemed shall cease to accrue.

2.06. Form. The Series 2021B Bonds shall be prepared in substantially the form set forth in Exhibit A hereto, and by this reference made a part hereof, with such modifications as are permitted by the Act.

2.07. Execution, Registration and Delivery. The Series 2021B Bonds shall be prepared under the direction of the City Finance Director and shall be executed on behalf of the City by the signatures of the Mayor, the City Finance Director and the City Clerk and sealed with the official seal of the City; provided that the seal and all signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on any Series 2021B Bond shall cease to be such officer before the delivery of such Series 2021B Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Series 2021B Bond shall be valid or obligatory for any

purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Series 2021B Bond has been duly executed by the manual signature of an authorized representative of the Registrar. The certificate of authentication on different Series 2021B Bonds need not be signed by the same representative. The executed certificate of authentication on the Series 2021B Bonds shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Series 2021B Bonds have been so executed, authenticated and registered, the Series 2021B Bonds shall be delivered by the Registrar to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed.

2.08. Application of Proceeds. From the proceeds of the Series 2021B Bonds, the City Finance Director shall credit forthwith $5,495.00 for SID No. 1416 and $12,227.68 for SID No. 1418 to the Revolving Fund, as required by Section 7-12-4169(2) of the Act, and the balance of such proceeds to the Construction Subaccount in the respective District Account, in proportion to the principal amounts of the Series 2021B Bonds allocable to each of the Districts, as set forth in Section 1.05, to be used solely for the purposes described in Section 3.02.

Section 3. Sinking Fund; Assessments.

3.01. 2021 Pooled Special Improvement District Sinking Fund. There is hereby created and established the fund designated as the "2021 Pooled Special Improvement District Sinking Fund" which shall be maintained by the City Finance Director on the books and records of the City separate and apart from all other funds of the City. Within the Sinking Fund there shall be maintained separate accounts for each of SID No. 1416 and SID No. 1418, designated accordingly (each, a "District Account" and, collectively, the "District Accounts"). Within each District Account there shall be maintained three separate subaccounts, designated as the "Construction Subaccount," the "Principal Subaccount" and the "Interest Subaccount," respectively.

3.02. Construction Subaccounts. There shall be credited to the Construction Subaccount in the respective District Account the proceeds of the sale of the Series 2021B Bonds attributable to the respective District remaining after the required deposits to the Revolving Fund. Any earnings on investment of money in a Construction Subaccount shall be retained therein. All costs and expenses of constructing the Improvements, including costs of issuance of the Series 2021B Bonds, shall be paid from time to time as incurred and allowed from the Construction Subaccount in the respective District Account in accordance with the provisions of applicable law, and money in a Construction Subaccount shall be used for no other purpose; provided that upon completion of the Improvements and after all claims and expenses with respect to the Improvements have been fully paid and satisfied, any money remaining in a Construction Subaccount shall be transferred to the Principal Subaccount in the applicable District Account and used to redeem the principal amount of the Series 2021B Bonds or portions thereof as provided in Section 3.03.

3.03. Principal Subaccounts and Interest Subaccounts. Money in the Principal Subaccounts and the Interest Subaccounts shall be used only for payment of the principal of and

interest on the Series 2021B Bonds as such payments become due or to redeem all or a portion of the principal amount of the Series 2021B Bonds.

Upon collection of the installment of principal and interest due on November 30 and May 31 of each year on the special assessments to be levied with respect to the Improvements, the City Finance Director shall credit to the Interest Subaccount in the respective District Account so much of said special assessments as is collected as interest payment and the balance thereof to the Principal Subaccount in the respective District Account. Any installment of any special assessment paid prior to its due date with interest accrued thereon to the next succeeding interest payment date shall be credited with respect to principal and interest payments in the same manner as other assessments are credited to the District Accounts. All money in the Interest Subaccounts and the Principal Subaccounts shall be used first to pay interest then due, and any remaining money shall be used to pay principal then due and, if money is available, to redeem all or a portion of the principal amount of the Series 2021B Bonds in accordance with Section 2.05; provided that any money transferred to a Principal Subaccount from a Construction Subaccount pursuant to Section 3.02 shall be applied to redeem the Series 2021B Bonds to the extent possible on the next interest payment date for which notice of redemption has been properly given pursuant to Section 2.05(a). Interest shall be paid from the respective Interest Subaccount as accrued on the Series 2021B Bonds to the date of redemption, in accordance with the provisions of Section 7-12-4206 of the Act.

3.04. Loans From Revolving Fund. The Council shall annually or more often if necessary issue an order authorizing a loan or advance from the Revolving Fund to a District Account in an amount sufficient to make good any deficiency then existing in the Interest Subaccount in such District Account and issue an order authorizing a loan or advance from the Revolving Fund to a District Account in an amount sufficient to make good any deficiency then existing in the Principal Subaccount in such District Account, in each case to the extent that money is available in the Revolving Fund. A deficiency shall be deemed to exist in the Principal Subaccount or Interest Subaccount in a District Account if the money on deposit therein on any December 15 or June 15 (excluding amounts in the Principal Subaccount representing prepaid special assessments) is less than the amount necessary to pay the principal of the Series 2021B Bonds then due (other than upon mandatory or optional redemption pursuant to Sections 2.05(a) and (b) hereof), and interest payable on the Series 2021B Bonds, on the next succeeding interest payment date.

Pursuant to Ordinance No. 1096, the City has undertaken and agreed to provide funds for the Revolving Fund by annually levying such tax or making such loan from the general fund of the City, subject to the limitation that no such tax levy or loan may in any year cause the balance in the Revolving Fund to exceed five percent of the principal amount of the City's then outstanding special improvement and sidewalk, curb, gutter and alley approach bonds and warrants secured thereby and subject to the durational limitations specified in the Act. In the event that the balance on hand in the Revolving Fund fifteen days prior to any date when interest is due on special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City is not sufficient to make good all deficiencies then existing in the funds for which the City covenants to make loans from the Revolving Fund, the balance on hand in the Revolving Fund shall be allocated to the funds in which such deficiencies then exist in proportion to the

amounts of the deficiencies on the respective dates of receipt of such money, until all interest accrued on such special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City has been paid and to the extent of amounts available in the Revolving Fund. On any date when all accrued interest on special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City payable from funds for which the City has covenanted to make loans from the Revolving Fund has been paid, any balance remaining in the Revolving Fund shall be loaned or advanced to the funds for payment and redemption of bonds and warrants to the extent such funds are deficient for such purpose and, if money in the Revolving Fund is insufficient therefor, pro rata, in an amount proportionate to the amount of such deficiency.

The City hereby determines, covenants and agrees to levy the property tax described in the immediately preceding paragraph to provide funds for the Revolving Fund so long as the Series 2021B Bonds are outstanding to the extent required under the provisions of this Resolution and the Act, even though such property tax levy may, under applicable law or provisions of the home rule charter of the City, require that property tax levies of the City for other purposes be reduced correspondingly.

Section 4. Covenants. The City covenants and agrees with the owners from time to time of the Series 2021B Bonds that until the principal amount of the Series 2021B Bonds and interest thereon are fully paid:

4.01. Compliance with Resolution. The City will hold the Sinking Fund and the Revolving Fund as trust funds, separate and apart from all of its other funds, and the City, its officers and agents, will comply with all covenants and agreements contained in this Resolution. The provisions hereinabove made with respect to the Sinking Fund and the Revolving Fund are in accordance with the undertaking and agreement of the City made in connection with the sale of the Series 2021B Bonds as set forth in Section 1.06.

4.02. Construction of Improvements. The City will do all acts and things necessary to enforce the provisions of the construction contracts for the Improvements and to ensure the completion of the Improvements in accordance with the plans and specifications and within the time therein provided, and will pay all costs thereof promptly as incurred and allowed, out of the Construction Subaccount within the respective District Account and within the amount of the proceeds of the Series 2021B Bonds appropriated thereto, amounts contributed by the City therefor and prepayments by property owners in the Districts.

4.03. Levy of Assessments. The City will do all acts and things necessary for the final and valid levy of special assessments upon all assessable real property within the boundaries of the Districts benefited by the Improvements, in accordance with the Constitution and laws of the State of Montana and the Constitution of the United States, in an aggregate principal amount not less than the following amounts:

District	Principal Amount
SID No. 1416	$ 109,899.97
SID No. 1418	244,553.69

Such special assessments shall be levied on the basis or bases prescribed in the Resolutions of Intention, and shall be payable in substantially equal semiannual installments of principal and interest over a period of 15 years, at an annual rate equal to the sum of: (i) the average annual interest rate borne by the Series 2021B Bonds, plus (ii) one-half of one percent (0.50%) per annum. The assessments to be levied will be payable on the 30th day of November in each of the years 2021 through 2035, and on the 31st day of May in the years 2022 through 2036, inclusive, if not theretofore paid, and shall become delinquent on such date unless paid in full. The first partial payment of each assessment shall include interest on the entire assessment from the date of original registration of the Series 2021B Bonds to January 1, 2022. The assessments shall constitute a lien upon and against the property against which they are made and levied, which lien may be extinguished only by payment of the assessment with all penalties, cost and interest as provided in Section 7-12-4191 of the Act. No tax deed issued with respect to any lot or parcel of land shall operate as payment of any installment of the assessment thereon which is payable after the execution of such deed, and any tax deed so issued shall convey title subject only to the lien of said future installments, as provided in Montana Code Annotated, Section 15-18-214.

4.04. Reassessment. If at any time and for whatever reason any special assessment or tax herein agreed to be levied is held invalid, the City and this Council, its officers and employees, will take all steps necessary to correct the same and to reassess and re-levy the same, including the ordering of work, with the same force and effect as if made at the time provided by law, ordinance or resolution relating thereto, and will reassess and re-levy the same with the same force and effect as an original levy thereof, as authorized in Section 7-12-4186 of the Act. Any special assessment, or reassessment or re-levy shall, so far as is practicable, be levied and collected as it would have been if the first levy had been enforced including the levy and collection of any interest accrued on the first levy.

If proceeds of the Series 2021B Bonds, including investment income thereon, are applied to the redemption of the Series 2021B Bonds, as provided in Sections 7-12-4205 and 7-12-4206 of the Act, or if refunding bonds are issued and the outstanding principal amount of the Series 2021B Bonds is decreased or increased, the City will reduce or increase, respectively, the assessments levied in the Districts and then outstanding pro rata by the principal amount of such prepayment or the increment above or below the outstanding principal amount of the Series 2021B Bonds represented by the refunding bonds. The City and this Council, its officers and employees will reassess and re-levy such assessments, with the same effect as an original levy, in such reduced or increased amounts in accordance with the provisions of Sections 7-12-4176 through 7-12-4178 of the Act.

4.05. Absence of Litigation. There is now no litigation pending or, to the best knowledge of the City, threatened questioning the validity or regularity of the creation of the Districts, the contracts for construction of the Improvements or the undertaking and agreement of the City to levy special assessments therefor and to make good any deficiency in the collection thereof through the levy of taxes for and the making of advances from the Revolving Fund, or the right and power of the City to issue the Series 2021B Bonds or in any manner questioning the existence of any condition precedent to the exercise of the City's powers in these matters. If any such litigation should be initiated or threatened, the City will forthwith notify in writing the

Purchaser, and will furnish the Purchaser a copy of all documents, including pleadings, in connection with such litigation.

4.06. Waiver of Penalty and Interest. The City covenants not to waive the payment of penalty or interest on delinquent assessments levied for costs of the Improvements, unless the City determines, by resolution of the Council, that such waiver is in the best interest of the owners of the Series 2021B Bonds.

Section 5. Tax Matters.

5.01. Use of Improvements. The Improvements will be owned and operated by the City and available for use by members of the general public on a substantially equal basis. The City shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the Improvements or security for the payment of the Series 2021B Bonds which might cause the Series 2021B Bonds to be considered "private activity bonds" or "private loan bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code").

5.02. General Covenant. The City covenants and agrees with the owners of the Series 2021B Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Series 2021B Bonds to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all actions within its powers to ensure that the interest on the Series 2021B Bonds will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

5.03. Arbitrage Certification. The Mayor, the City Finance Director and the City Clerk, being the officers of the City charged with the responsibility for issuing the Series 2021B Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Series 2021B Bonds, it is reasonably expected that the proceeds of the Series 2021B Bonds will be used in a manner that would not cause the Series 2021B Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

5.04. Arbitrage Rebate. The City acknowledges that the Series 2021B Bonds are subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Treasury Regulations to preserve the exclusion of interest on the Series 2021B Bonds from gross income for federal income tax purposes, unless the Series 2021B Bonds qualify for the exception from the rebate requirement under Section 148(f)(4)(B) of the Code and no "gross proceeds" of the Series 2021B Bonds (other than amounts constituting a "bona fide debt service fund") arise during or after the expenditure of the original proceeds thereof. In furtherance of the foregoing, the Mayor, the City Finance Director and the City Clerk are hereby authorized and directed to execute a Rebate Certificate, substantially in the form to be prepared by Bond Counsel, and the City hereby

covenants and agrees to observe and perform the covenants and agreements contained therein, unless amended or terminated in accordance with the provisions thereof.

5.05. Information Reporting. The City shall file with the Secretary of the Treasury, not later than November 15, 2021, a statement concerning the Series 2021B Bonds containing the information required by Section 149(e) of the Code.

5.06. "Qualified Tax-Exempt Obligations." Pursuant to Section 265(b)(3)(B)(i) of the Code, the Series 2021B Bonds are designated by the City as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The City has not designated any obligations in 2021 under Section 265(b)(3) of the Code, other than its: (i) General Obligation Refunding Bonds, Series 2021, (ii) Pooled Special Sidewalk, Curb, Gutter and Alley Approach Bonds, Series 2021, and (iii) Special Sidewalk, Curb, Gutter and Alley Approach Bonds, Series 2021. The City hereby represents that it does not anticipate that obligations bearing interest not includable in gross income for purposes of federal income taxation under Section 103 of the Code (including refunding obligations as provided in Section 265(b)(3) of the Code and including "qualified 501(c)(3) bonds" but excluding other "private activity bonds," as defined in Sections 141(a) and 145(a) of the Code) will be issued by or on behalf of the City and all "subordinate entities" of the City in 2021 in an amount greater than $10,000,000.

Section 6. Authentication of Transcript. The officers of the City are hereby authorized and directed to furnish to the Purchaser and to Bond Counsel certified copies of all proceedings relating to the issuance of the Series 2021B Bonds and such other certificates and affidavits as may be required to show the right, power and authority of the City to issue the Series 2021B Bonds, and all statements contained in and shown by such instruments, including any heretofore furnished, shall constitute representations of the City as to the truth of the statements purported to be shown thereby.

Section 7. Defeasance.

7.01. General. When the liability of the City on the Series 2021B Bonds issued under and secured by this Resolution has been discharged as provided in this Section 7, all pledges, covenants and other rights granted by this Resolution to the owners of the Series 2021B Bonds shall cease.

7.02. Payment. The City may discharge its liability with reference to any Series 2021B Bond or installment of interest thereon which is due on any date by depositing with the Registrar on or before that date funds sufficient, or, if a City officer is the Registrar, mailing to the registered owner of the Series 2021B Bonds a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full; or if any Series 2021B Bond or installment of interest thereon shall not be paid when due, the City may nevertheless discharge its liability with reference thereto by depositing with the Registrar funds sufficient, or, if a City officer is the Registrar, by mailing to the registered owner thereof a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full with interest accrued to the date of such deposit or mailing.

7.03. Prepayment. The City may also discharge its obligations with respect to any Series 2021B Bond called for redemption on any date when it is prepayable in accordance with its terms, by on or before that date depositing with the Registrar funds sufficient, or, if a City officer is the Registrar, mailing to the registered owner of such Series 2021B Bonds a check or a draft in a sum sufficient and providing proceeds available, for the payment of the principal, interest and redemption premium, if any, which are then due; provided that notice of such redemption has been duly given as provided herein or irrevocably provided for.

7.04. Escrow. The City may also at any time discharge its liability in its entirety with reference to the Series 2021B Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without reinvestment, to provide funds sufficient to pay all principal and interest to become due on the Series 2021B Bonds on or before maturity or, if the Series 2021B Bonds have been duly called for redemption or notice of such redemption has been irrevocably provided for, on or before the designated redemption date.

7.05. Irrevocable Deposits. If an officer of the City is the Registrar, any deposit made under this Section 7 with the Registrar shall be irrevocable and held for the benefit of the owner of the Series 2021B Bonds in respect of which such deposits have been made.

Section 8. Repeals and Effective Date.

8.01. Repeal. All provisions of other resolutions and other actions and proceedings of the City and this Council that are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

8.02. Effective Date. This Resolution shall take effect immediately upon its passage and adoption by this Council.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 12th day of July, 2021.

_____
Mayor

Attest: _____
City Clerk

(SEAL)

EXHIBIT A

UNITED STATES OF AMERICA
STATE OF MONTANA
YELLOWSTONE COUNTY

CITY OF BILLINGS

POOLED SPECIAL IMPROVEMENT DISTRICT BONDS
(SPECIAL IMPROVEMENT DISTRICT NOS. 1416 AND 1418),
SERIES 2021B

Interest at the rate per annum specified below,
payable on the 1st day of January and the 1st day of July
in each year, commencing January 1, 2022.

No. R-1 $354,453.66

Interest Rate	Maturity Date	Date of Original Issue
3.10%	July 1, 2036	July 28, 2021

REGISTERED OWNER: FIRST INTERSTATE BANK

PRINCIPAL AMOUNT: THREE HUNDRED FIFTY-FOUR THOUSAND FOUR HUNDRED FIFTY-THREE AND 66/100 DOLLARS

FOR VALUE RECEIVED, the City of Billings, Montana (the "City"), will pay to the registered owner identified above, or registered assigns, on the maturity date specified above the principal amount specified above, solely from the revenues hereinafter specified, as authorized by Resolution No. [____], adopted July 12, 2021 (the "Resolution"), all subject to the provisions hereinafter described relating to the redemption of this Bond before maturity. This Bond bears interest at the rate per annum specified above from the date of original issue specified above, or from such later date to which interest hereon has been paid or duly provided for, until the maturity date specified above or an earlier date on which this Bond shall have been duly called for redemption by the City Finance Director. Interest on this Bond is payable semiannually on the 1st day of January and the 1st day of July in each year, commencing January 1, 2022, to the owner of record of this Bond appearing as such in the bond register as of the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. Interest on and, upon presentation and surrender hereof at the principal office of the Registrar, the principal of this Bond shall be payable by check or draft drawn on the Registrar. Notwithstanding the foregoing, so long as this Bond is evidenced by a single, fully registered term bond, it shall not be necessary to present and surrender this Bond until the full redemption hereof pursuant to the Resolution, but the Registrar shall note in the bond register such principal payment. The principal of and interest on this Bond are payable in lawful money of the United States of America. Interest on this Bond shall

be calculated on the basis of a 360 day year composed of twelve 30 day months. The City Finance Director shall initially serve as Registrar for the Series 2021 Bonds.

This Bond is one of an issue in the aggregate principal amount of $354,453.66 (the "Series 2021B Bonds"), all of like date of original issue and tenor, except as to serial number, denomination, date, maturity date and redemption rights. The Series 2021B Bonds are issued pursuant to and in full conformity with the Constitution and laws of the State of Montana thereunto enabling, including Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended (the "Act"), and ordinances and resolutions duly adopted by the governing body of the City, including the Resolution, for the purpose of financing costs and expenses of making certain local improvements (the "Improvements") for the special benefit of properties located in Special Improvement District Nos. 1416 and 1418 (together, the "Districts"), to fund deposits to the Special Improvement District Revolving Fund (the "Revolving Fund") and to pay costs of issuance of the Series 2021B Bonds.

The Series 2021B Bonds are payable from the collection of a special tax or assessment levied upon all assessable real property within the boundaries of the Districts benefited by the Improvements, in an aggregate principal amount not less than $354,453.66 ($109,899.97 for Special Improvement District No. 1416 and $244,553.69 for Special Improvement District No. 1418), except as such amounts may be reduced or increased in accordance with provisions of Montana law. Such assessments constitute a lien against the property against which they are made and levied and are to be deposited into the 2021 Pooled Special Improvement District Sinking Fund of the City (the "Sinking Fund"). The Series 2021B Bonds are not general obligations of the City.

The City has validly established the Revolving Fund to secure the payment of certain of its special improvement and sidewalk, curb, gutter and alley approach bonds and warrants, including the Series 2021B Bonds. The City has also agreed, to the extent permitted by the Act, to issue orders annually, or more often as necessary, authorizing loans or advances from the Revolving Fund to the Sinking Fund, in amounts sufficient to make good any deficiency in the Sinking Fund to pay principal of or interest on the Series 2021B Bonds, to the extent money is available in the Revolving Fund, and to provide funds for the Revolving Fund by annually levying such tax or making such loan from its general fund, subject to the limitation that no such tax levy or loan may in any year cause the balance in the Revolving Fund to exceed five percent of the principal amount of the City's then outstanding special improvement and sidewalk, curb, gutter and alley approach bonds and warrants secured thereby and subject to the durational limitations specified in the Act. While any property tax levy to be made by the City to provide funds for the Revolving Fund is subject to levy limits under current law, the City has agreed in the Resolution to levy property taxes to provide funds for the Revolving Fund to the extent described in this paragraph and, if necessary, to reduce other property tax levies correspondingly to meet applicable levy limits.

If on any interest payment date there will be a balance in the Sinking Fund after payment of the principal and interest then due on the Series 2021B Bonds drawn against it, either from the prepayment of assessments levied or from the transfer of surplus money from a Construction Subaccount to a Principal Subaccount as provided in the Resolution, the City Finance Director shall call for redemption on the interest payment date the principal amount of the Series 2021B Bonds, together with the interest thereon to the interest payment date, equal to the amount of such

funds on deposit in the Sinking Fund on that date. The redemption price shall equal the principal amount of the Series 2021B Bonds to be redeemed plus interest accrued to the date of redemption. Such mandatory redemption payments shall reduce the Mandatory Sinking Fund Payments pro rata among all Series 2021B Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021B Bond shall be applied to Mandatory Sinking Fund Payments in inverse order thereof.

The Series 2021B Bonds are subject to redemption at any time, at the option of the City, in whole or in part, from sources of funds available therefor (other than those described in Section 2.05(a) of the Resolution), at a redemption price equal to the principal amount hereof to be redeemed plus interest accrued to the redemption date, without premium; *provided, however,* that if the Series 2021B Bonds are redeemed with proceeds of refunding bonds or other debt obligations of the City, the Series 2021B Bonds shall be subject to a prepayment premium of 1% of the principal amount so redeemed. Optional redemption payments shall reduce the Mandatory Sinking Fund Payments pro rata among all Series 2021B Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021B Bond shall be applied to Mandatory Sinking Fund Payments in inverse order thereof.

This Bond is subject to redemption on July 1 of the respective years shown below (herein referred to as a "Sinking Fund Payment Date") and in the principal amounts (hereinafter referred to as a "Mandatory Sinking Fund Payment") set forth below:

Term Bond

Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount	Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount
2022	$19,653.43	2030	$24,099.26
2023	19,430.53	2031	24,852.12
2024	20,037.54	2032	25,628.51
2025	20,663.52	2033	26,429.15
2026	21,309.06	2034	27,254.80
2027	21,974.76	2035	28,106.24
2028	22,661.25	2036*	28,984.29
2029	23,369.20		

*Final maturity.

The date of redemption and principal amount of this Bond to be redeemed shall be fixed by the City Finance Director, who shall give notice thereof to the Registrar 45 days prior to the date set for redemption in order for the Registrar to give notice, by first class mail, postage prepaid, to the owner of this Bond at its addresses appearing on the bond register, of the principal amount of this Bond to be redeemed and the date on which payment will be made, which date shall not be less than 30 days after the date of mailing of notice. On the date so fixed, interest on this Bond or the principal amount hereof so redeemed shall cease to accrue.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or his attorney. Upon such transfer or exchange, the City will cause a new Series 2021B Bond to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar shall be affected by any notice to the contrary.

The Series 2021B Bonds have been designated by the Borrower as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all things required to be done precedent to the issuance of this Bond have been properly done, happened and been performed in the manner prescribed by the laws of the State of Montana and the resolutions and ordinances of the City of Billings, Montana, relating to the issuance hereof.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by the manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Billings, Montana, by its City Council, has caused this Bond to be executed by the facsimile signatures of the Mayor, the City Finance Director and the City Clerk, and by a printed facsimile of the official seal of the City.

CITY OF BILLINGS, MONTANA

(Facsimile Signature)
MAYOR

(Facsimile Signature)
(Facsimile Seal) CITY FINANCE DIRECTOR

(Facsimile Signature)
CITY CLERK

Dated:

CERTIFICATE OF AUTHENTICATION

This Bond is delivered pursuant to the Resolution mentioned herein.

CITY OF BILLINGS, MONTANA,
as Registrar, Transfer Agent, and
Paying Agent

By _____
City Finance Director

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM —	as tenants in common	UTMA.....Custodian..... (Cust)	(Minor)
TEN ENT —	as tenants by the entireties		
JT TEN —	as joint tenants with right of survivorship and not as tenants in common	under Uniform Transfers to Minors Act . . . . . (State)	

Additional abbreviations may also be used.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights and title thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE:

_____

/_____/

_____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever.

SIGNATURE GUARANTEED

_____

Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Registrar, which requirements include membership or participation in STAMP or such other "signature guaranty program" as may be determined by the Registrar in addition to or in substitution for STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. _____ entitled: "RESOLUTION RELATING TO $2,685,546.34 SPECIAL IMPROVEMENT DISTRICT NO. 1417 BONDS, TAXABLE SERIES 2021A; FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on July 12, 2021, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: _____ _____; voted against the same: _____; abstained from voting thereon: _____; or were absent: _____.

WITNESS my hand and seal officially this 12th day of July, 2021.

(SEAL)

_____
City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO $2,685,546.34 SPECIAL IMPROVEMENT DISTRICT NO. 1417 BONDS, TAXABLE SERIES 2021A; FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR

BE IT RESOLVED by the City Council (the "Council") of the City of Billings, Montana (the "City"), as follows:

Section 1. Recitals. It is hereby found, determined and declared as follows:

1.01. Resolution of Intention. By Resolution No. 21-10942, duly adopted by the Council on April 12, 2021 (the "Resolution of Intention"), this Council declared its intention to create Special Improvement District No. 1417 ("SID No. 1417") (the "District"), for the purpose of financing costs of certain public improvements of special benefit to the properties within the District. The Resolution of Intention designates the number of the District, describes the boundaries thereof, states whether the District is an extended district, states the general character of the improvements to be made (the "Improvements") and states an approximate estimate of the costs thereof, in accordance with the provisions of Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended (the "Act"). By the Resolution of Intention this Council has also declared its intention to cause the costs and expenses of making the Improvements specially benefiting the District to be assessed against the properties included within the boundaries thereof in accordance with one or more methods of assessment authorized in Sections 7-12-4161 to 7-12-4165 of the Act, and as set forth in the Resolution of Intention.

In the Resolution of Intention, this Council stated its intention to issue special improvement district bonds drawn against the District to pay a portion of the costs of the Improvements and costs of issuance of such bonds. This Council further found that it is in the public interest, and in the best interest of the City and the District, to secure payment of principal of and interest on such bonds by the Special Improvement District Revolving Fund of the City (the "Revolving Fund"), on the basis of factors required to be considered under Section 7-12-4225 of the Act. Those findings are hereby ratified and confirmed.

1.02. Notices. Notice of the passage of the Resolution of Intention were given by two publications, with at least six days between publications, in the *Yellowstone County News*, weekly newspapers of general circulation published within the City. Notices of the passage of the Resolution of Intention were also mailed the same day the notice was first published to all persons, firms or corporations or the agents thereof having real property within the District, listed in their names upon the last completed assessment roll for State, county and school district taxes, at their last known addresses. The notices described the general character of the Improvements, stated the estimated cost of the Improvements and the method or methods of assessment of such costs against properties in the District, specified the time when and the place where the Council would hear and pass upon all protests made against the making of the Improvements or the creation or extension of the District, and referred to the Resolution of Intention as being on file in the office of the City Clerk for a description of the boundaries of the District, all in accordance

with the provisions of the Resolution of Intention, and included a statement that, subject to the limitations of Section 7-12-4222 of the Act, the general fund of the City may be used to provide loans to the Revolving Fund or a general tax levy may be imposed on all taxable property in the City to meet the financial requirements of the Revolving Fund.

1.03. Creation of the District. At the time and place specified in the notice hereinabove described, this Council met to hear, consider and pass upon all protests made against the making of the Improvements and the creation of the District, and, after consideration thereof, it was determined and declared that insufficient protests against the creation or extension of the District or the proposed work had been filed in the time and manner provided by law by the owners of the property to be assessed for the Improvements in the District, and this Council did therefore by Resolution No. 21-10949, adopted May 10, 2021, create SID No. 1417, and confirm the findings it made with respect to the pledge of the Revolving Fund in the Resolution of Intention. Following the creation of the District, the City provided additional notice to property owners to be assessed with respect to the Improvements of the increased total costs of construction of the Improvements. Following such notice, the City has now determined to proceed with financing of the Improvements as set forth in this Resolution and in accordance with the Act.

1.04. Construction Contract. The City will cause or has caused to be constructed the Improvements described in the Resolution of Intention. Plans, specifications, maps, profiles and surveys for construction of the Improvements to be constructed to benefit the District were prepared by the engineers acting for the City or by City engineers, and were thereupon examined and approved by this Council. Advertisements for bids for construction of the Improvements to be undertaken in SID No. 1417 were published in the official newspaper of the City in accordance with the provisions of Section 7-12-4141 of the Act, after which the bids theretofore received were opened and examined. After referring the bids to the engineers for the City it was determined that the lowest regular proposal for the furnishing of all work and materials required for constructing the Improvements in accordance with the approved plans and specifications was the following:

SID No. 1417:

Work	Bidder	Contract Price
Installation of water and storm drain system improvements and reconstruction of the roadway to widen and implement a roundabout at the Annafeld Parkway intersection. The project will also install street lighting along Elysian Road and the subdivision streets for Annafeld Subdivision, Third Filing and Annafeld North Subdivision, First Filing	Knife River - Billings	$2,477,123.90

Contracts for the construction of the Improvements were therefore awarded to said bidders, subject to the right of owners of property liable to be assessed for the costs thereof to elect to take the work and enter into written contracts therefor in the manner provided by Section 7-12-4147 of the Act, whereupon the City and the successful bidders entered into written

contracts for construction of the Improvements upon the bidders having executed and filed bonds satisfactory to this Council and in the form and manner provided by Montana Code Annotated, Title 18, Chapter 2, Part 2, as amended.

1.05. Costs. It is currently estimated that the costs and expenses to be assessed against properties in the District benefited by the Improvements, including costs of preparation of plans, specifications, maps, profiles, engineering superintendence and inspection, preparation of assessment rolls, expenses of making the assessments, the cost of work and materials under the construction contracts and all other costs and expenses, including costs of issuance of the Series 2021A Bonds (as hereinafter defined) and the deposit of proceeds in the Revolving Fund, are as follows:

	District No. 1417
Construction	$2,477,123.90
Engineering	57,189.70
Total Project Costs to be Assessed	**$2,534,313.60**
Finance Fee	$500.00
Revolving Fund 5%	134,277.32
Bank Fees	2,500.00
Issuance Costs	13,955.42
Bond Amount	**$2,685,546.34**

The aggregate principal amount required to finance the construction of the Improvements is $2,685,546.34, as provided in the table above.

Such amounts will be levied and assessed against the property within the District on the basis described in the Resolution of Intention. This Council has jurisdiction and is required by law to levy and assess such amounts, to collect such special assessments and credit the same to the 2021 Special Improvement District Sinking Fund (the "Sinking Fund") for the payment of principal and interest when due on the Series 2021A Bonds.

1.06. Sale and Issuance of Series 2021A Bonds. For the purpose of financing a portion of the costs and expenses of making the Improvements, funding a deposit to the Revolving Fund and paying costs of issuance of the Series 2021A Bonds, which are to be assessed against the property within the District as provided in the Resolution of Intention, this Council, pursuant to Resolution No. 21-10961, adopted June 28, 2021 (the "Authorizing Resolution"), determined that it would be in the best interests of the City to sell its Special Improvement District No. 1417 Bonds, Taxable Series 2021A (the "Series 2021A Bonds"), at a private negotiated sale, subject to the limitations and conditions set forth therein, and authorized the City Finance Director to select a purchaser for the Series 2021A Bonds. The City Finance Director has selected First Interstate Bank (the "Purchaser"), to act as purchaser of the Series 2021A Bonds. The Purchaser has agreed to purchase from the City the Series 2021A Bonds at an aggregate purchase price of $2,685,546.34 (representing the stated principal amount of the Series 2021A Bonds), and with an interest rate of 4.05% per annum as set forth in Section 2.01 hereof. The Purchaser has also agreed to purchase the City's Pooled Special Improvement District Bonds (Special Improvement

District Nos. 1416 and 1418), Series 2021B (the "Series 2021B Bonds"), at an aggregate purchase price of $354,453.66 (representing the stated principal amount of the Series 2021B Bonds). Notwithstanding anything to the contrary in the Authorizing Resolution, the Series 2021B Bonds are being issued as a separate series and pursuant to a separate bond resolution and are not pooled with the Series 2021A Bonds under Section 7-12-4193 of the Act. In the event of any discrepancy between the Authorizing Resolution and this Resolution, this Resolution shall control.

1.07. Recitals. All acts, conditions and things required by the Constitution and laws of the State of Montana, including the Act, and the home rule charter of the City, in order to make the Series 2021A Bonds valid and binding special obligations in accordance with their terms and in accordance with the terms of this Resolution have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required.

Section 2. The Series 2021A Bonds.

2.01. Principal Amount, Maturity, Denominations, Date, Interest Rate. For the purpose of paying the costs and expenses of making the Improvements, funding a deposit to the Revolving Fund and paying costs of issuance of the Series 2021A Bonds, and in anticipation of the collection of special assessments to be levied therefor, and pursuant to the Bond Purchase Agreement, the City shall forthwith issue and deliver to the Purchaser the Series 2021A Bonds, denominated "Special Improvement District No. 1417 Bonds, Series 2021A," in the aggregate principal amount of $2,685,546.34, payable solely from the Sinking Fund. The Series 2021A Bonds shall be dated, as originally issued, and be registered as of July 28, 2021, shall mature on July 1, 2036, and shall bear interest from the date of original registration until paid or duly called for redemption at the rate of 4.05% per annum. Interest shall be calculated on the basis of a 360-day year composed of twelve 30-day months.

2.02. Interest Payment Dates. Interest on the Series 2021A Bonds shall be payable on each January 1 and July 1, commencing January 1, 2022, to the owner of record thereof as such appear on the bond register at the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Upon the original delivery of the Series 2021A Bonds to the Purchaser and upon each subsequent transfer or exchange of a Series 2021A Bond pursuant to Section 2.04, the Registrar (as hereinafter defined) shall date the Series 2021A Bonds as of the date of its authentication.

2.03. Method of Payment. The Series 2021A Bonds shall be issued only in fully registered form. The interest on and, upon presentation and surrender thereof at the principal office of the Registrar, the principal of the Series 2021A Bonds shall be payable by check or draft drawn on the Registrar. Notwithstanding the foregoing, so long as a Series 2021A Bond is evidenced by a single, fully registered term bond, it shall not be necessary to present and surrender such Series 2021A Bond until the full redemption thereof pursuant to Section 2.05, but the Registrar shall note in the bond register such principal payment. The principal of and interest on the Series 2021A Bonds are payable in lawful money of the United States of America.

2.04. Registration. The City hereby appoints the City Finance Director to act as bond registrar, transfer agent and paying agent for the Series 2021A Bonds (the "Registrar"). The City

reserves the right to appoint a bank, trust company or fiscal company as successor bond registrar, transfer agent or paying agent, as authorized by the Model Public Obligations Registration Act of Montana (the "Registration Act"), but the City agrees to pay the reasonable and customary charges of the Registrar for the services performed. This Section 2.04 shall establish a system of registration for the Series 2021A Bonds as defined in the Registration Act. The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Bond Register. The Registrar shall keep at its principal office a bond register in which the Registrar shall provide for the registration of ownership of the Series 2021A Bonds and the registration of transfers and exchanges of the Series 2021A Bonds.

(b) Transfer. The Series 2021A Bonds may be transferred in whole but not in part and only to (i) an affiliate of the Purchaser; (ii) a trust or other custodial arrangement established by the Purchaser or one of its affiliates, the owners of any beneficial interest in which are limited to qualified institutional buyers or accredited investors; or (iii) a person or entity that the Purchaser reasonably believes is qualified to purchase the Series 2021A Bonds or that makes representations substantially similar to the representations the Purchaser makes in the Bond Purchase Agreement. Upon surrender to the Registrar for transfer of any Series 2021A Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing and guaranteed by an "eligible guarantor institution" meeting the requirements of the Registrar, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, a new Series 2021A Bond of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer of the Series 2021A Bonds or any portions thereof selected or called for redemption.

(c) Exchange. Whenever any Series 2021A Bond is surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver a new Series 2021A Bond of a like aggregate principal amount, interest rate and maturity, as requested by the registered owner or the owner's attorney duly authorized in writing.

(d) Cancellation. Any Series 2021A Bond surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Series 2021A Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Series 2021A Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owner. The City and the Registrar may treat the person in whose name any Series 2021A Bond is at any time registered on the bond register as the

absolute owner of such Series 2021A Bond, whether such Series 2021A Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Series 2021A Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the City upon such Series 2021A Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer of a Series 2021A Bond or exchange of a Series 2021A Bond (except for an exchange upon the partial redemption of a Series 2021A Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Series 2021A Bonds. In case any Series 2021A Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Series 2021A Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Series 2021A Bond or in lieu of and in substitution for any such Series 2021A Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Series 2021A Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Series 2021A Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. Any Series 2021A Bond so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the City. If the mutilated, destroyed, stolen or lost Series 2021A Bond has already matured or such Series 2021A Bond has been called for redemption in accordance with its terms, it shall not be necessary to issue a new Series 2021A Bond prior to payment.

2.05. Redemption.

(a) Mandatory Redemption. If on any interest payment date there will be a balance in the Sinking Fund after payment of the principal and interest due on the Series 2021A Bonds drawn against it, either from the prepayment of special assessments levied for the Improvements or from the transfer of surplus money from the Construction Account to the Principal Account as provided in Section 3.02, the City Finance Director shall call for redemption on the interest payment date the principal amount of the Series 2021A Bonds which, together with the interest thereon to the interest payment date, will equal the amount of such funds on deposit in the Sinking Fund on that date. The redemption price shall equal the principal amount of the Series 2021A Bonds to be redeemed plus interest accrued to the date of redemption. Such mandatory redemption payments shall reduce the Mandatory Sinking Fund Payments pro rata among all Series 2021A Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021A Bond shall be applied to Mandatory Sinking Fund Payments in inverse order of Sinking Fund Payment Dates.

(b) Optional Redemption. The Series 2021A Bonds are subject to redemption at any time, at the option of the City, in whole or in part, from sources of funds available therefor (other than those described in Section 2.05(a)), at a redemption price equal to the principal amount thereof to be redeemed plus interest accrued to the redemption date, without premium; *provided, however,* that if the Series 2021A Bonds are redeemed with proceeds of refunding bonds or other debt obligations of the City, the Series 2021A Bonds shall be subject to a prepayment premium of 1% of the principal amount so redeemed. Optional redemption payments shall reduce the Mandatory Sinking Fund Payments pro rata among all Series 2021A Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021A Bond shall be applied to Mandatory Sinking Fund Payments in inverse order of Sinking Fund Payment Dates.

(c) Mandatory Sinking Fund Redemption. The Series 2021A Bonds are subject to redemption on July 1 of the respective years shown below (herein referred to as a "Sinking Fund Payment Date") and in the principal amounts (hereinafter referred to as a "Mandatory Sinking Fund Payment") set forth below:

Term Bond

Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount	Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount
2022	$140,813.52	2030	$183,047.11
2023	138,251.68	2031	190,535.57
2024	143,907.57	2032	198,330.40
2025	149,794.83	2033	206,444.11
2026	155,922.95	2034	214,889.75
2027	162,301.77	2035	223,680.90
2028	168,941.54	2036*	232,831.69
2029	175,852.95		

*Final maturity.

(d) Notice and Effect of Redemption. The date of redemption and the principal amount of the Series 2021A Bonds to be redeemed shall be fixed by the City Finance Director, who shall give notice thereof to the Registrar 45 days prior to the date set for redemption in order for the Registrar to give notice, by first class mail, postage prepaid, to the owners of the Series 2021A Bonds at their addresses appearing on the bond register, of the respective principal amounts of the Series 2021A Bonds to be redeemed and the date on which payment will be made, which date shall be not less than 30 days after the date of mailing notice. On the date so fixed, interest on the principal amounts of the Series 2021A Bonds so redeemed shall cease to accrue.

2.06. Form. The Series 2021A Bonds shall be prepared in substantially the form set forth in Exhibit A hereto, and by this reference made a part hereof, with such modifications as are permitted by the Act.

2.07. Execution, Registration and Delivery. The Series 2021A Bonds shall be prepared under the direction of the City Finance Director and shall be executed on behalf of the City by the signatures of the Mayor, the City Finance Director and the City Clerk and sealed with the official seal of the City; provided that the seal and all signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on any Series 2021A Bond shall cease to be such officer before the delivery of such Series 2021A Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Series 2021A Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Series 2021A Bond has been duly executed by the manual signature of an authorized representative of the Registrar. The certificate of authentication on a different Series 2021A Bonds need not be signed by the same representative. The executed certificate of authentication on the Series 2021A Bonds shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Series 2021A Bonds have been so executed, authenticated and registered, the Series 2021A Bonds shall be delivered by the Registrar to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed.

2.08. Application of Proceeds. From the proceeds of the Series 2021A Bonds, the City Finance Director shall credit forthwith $134,277.32 for SID No. 1417 to the Revolving Fund, as required by Section 7-12-4169(2) of the Act, and the balance of such proceeds to the Construction Account to be used solely for the purposes described in Section 3.02.

Section 3. Sinking Fund; Assessments.

3.01. 2021 Special Improvement District Sinking Fund. There is hereby created and established the fund designated as the "2021 Special Improvement District Sinking Fund" which shall be maintained by the City Finance Director on the books and records of the City separate and apart from all other funds of the City. Within the Sinking Fund there shall be maintained three separate accounts for the District, designated as the "Construction Account," the "Principal Account" and the "Interest Account," respectively.

3.02. Construction Account. There shall be credited to the Construction Account the proceeds of the sale of the Series 2021A Bonds attributable to the District remaining after the required deposit to the Revolving Fund. Any earnings on investment of money in the Construction Account shall be retained therein. All costs and expenses of constructing the Improvements, including costs of issuance of the Series 2021A Bonds, shall be paid from time to time as incurred and allowed from the Construction Account in accordance with the provisions of applicable law, and money in the Construction Account shall be used for no other purpose; provided that upon completion of the Improvements and after all claims and expenses with respect to the Improvements have been fully paid and satisfied, any money remaining in the Construction Account shall be transferred to the Principal Account and used to redeem the principal amount of the Series 2021A Bonds or portions thereof as provided in Section 3.03.

3.03. Principal Account and Interest Account. Money in the Principal Account and the Interest Account shall be used only for payment of the principal of and interest on the Series 2021A Bonds as such payments become due or to redeem all or a portion of the principal amount of the Series 2021A Bonds.

Upon collection of the installment of principal and interest due on November 30 and May 31 of each year on the special assessments to be levied with respect to the Improvements, the City Finance Director shall credit to the Interest Account so much of said special assessments as is collected as interest payment and the balance thereof to the Principal Account. Any installment of any special assessment paid prior to its due date with interest accrued thereon to the next succeeding interest payment date shall be credited with respect to principal and interest payments in the same manner as other assessments are credited to the Principal Account. All money in the Interest Account and the Principal Account shall be used first to pay interest then due, and any remaining money shall be used to pay principal then due and, if money is available, to redeem all or a portion of the principal amount of the Series 2021A Bonds in accordance with Section 2.05; provided that any money transferred to the Principal Account from the Construction Account pursuant to Section 3.02 shall be applied to redeem the Series 2021A Bonds to the extent possible on the next interest payment date for which notice of redemption has been properly given pursuant to Section 2.05(a). Interest shall be paid from the Interest Account as accrued on the Series 2021A Bonds to the date of redemption, in accordance with the provisions of Section 7-12-4206 of the Act.

3.04. Loans From Revolving Fund. The Council shall annually or more often if necessary issue an order authorizing a loan or advance from the Revolving Fund to the Interest Account in an amount sufficient to make good any deficiency then existing in the Interest Account and issue an order authorizing a loan or advance from the Revolving Fund to the Principal Account in an amount sufficient to make good any deficiency then existing in the Principal Account, in each case to the extent that money is available in the Revolving Fund. A deficiency shall be deemed to exist in the Interest Account or Principal Account if the money on deposit therein on any December 15 or June 15 (excluding amounts in the Principal Account representing prepaid special assessments) is less than the amount necessary to pay the principal of the Series 2021A Bonds then due (other than upon mandatory or optional redemption pursuant to Sections 2.05(a) and (b) hereof), and interest payable on the Series 2021A Bonds, on the next succeeding interest payment date.

Pursuant to Ordinance No. 1096, the City has undertaken and agreed to provide funds for the Revolving Fund by annually levying such tax or making such loan from the general fund of the City, subject to the limitation that no such tax levy or loan may in any year cause the balance in the Revolving Fund to exceed five percent of the principal amount of the City's then outstanding special improvement and sidewalk, curb, gutter and alley approach bonds and warrants secured thereby and subject to the durational limitations specified in the Act. In the event that the balance on hand in the Revolving Fund fifteen days prior to any date when interest is due on special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City is not sufficient to make good all deficiencies then existing in the funds for which the City covenants to make loans from the Revolving Fund, the balance on hand in the Revolving Fund shall be allocated to the funds in which such deficiencies then exist in proportion to the

amounts of the deficiencies on the respective dates of receipt of such money, until all interest accrued on such special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City has been paid and to the extent of amounts available in the Revolving Fund. On any date when all accrued interest on special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City payable from funds for which the City has covenanted to make loans from the Revolving Fund has been paid, any balance remaining in the Revolving Fund shall be loaned or advanced to the funds for payment and redemption of bonds and warrants to the extent such funds are deficient for such purpose and, if money in the Revolving Fund is insufficient therefor, pro rata, in an amount proportionate to the amount of such deficiency.

The City hereby determines, covenants and agrees to levy the property tax described in the immediately preceding paragraph to provide funds for the Revolving Fund so long as the Series 2021A Bonds are outstanding to the extent required under the provisions of this Resolution and the Act, even though such property tax levy may, under applicable law or provisions of the home rule charter of the City, require that property tax levies of the City for other purposes be reduced correspondingly.

Section 4. Covenants. The City covenants and agrees with the owners from time to time of the Series 2021A Bonds that until the principal amount of the Series 2021A Bonds and interest thereon are fully paid:

4.01. Compliance with Resolution. The City will hold the Sinking Fund and the Revolving Fund as trust funds, separate and apart from all of its other funds, and the City, its officers and agents, will comply with all covenants and agreements contained in this Resolution. The provisions hereinabove made with respect to the Sinking Fund and the Revolving Fund are in accordance with the undertaking and agreement of the City made in connection with the sale of the Series 2021A Bonds as set forth in Section 1.06.

4.02. Construction of Improvements. The City will do all acts and things necessary to enforce the provisions of the construction contracts for the Improvements and to ensure the completion of the Improvements in accordance with the plans and specifications and within the time therein provided, and will pay all costs thereof promptly as incurred and allowed, out of the Construction Account and within the amount of the proceeds of the Series 2021A Bonds appropriated thereto, amounts contributed by the City therefor and prepayments by property owners in the District.

4.03. Levy of Assessments. The City will do all acts and things necessary for the final and valid levy of special assessments upon all assessable real property within the boundaries of the District benefited by the Improvements, in accordance with the Constitution and laws of the State of Montana and the Constitution of the United States, in an aggregate principal amount not less than $2,685,546.34. Such special assessments shall be levied on the basis or bases prescribed in the Resolution of Intention, and shall be payable in substantially equal semiannual installments of principal and interest over a period of 15 years, at an annual rate equal to the sum of: (i) the average annual interest rate borne by the Series 2021A Bonds, plus (ii) one-half of one percent (0.50%) per annum. The assessments to be levied will be payable on the 30th day of

November in each of the years 2021 through 2035, and on the 31st day of May in the years 2022 through 2036, inclusive, if not theretofore paid, and shall become delinquent on such date unless paid in full. The first partial payment of each assessment shall include interest on the entire assessment from the date of original registration of the Series 2021A Bonds to January 1, 2022. The assessments shall constitute a lien upon and against the property against which they are made and levied, which lien may be extinguished only by payment of the assessment with all penalties, cost and interest as provided in Section 7-12-4191 of the Act. No tax deed issued with respect to any lot or parcel of land shall operate as payment of any installment of the assessment thereon which is payable after the execution of such deed, and any tax deed so issued shall convey title subject only to the lien of said future installments, as provided in Montana Code Annotated, Section 15-18-214.

4.04. Reassessment. If at any time and for whatever reason any special assessment or tax herein agreed to be levied is held invalid, the City and this Council, its officers and employees, will take all steps necessary to correct the same and to reassess and re-levy the same, including the ordering of work, with the same force and effect as if made at the time provided by law, ordinance or resolution relating thereto, and will reassess and re-levy the same with the same force and effect as an original levy thereof, as authorized in Section 7-12-4186 of the Act. Any special assessment, or reassessment or re-levy shall, so far as is practicable, be levied and collected as it would have been if the first levy had been enforced including the levy and collection of any interest accrued on the first levy.

If proceeds of the Series 2021A Bonds, including investment income thereon, are applied to the redemption of the Series 2021A Bonds, as provided in Sections 7-12-4205 and 7-12-4206 of the Act, or if refunding bonds are issued and the outstanding principal amount of the Series 2021A Bonds is decreased or increased, the City will reduce or increase, respectively, the assessments levied in the District and then outstanding pro rata by the principal amount of such prepayment or the increment above or below the outstanding principal amount of the Series 2021A Bonds represented by the refunding bonds. The City and this Council, its officers and employees will reassess and re-levy such assessments, with the same effect as an original levy, in such reduced or increased amounts in accordance with the provisions of Sections 7-12-4176 through 7-12-4178 of the Act.

4.05. Absence of Litigation. There is now no litigation pending or, to the best knowledge of the City, threatened questioning the validity or regularity of the creation of the District, the contracts for construction of the Improvements or the undertaking and agreement of the City to levy special assessments therefor and to make good any deficiency in the collection thereof through the levy of taxes for and the making of advances from the Revolving Fund, or the right and power of the City to issue the Series 2021A Bonds or in any manner questioning the existence of any condition precedent to the exercise of the City's powers in these matters. If any such litigation should be initiated or threatened, the City will forthwith notify in writing the Purchaser, and will furnish the Purchaser a copy of all documents, including pleadings, in connection with such litigation.

4.06. Waiver of Penalty and Interest. The City covenants not to waive the payment of penalty or interest on delinquent assessments levied for costs of the Improvements, unless the

City determines, by resolution of the Council, that such waiver is in the best interest of the owners of the Series 2021A Bonds.

Section 5. Authentication of Transcript. The officers of the City are hereby authorized and directed to furnish to the Purchaser and to Bond Counsel certified copies of all proceedings relating to the issuance of the Series 2021A Bonds and such other certificates and affidavits as may be required to show the right, power and authority of the City to issue the Series 2021A Bonds, and all statements contained in and shown by such instruments, including any heretofore furnished, shall constitute representations of the City as to the truth of the statements purported to be shown thereby.

Section 6. Defeasance.

6.01. General. When the liability of the City on the Series 2021A Bonds issued under and secured by this Resolution has been discharged as provided in this Section 7, all pledges, covenants and other rights granted by this Resolution to the owners of the Series 2021A Bonds shall cease.

6.02. Payment. The City may discharge its liability with reference to any Series 2021A Bonds or installment of interest thereon which is due on any date by depositing with the Registrar on or before that date funds sufficient, or, if a City officer is the Registrar, mailing to the registered owner of the Series 2021A Bonds a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full; or if any Series 2021A Bond or installment of interest thereon shall not be paid when due, the City may nevertheless discharge its liability with reference thereto by depositing with the Registrar funds sufficient, or, if a City officer is the Registrar, by mailing to the registered owner thereof a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full with interest accrued to the date of such deposit or mailing.

6.03. Prepayment. The City may also discharge its obligations with respect to any Series 2021A Bond called for redemption on any date when it is prepayable in accordance with its terms, by on or before that date depositing with the Registrar funds sufficient, or, if a City officer is the Registrar, mailing to the registered owner of such Series 2021A Bonds a check or a draft in a sum sufficient and providing proceeds available, for the payment of the principal, interest and redemption premium, if any, which are then due; provided that notice of such redemption has been duly given as provided herein or irrevocably provided for.

6.04. Escrow. The City may also at any time discharge its liability in its entirety with reference to the Series 2021A Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without reinvestment, to provide funds sufficient to pay all principal and interest to become due on the Series 2021A Bonds on or before maturity or, if the Series 2021A Bonds have been duly called for redemption or notice of such redemption has been irrevocably provided for, on or before the designated redemption date.

6.05. Irrevocable Deposits. If an officer of the City is the Registrar, any deposit made under this Section 7 with the Registrar shall be irrevocable and held for the benefit of the owner of the Series 2021A Bonds in respect of which such deposits have been made.

Section 7. Repeals and Effective Date.

7.01. Repeal. All provisions of other resolutions and other actions and proceedings of the City and this Council that are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

7.02. Effective Date. This Resolution shall take effect immediately upon its passage and adoption by this Council.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 12th day of July, 2021.

_____
Mayor

Attest: _____
City Clerk

(SEAL)

EXHIBIT A

UNITED STATES OF AMERICA
STATE OF MONTANA
YELLOWSTONE COUNTY

CITY OF BILLINGS

SPECIAL IMPROVEMENT DISTRICT NO. 1417 BONDS,
TAXABLE SERIES 2021A

Interest at the rate per annum specified below,
payable on the 1st day of January and the 1st day of July
in each year, commencing January 1, 2022.

No. R-1 $2,685,546.34

Interest Rate	Maturity Date	Date of Original Issue
4.05%	July 1, 2036	July 28, 2021

REGISTERED OWNER: FIRST INTERSTATE BANK

PRINCIPAL AMOUNT: TWO MILLION SIX HUNDRED EIGHTY-FIVE THOUSAND FIVE HUNDRED FORTY-SIX AND 34/100 DOLLARS

FOR VALUE RECEIVED, the City of Billings, Montana (the "City"), will pay to the registered owner identified above, or registered assigns, on the maturity date specified above the principal amount specified above, solely from the revenues hereinafter specified, as authorized by Resolution No. [____], adopted July 12, 2021 (the "Resolution"), all subject to the provisions hereinafter described relating to the redemption of this Bond before maturity. This Bond bears interest at the rate per annum specified above from the date of original issue specified above, or from such later date to which interest hereon has been paid or duly provided for, until the maturity date specified above or an earlier date on which this Bond shall have been duly called for redemption by the City Finance Director. Interest on this Bond is payable semiannually on the 1st day of January and the 1st day of July in each year, commencing January 1, 2022, to the owner of record of this Bond appearing as such in the bond register as of the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. Interest on and, upon presentation and surrender hereof at the principal office of the Registrar, the principal of this Bond shall be payable by check or draft drawn on the Registrar. Notwithstanding the foregoing, so long as this Bond is evidenced by a single, fully registered term bond, it shall not be necessary to present and surrender this Bond until the full redemption hereof pursuant to the Resolution, but the Registrar shall note in the bond register such principal payment. The principal of and interest on this Bond are payable in lawful money of the United States of America. Interest on this Bond shall be calculated on the basis of a 360 day year composed of twelve 30 day months. The City Finance Director shall initially serve as Registrar for the Series 2021A Bonds.

This Bond is one of an issue in the aggregate principal amount of $2,685,546.34 (the "Series 2021A Bonds"), all of like date of original issue and tenor, except as to serial number, denomination, date, maturity date and redemption rights. The Series 2021A Bonds are issued pursuant to and in full conformity with the Constitution and laws of the State of Montana thereunto enabling, including Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended (the "Act"), and ordinances and resolutions duly adopted by the governing body of the City, including the Resolution, for the purpose of financing costs and expenses of making certain local improvements (the "Improvements") for the special benefit of properties located in Special Improvement District No. 1417 (the "District"), to fund a deposit to the Special Improvement District Revolving Fund (the "Revolving Fund") and to pay costs of issuance of the Series 2021A Bonds.

The Series 2021A Bonds are payable from the collection of a special tax or assessment levied upon all assessable real property within the boundaries of the District benefited by the Improvements, in an aggregate principal amount not less than $2,685,546.34, except as such amounts may be reduced or increased in accordance with provisions of Montana law. Such assessments constitute a lien against the property against which they are made and levied and are to be deposited into the 2021 Special Improvement District Sinking Fund of the City (the "Sinking Fund"). The Series 2021A Bonds are not general obligations of the City.

The City has validly established the Revolving Fund to secure the payment of certain of its special improvement and sidewalk, curb, gutter and alley approach bonds and warrants, including the Series 2021A Bonds. The City has also agreed, to the extent permitted by the Act, to issue orders annually, or more often as necessary, authorizing loans or advances from the Revolving Fund to the Sinking Fund, in amounts sufficient to make good any deficiency in the Sinking Fund to pay principal of or interest on the Series 2021A Bonds, to the extent money is available in the Revolving Fund, and to provide funds for the Revolving Fund by annually levying such tax or making such loan from its general fund, subject to the limitation that no such tax levy or loan may in any year cause the balance in the Revolving Fund to exceed five percent of the principal amount of the City's then outstanding special improvement and sidewalk, curb, gutter and alley approach bonds and warrants secured thereby and subject to the durational limitations specified in the Act. While any property tax levy to be made by the City to provide funds for the Revolving Fund is subject to levy limits under current law, the City has agreed in the Resolution to levy property taxes to provide funds for the Revolving Fund to the extent described in this paragraph and, if necessary, to reduce other property tax levies correspondingly to meet applicable levy limits.

If on any interest payment date there will be a balance in the Sinking Fund after payment of the principal and interest then due on the Series 2021A Bonds drawn against it, either from the prepayment of assessments levied or from the transfer of surplus money from the Construction Account to the Principal Account, the City Finance Director shall call for redemption on the interest payment date the principal amount of the Series 2021A Bonds, together with the interest thereon to the interest payment date, equal to the amount of such funds on deposit in the Sinking Fund on that date. The redemption price shall equal the principal amount of the Series 2021A Bonds to be redeemed plus interest accrued to the date of redemption. Such mandatory redemption payments shall reduce the Mandatory Sinking Fund Payments pro rata among all Series 2021A

Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021A Bond shall be applied to Mandatory Sinking Fund Payments in inverse order thereof.

The Series 2021A Bonds are subject to redemption at any time, at the option of the City, in whole or in part, from sources of funds available therefor (other than those described in Section 2.05(a) of the Resolution), at a redemption price equal to the principal amount hereof to be redeemed plus interest accrued to the redemption date, without premium; *provided, however*, that if the Series 2021A Bonds are redeemed with proceeds of refunding bonds or other debt obligations of the City, the Series 2021A Bonds shall be subject to a prepayment premium of 1% of the principal amount so redeemed. Optional redemption payments shall reduce the Mandatory Sinking Fund Payments pro rata among all Series 2021A Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021A Bond shall be applied to Mandatory Sinking Fund Payments in inverse order thereof.

This Bond is subject to redemption on July 1 of the respective years shown below (herein referred to as a "Sinking Fund Payment Date") and in the principal amounts (hereinafter referred to as a "Mandatory Sinking Fund Payment") set forth below:

Term Bond

Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount	Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount
2022	$140,813.52	2030	$183,047.11
2023	138,251.68	2031	190,535.57
2024	143,907.57	2032	198,330.40
2025	149,794.83	2033	206,444.11
2026	155,922.95	2034	214,889.75
2027	162,301.77	2035	223,680.90
2028	168,941.54	2036*	232,831.69
2029	175,852.95		

*Final maturity.

The date of redemption and principal amount of this Bond to be redeemed shall be fixed by the City Finance Director, who shall give notice thereof to the Registrar 45 days prior to the date set for redemption in order for the Registrar to give notice, by first class mail, postage prepaid, to the owner of this Bond at its addresses appearing on the bond register, of the principal amount of this Bond to be redeemed and the date on which payment will be made, which date shall not be less than 30 days after the date of mailing of notice. On the date so fixed, interest on this Bond or the principal amount hereof so redeemed shall cease to accrue.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or his attorney. Upon such transfer or exchange, the City will cause a new Series 2021A

Bond to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar shall be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all things required to be done precedent to the issuance of this Bond have been properly done, happened and been performed in the manner prescribed by the laws of the State of Montana and the resolutions and ordinances of the City of Billings, Montana, relating to the issuance hereof.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by the manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Billings, Montana, by its City Council, has caused this Bond to be executed by the facsimile signatures of the Mayor, the City Finance Director and the City Clerk, and by a printed facsimile of the official seal of the City.

CITY OF BILLINGS, MONTANA

(Facsimile Signature)
MAYOR

(Facsimile Signature)
(Facsimile Seal) CITY FINANCE DIRECTOR

(Facsimile Signature)
CITY CLERK

Dated:

CERTIFICATE OF AUTHENTICATION

This Bond is delivered pursuant to the Resolution mentioned herein.

CITY OF BILLINGS, MONTANA,
as Registrar, Transfer Agent, and
Paying Agent

By _____
City Finance Director

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM —	as tenants in common	UTMA.....Custodian..... (Cust)	(Minor)
TEN ENT —	as tenants by the entireties		
JT TEN —	as joint tenants with right of survivorship and not as tenants in common	under Uniform Transfers to Minors Act . . . . . (State)	

Additional abbreviations may also be used.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights and title thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE:

_____

/_____/

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever.

SIGNATURE GUARANTEED

_____

Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Registrar, which requirements include membership or participation in STAMP or such other "signature guaranty program" as may be determined by the Registrar in addition to or in substitution for STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

City Council Regular

Date:	07/12/2021
Title:	Bond Resolution for Sidewalk Bond
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No

RECOMMENDATION

Staff recommends the City Council approve the bond resolution for WO 20-12 sidewalk bonds.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On April 26, 2021, City Council approved a resolution authorizing the issuance and calling for a negotiated sidewalk bond sale for WO 20-12. The City decided to postpone financing of the improvements in order to provide further notice to property owners to be assessed with respect to the increased total costs of construction of the improvements. Following such notice, the City has now determined to proceed with financing of the improvements as set forth in this resolution.

Once the resolution has been approved, the closing will take place on July 28th and the bond proceeds will be disbursed to the construction project fund.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve and find an alternative funding source

FISCAL EFFECTS

The term on the bond is 12 years with an interest rate of 3.19%. The property owners identified in the sidewalk creation documents will be assessed yearly on their property tax bill.

Attachments

SW

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. 21-_____ entitled: "RESOLUTION RELATING TO $960,000 SPECIAL SIDEWALK, CURB, GUTTER AND ALLEY APPROACH BONDS, SERIES 2021; FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on July 12, 2021, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: _____ _____; voted against the same: _____; abstained from voting thereon: _____; or were absent: _____ _____.

WITNESS my hand and seal officially this 12th day of July, 2021.

_____
City Clerk

RESOLUTION NO. 21-_____

RESOLUTION RELATING TO $960,000 SPECIAL SIDEWALK, CURB, GUTTER AND ALLEY APPROACH BONDS, SERIES 2021; FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR

BE IT RESOLVED by the City Council (the "Council") of the City of Billings, Montana (the "City"), as follows:

Section 1. Recitals. It is hereby found, determined and declared as follows:

1.01. Prior Acts. This Council, by Resolution No. 21-10944, adopted by the City Council on April 26, 2021 (the "Authorizing Resolution") and pursuant to Montana Code Annotated, Title 7, Chapter 14, Part 41 and Title 7, Chapter 12, Parts 41 and 42, as amended (the "Act"), authorized the issuance of pooled special sidewalk, curb, gutter and alley approach bonds of the City for the purpose of financing costs of installation, construction, reconstruction or replacement of certain curbs, gutters, sidewalks, drive approaches, driveways, alley approaches and appurtenant improvements to certain locations in the City heretofore ordered by this Council, including pursuant to Resolution No. 21-10935, adopted March 22, 2021, as the W.O. 20-12, South 32nd Street Improvements (the "Improvements"). The Improvements are more specifically described on Exhibit A hereto. The City decided to postpone financing of the Improvements authorized pursuant to the Authorizing Resolution in order to provide additional notice to property owners to be assessed with respect to the Improvements of the increased total costs of construction of the Improvements. Following such notice, the City has now determined to proceed with financing of the Improvements as set forth in this Resolution and in accordance with the Act.

Pursuant to the Authorizing Resolution, this Council determined that it is in the best interests of the City to sell its Special Sidewalk, Curb, Gutter and Alley Approach Bonds, Series 2021 (the "Series 2021 Bonds") at a private negotiated sale, subject to the limitations and conditions set forth therein. Rocky Mountain Bank (the "Purchaser") has offered to purchase the Series 2021 Bonds from the City at an aggregate purchase price of $960,000 (representing the stated principal amount of the Series 2021 Bonds) upon the terms set forth in this Resolution. The interest rate for the Series 2021 Bonds is 3.19%.

In the resolution ordering in the Improvements, this Council found that is in the public interest, and in the best interest of the City and the properties specifically benefitting from the Improvements, to secure payment of principal of and interest on the Series 2021 Bonds by the Special Improvement District Revolving Fund of the City (the "Revolving Fund"), on the basis of the factors required to be considered under Montana Code Annotated, Section 7-12-4225. Those findings are hereby ratified and confirmed.

1.02. Costs. It is currently estimated that the costs and expenses to be assessed against properties adjacent to the Improvements, including costs of preparation of plans, specifications, maps, profiles, engineering superintendence and inspection, preparation of assessment rolls,

expenses of making the assessments, the cost of work and materials under the construction contract and all other costs and expenses, including costs of issuance of the Series 2021 Bonds and the deposit of proceeds in the Revolving Fund are as follows:

Construction Costs	$758,099.34
Consultant Management Costs	117,091.16
PWE Management Costs	21,059.50
Total Project Costs	$896,250.00
City Financing Expense	$ 750.00
Revolving Fund Deposit	48,000.00
Bank Fee	5,000.00
Costs of Issuance	10,000.00
Total	$960,000.00

Such amount will be levied and assessed upon the assessable real property adjacent to the Improvements on the basis described in the resolution ordering the Improvements. This Council has jurisdiction and is required by law to levy and assess such amounts, to collect such special assessments and credit the same to the 2021 Special Sidewalk, Curb, Gutter and Alley Approach Sinking Fund of the City (the "2021 Sidewalk Sinking Fund") created for the Improvements.

1.03. Recitals. All acts, conditions and things required by the Constitution and laws of the State of Montana, including the Act, and the home rule charter of the City, in order to make the Series 2021 Bonds valid and binding special obligations in accordance with their terms and in accordance with the terms of this Resolution have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required.

Section 2. The Series 2021 Bonds.

2.01. Principal Amount, Maturity, Denominations, Date, Interest Rate. For the purpose of paying the costs and expenses incurred in the construction of the Improvements, funding a deposit to the Revolving Fund and paying costs of issuance of the Series 2021 Bonds, and in anticipation of the collection of special assessments to be levied therefor, the City shall forthwith issue and deliver to the Purchaser the Series 2021 Bonds, denominated "Special Sidewalk, Curb, Gutter and Alley Approach Bonds, Series 2021" in the aggregate principal amount of $960,000, payable solely from the 2021 Sidewalk Sinking Fund. The Series 2021 Bonds shall be dated, as originally issued, and be registered as of July 28, 2021, shall mature on July 1, 2033, and shall bear interest from the date of original registration until paid or duly called for redemption at the rate of 3.19% per annum. Interest shall be calculated on the basis of a 360-day year composed of twelve 30-day months.

2.02. Interest Payment Dates. Interest on the Series 2021 Bonds shall be payable on each January 1 and July 1, commencing January 1, 2022, to the owner of record thereof as such appear on the bond register at the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Upon the original delivery of the Series 2021 Bonds to the Purchaser and upon each subsequent transfer or exchange of a Series

2021 Bond pursuant to Section 2.04, the Registrar (as hereinafter defined) shall date the Series 2021 Bonds as of the date of its authentication.

2.03. Method of Payment. The Series 2021 Bonds shall be issued only in fully registered form. The interest on and, upon presentation and surrender thereof at the principal office of the Registrar, the principal of the Series 2021 Bonds shall be payable by check or draft drawn on the Registrar. Notwithstanding the foregoing, so long as a Series 2021 Bond is evidenced by a single, fully registered term bond, it shall not be necessary to present and surrender such Series 2021 Bond until the full redemption thereof pursuant to Section 2.05, but the Registrar shall note in the bond register such principal payment. The principal of and interest on the Series 2021 Bonds are payable in lawful money of the United States of America.

2.04. Registration. The City hereby appoints the City Finance Director to act as bond registrar, transfer agent and paying agent for the Series 2021 Bonds (the "Registrar"). The City reserves the right to appoint a bank, trust company or fiscal company as successor bond registrar, transfer agent or paying agent, as authorized by the Model Public Obligations Registration Act of Montana (the "Registration Act"), but the City agrees to pay the reasonable and customary charges of the Registrar for the services performed. This Section 2.04 shall establish a system of registration for the Series 2021 Bonds as defined in the Registration Act. The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Bond Register. The Registrar shall keep at its principal office a bond register in which the Registrar shall provide for the registration of ownership of the Series 2021 Bonds and the registration of transfers and exchanges of the Series 2021 Bonds.

(b) Transfer. The Series 2021 Bonds may be transferred in whole but not in part and only to (i) an affiliate of the Purchaser; (ii) a trust or other custodial arrangement established by the Purchaser or one of its affiliates, the owners of any beneficial interest in which are limited to qualified institutional buyers or accredited investors; or (iii) a person or entity that the Purchaser reasonably believes is qualified to purchase the Series 2021 Bonds or that makes representations substantially similar to the representations made by the Purchaser to the City in connection with the original delivery of the Series 2021 Bonds. Upon surrender to the Registrar for transfer of any Series 2021 Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing and guaranteed by an "eligible guarantor institution" meeting the requirements of the Registrar, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, a new Series 2021 Bond of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer of the Series 2021 Bonds or any portion thereof selected or called for redemption.

(c) Exchange. Whenever any Series 2021 Bond is surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver a new Series 2021 Bond

of a like aggregate principal amount, interest rate and maturity, as requested by the registered owner or the owner's attorney duly authorized in writing.

(d) Cancellation. Any Series 2021 Bond surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Series 2021 Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Series 2021 Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owner. The City and the Registrar may treat the person in whose name any Series 2021 Bond is at any time registered on the bond register as the absolute owner of such Series 2021 Bond, whether such Series 2021 Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Series 2021 Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the City upon such Series 2021 Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer of a Series 2021 Bond or exchange of a Series 2021 Bond (except for an exchange upon the partial redemption of a Series 2021 Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Series 2021 Bonds. In case any Series 2021 Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Series 2021 Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Series 2021 Bond or in lieu of and in substitution for any such Series 2021 Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Series 2021 Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Series 2021 Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. Any Series 2021 Bond so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the City. If the mutilated, destroyed, stolen or lost Series 2021 Bond has already matured or such Series 2021 Bond has been called for redemption in accordance with its terms, it shall not be necessary to issue a new Series 2021 Bond prior to payment.

2.05. Redemption.

(a) Mandatory Redemption. If on any interest payment date there will be a balance in the 2021 Sidewalk Sinking Fund after payment of the principal and interest due on the Series 2021 Bonds drawn against it, either from the prepayment of assessments or from the transfer of surplus money from the Construction Account to the Principal Account as provided in Section 3.02, the City Finance Director shall call for redemption on the interest payment date the principal amount of the Series 2021 Bonds which, together with the interest thereon to the interest payment date, will equal the amount of such funds on deposit in the 2021 Sidewalk Sinking Fund on that date. The redemption price shall equal the principal amount of the Series 2021 Bonds to be redeemed plus interest accrued to the date of redemption. Such mandatory redemption payments shall reduce the Mandatory Sinking Fund Payments *pro rata* among all Series 2021 Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021 Bond shall be applied to Mandatory Sinking Fund Payments in inverse order of Sinking Fund Payment Dates.

(b) Optional Redemption. The Series 2021 Bonds are subject to redemption at any time, at the option of the City, in whole or in part, from sources of funds available therefor (other than those described in Section 2.05(a)), at a redemption price equal to the principal amount thereof to be redeemed plus interest accrued to the redemption date, without premium. Such optional redemption payments shall reduce the Mandatory Sinking Fund Payments *pro rata* among all Series 2021 Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021 Bond shall be applied to Mandatory Sinking Fund Payments in inverse order of Sinking Fund Payment Dates.

(c) Mandatory Sinking Fund Redemption. The Series 2021 Bonds are subject to redemption on July 1 of the respective years shown below (herein referred to as a "Sinking Fund Payment Date") and in the principal amounts (hereinafter referred to as a "Mandatory Sinking Fund Payment") set forth below:

Term Bond

Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount	Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount
2022	$69,000	2028	$81,000
2023	69,000	2029	83,000
2024	71,000	2030	86,000
2025	73,000	2031	89,000
2026	75,000	2032	91,000
2027	78,000	2033	95,000*

*Final maturity.

(d) Notice and Effect of Redemption. The date of redemption and the principal amount of the Series 2021 Bonds to be redeemed shall be fixed by the City Finance Director, who shall give notice thereof to the Registrar 45 days prior to the date set for redemption in order for the Registrar to give notice, by first class mail, postage prepaid, to the owners of the Series 2021

Bonds at their addresses appearing on the bond register, of the respective principal amounts of the Series 2021 Bonds to be redeemed and the date on which payment will be made, which date shall be not less than 30 days after the date of mailing notice. On the date so fixed, interest on the principal amounts of the Series 2021 Bonds so redeemed shall cease to accrue.

2.06. Form. The Series 2021 Bonds shall be prepared in substantially the form set forth in Exhibit B hereto, and by this reference made a part hereof, with such modifications as are permitted by the Act.

2.07. Execution, Registration and Delivery. The Series 2021 Bonds shall be prepared under the direction of the City Finance Director and shall be executed on behalf of the City by the signatures of the Mayor, the City Finance Director and the City Clerk and sealed with the official seal of the City; provided that the seal and all signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on any Series 2021 Bond shall cease to be such officer before the delivery of such Series 2021 Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Series 2021 Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Series 2021 Bond has been duly executed by the manual signature of an authorized representative of the Registrar. The certificate of authentication on a different Series 2021 Bond need not be signed by the same representative. The executed certificate of authentication on a Series 2021 Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Series 2021 Bonds have been so executed, authenticated and registered, the Series 2021 Bonds shall be delivered by the Registrar to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed.

2.07. Application of Proceeds. From the proceeds of the Series 2021 Bonds, the City Finance Director shall credit forthwith $48,000 to the Revolving Fund, as required by Section 7-12-4169(2) of the Act, and the balance of such proceeds to the Construction Account (as hereinafter defined) to be used solely for the purposes described in Section 3.02.

Section 3. 2021 Sidewalk Sinking Fund; Assessments.

3.01. 2021 Sidewalk Sinking Fund. There is hereby created and established the fund designated as the "2021 Sidewalk, Curb, Gutter and Alley Approach Sinking Fund" which shall be maintained by the City Finance Director on the books and records of the City separate and apart from all other funds of the City. Within the 2021 Sidewalk Sinking Fund there shall be maintained three separate accounts for Improvements, designated as the "Construction Account," the "Principal Account" and the "Interest Account," respectively.

3.02. Construction Account. There shall be credited to the Construction Account the proceeds of the sale of the Series 2021 Bonds attributable to the Improvements remaining after the required deposit to the Revolving Fund. Any earnings on investment of money in a Construction Account shall be retained therein. All costs and expenses of constructing the Improvements, including costs of issuance of the Series 2021 Bonds, shall be paid from time to

time as incurred and allowed from the Construction Account in accordance with the provisions of applicable law, and money in the Construction Account shall be used for no other purpose; provided that upon completion of the Improvements and after all claims and expenses with respect to the Improvements have been fully paid and satisfied, any money remaining in the Construction Account shall be transferred to the Principal Account and used to redeem the principal amount of the Series 2021 Bonds as provided in Section 3.03.

3.03. Principal Account and Interest Account. Money in the Principal Account and the Interest Account shall be used only for payment of the principal of and interest on the Series 2021 Bonds as such payments become due or to redeem all or a portion of the principal amount of the Series 2021 Bonds.

Upon collection of the installment of principal and interest due on November 30 and May 31 of each year on the special assessments to be levied with respect to the Improvements, the City Finance Director shall credit to the Interest Account so much of said special assessments as is collected as interest payment and the balance thereof to the Principal Account. Any installment of any special assessment paid prior to its due date with interest accrued thereon to the next succeeding interest payment date shall be credited with respect to principal and interest payments in the same manner as other assessments are credited to the Principal Account. All money in the Interest Account and the Principal Account shall be used first to pay interest then due, and any remaining money shall be used to pay principal then due and, if money is available, to redeem all or a portion of the principal amount of the Series 2021 Bonds in accordance with Section 2.05; provided that any money transferred to the Principal Account from the Construction Account pursuant to Section 3.02 shall be applied to redeem the Series 2021 Bonds to the extent possible on the next interest payment date for which notice of redemption has been properly given pursuant to Section 2.05(a). Interest shall be paid from the Interest Account as accrued on the Series 2021 Bonds to the date of redemption, in accordance with the provisions of Section 7-12-4206 of the Act.

3.04. Loans From Revolving Fund. The Council shall annually or more often if necessary issue an order authorizing a loan or advance from the Revolving Fund to the Interest Account in an amount sufficient to make good any deficiency then existing in the Interest Account and issue an order authorizing a loan or advance from the Revolving Fund to the Principal Account in an amount sufficient to make good any deficiency then existing in the Principal Account, in each case to the extent that money is available in the Revolving Fund. A deficiency shall be deemed to exist in the Interest Account or Principal Account if the money on deposit therein on any December 15 or June 15 (excluding amounts in the Principal Account representing prepaid special assessments) is less than the amount necessary to pay the principal of the Series 2021 Bonds then due (other than upon mandatory or optional redemption pursuant to Section 2.05(a) and (b) hereof), and interest payable on the Series 2021 Bonds, on the next succeeding interest payment date.

Pursuant to Ordinance No. 1096, the City has undertaken and agreed to provide funds for the Revolving Fund by annually levying such tax or making such loan from the general fund of the City, subject to the limitation that no such tax levy or loan may in any year cause the balance in the Revolving Fund to exceed five percent of the principal amount of the City's then outstanding special improvement and sidewalk, curb, gutter and alley approach bonds and

warrants secured thereby and subject to the durational limitations specified in the Act. In the event that the balance on hand in the Revolving Fund fifteen days prior to any date when interest is due on special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City is not sufficient to make good all deficiencies then existing in the funds for which the City covenants to make loans from the Revolving Fund, the balance on hand in the Revolving Fund shall be allocated to the funds in which such deficiencies then exist in proportion to the amounts of the deficiencies on the respective dates of receipt of such money, until all interest accrued on such special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City has been paid and to the extent of amounts available in the Revolving Fund. On any date when all accrued interest on special improvement and sidewalk, curb, gutter and alley approach bonds and warrants of the City payable from funds for which the City has covenanted to make loans from the Revolving Fund has been paid, any balance remaining in the Revolving Fund shall be loaned or advanced to the funds for payment and redemption of bonds and warrants to the extent such funds are deficient for such purpose and, if money in the Revolving Fund is insufficient therefor, *pro rata* in an amount proportionate to the amount of such deficiency.

The City hereby determines, covenants and agrees to levy the property tax described in the immediately preceding paragraph to provide funds for the Revolving Fund so long as the Series 2021 Bonds are outstanding to the extent required under the provisions of this Resolution and the Act, even though such property tax levy may, under applicable law or provisions of the home rule charter of the City, require that property tax levies of the City for other purposes be reduced correspondingly.

Section 4. Covenants. The City covenants and agrees with the owners from time to time of the Series 2021 Bonds that until the principal amount of the Series 2021 Bonds and interest thereon are fully paid:

4.01. Compliance with Resolution. The City will hold the 2021 Sidewalk Sinking Fund and the Revolving Fund as trust funds, separate and apart from all of its other funds, and the City, its officers and agents, will comply with all covenants and agreements contained in this Resolution. The provisions hereinabove made with respect to the 2021 Sidewalk Sinking Fund and the Revolving Fund are in accordance with the undertaking and agreement of the City made in connection with the sale of the Series 2021 Bonds as set forth in Section 1.01.

4.02. Construction of Improvements. The City will do all acts and things necessary to enforce the provisions of the construction contracts for the Improvements and to ensure the completion of the Improvements in accordance with the plans and specifications and within the time therein provided, and will pay all costs thereof promptly as incurred and allowed, out of the Construction Account and within the amount of the proceeds of the Series 2021 Bonds appropriated thereto, amounts contributed by the City therefor and prepayments by owners of property adjacent to the Improvements.

4.03. Levy of Assessments. The City will do all acts and things necessary for the final and valid levy of special assessments upon all assessable real property adjacent to the Improvements, in accordance with the Constitution and laws of the State of Montana and the Constitution of the United States, in an aggregate principal amount not less than $960,000. Such

special assessments shall be levied on the basis or bases prescribed in the resolution ordering the Improvements, and shall be payable in substantially equal semiannual installments of principal and interest over a period of 12 years, at an annual rate equal to the sum of: (i) the average annual interest rate borne by the Series 2021 Bonds, plus (ii) one-half of one percent (0.50%) per annum. The assessments to be levied will be payable on the 30th day of November in each of the years 2021 through 2032, and on the 31st day of May in the years 2022 through 2033, inclusive, if not theretofore paid, and shall become delinquent on such date unless paid in full. The first partial payment of each assessment shall include interest on the entire assessment from the date of original registration of the Series 2021 Bonds to January 1, 2022. The assessments shall constitute a lien upon and against the property against which they are made and levied, which lien may be extinguished only by payment of the assessment with all penalties, cost and interest as provided in Section 7-12-4191 of the Act. No tax deed issued with respect to any lot or parcel of land shall operate as payment of any installment of the assessment thereon which is payable after the execution of such deed, and any tax deed so issued shall convey title subject only to the lien of said future installments, as provided in Montana Code Annotated, Section 15-18-214.

4.04. Reassessment. If at any time and for whatever reason any special assessment or tax herein agreed to be levied is held invalid, the City and this Council, its officers and employees, will take all steps necessary to correct the same and to reassess and re-levy the same, including the ordering of work, with the same force and effect as if made at the time provided by law, ordinance or resolution relating thereto, and will reassess and re-levy the same with the same force and effect as an original levy thereof, as authorized in Section 7-12-4186 of the Act. Any special assessment, or reassessment or re-levy shall, so far as is practicable, be levied and collected as it would have been if the first levy had been enforced including the levy and collection of any interest accrued on the first levy.

If proceeds of the Series 2021 Bonds, including investment income thereon, are applied to the redemption of the Series 2021 Bonds, as provided in Sections 7-12-4205 and 7-12-4206 of the Act, or if refunding bonds are issued and the outstanding principal amount of the Series 2021 Bonds are decreased or increased, the City will reduce or increase, respectively, the assessments levied in the respective project area and then outstanding pro rata by the principal amount of such prepayment or the increment above or below the outstanding principal amount of the Series 2021 Bonds represented by the refunding bonds. The City and this Council, its officers and employees will reassess and re-levy such assessments, with the same effect as an original levy, in such reduced or increased amounts in accordance with the provisions of Sections 7-12-4176 through 7-12-4178 of the Act.

4.05. Absence of Litigation. There is now no litigation pending or, to the best knowledge of the City, threatened questioning the validity or regularity of the ordering of the Improvements, the contracts for construction of the Improvements or the undertaking and agreement of the City to levy special assessments therefor and to make good any deficiency in the collection thereof through the levy of taxes for and the making of advances from the Revolving Fund, or the right and power of the City to issue the Series 2021 Bonds or in any manner questioning the existence of any condition precedent to the exercise of the City's powers in these matters. If any such litigation should be initiated or threatened, the City will forthwith

notify in writing the Purchaser, and will furnish the Purchaser a copy of all documents, including pleadings, in connection with such litigation.

4.06. Waiver of Penalty and Interest. The City covenants not to waive the payment of penalty or interest on delinquent assessments levied for costs of the Improvements, unless the City determines, by resolution of the Council, that such waiver is in the best interest of the owners of the Series 2021 Bonds.

Section 5. Tax Matters.

5.01. Use of Improvements. The Improvements will be owned and operated by the City and available for use by members of the general public on a substantially equal basis. The City shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the Improvements or security for the payment of the Series 2021 Bonds which might cause the Series 2021 Bonds to be considered "private activity bonds" or "private loan bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code").

5.02. General Covenant. The City covenants and agrees with the owners of the Series 2021 Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Series 2021 Bonds to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all actions within its powers to ensure that the interest on the Series 2021 Bonds will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

5.03. Arbitrage Certification. The Mayor, the City Finance Director and the City Clerk, being the officers of the City charged with the responsibility for issuing the Series 2021 Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Series 2021 Bonds, it is reasonably expected that the proceeds of the Series 2021 Bonds will be used in a manner that would not cause the Series 2021 Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

5.04. Arbitrage Rebate. The City acknowledges that the Series 2021 Bonds are subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Treasury Regulations to preserve the exclusion of interest on the Series 2021 Bonds from gross income for federal income tax purposes, unless the Series 2021 Bonds qualify for the exception from the rebate requirement under Section 148(f)(4)(B) of the Code and no "gross proceeds" of the Series 2021 Bonds (other than amounts constituting a "bona fide debt service fund") arise during or after the expenditure of the original proceeds thereof. In furtherance of the foregoing, the Mayor, the City Finance Director and the City Clerk are hereby authorized and directed to execute a Rebate Certificate, substantially in the form to be prepared by Bond Counsel, and the City hereby

covenants and agrees to observe and perform the covenants and agreements contained therein, unless amended or terminated in accordance with the provisions thereof.

5.05. Information Reporting. The City shall file with the Secretary of the Treasury, not later than November 15, 2021, a statement concerning the Series 2021 Bonds containing the information required by Section 149(e) of the Code.

5.06. "Qualified Tax-Exempt Obligations." Pursuant to Section 265(b)(3)(B)(i) of the Code, the Series 2021 Bonds are designated by the City as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The City has not designated any obligations in 2021 under Section 265(b)(3) of the Code, other than its: (i) General Obligation Refunding Bonds, Series 2021, and (ii) Pooled Special Sidewalk, Curb, Gutter and Alley Approach Bonds, Series 2021. The City hereby represents that it does not anticipate that obligations bearing interest not includable in gross income for purposes of federal income taxation under Section 103 of the Code (including refunding obligations as provided in Section 265(b)(3) of the Code and including "qualified 501(c)(3) bonds" but excluding other "private activity bonds," as defined in Sections 141(a) and 145(a) of the Code) will be issued by or on behalf of the City and all "subordinate entities" of the City in 2021 in an amount greater than $10,000,000.

Section 6. Authentication of Transcript. The officers of the City are hereby authorized and directed to furnish to the Purchaser and to Bond Counsel certified copies of all proceedings relating to the issuance of the Series 2021 Bonds and such other certificates and affidavits as may be required to show the right, power and authority of the City to issue the Series 2021 Bonds, and all statements contained in and shown by such instruments, including any heretofore furnished, shall constitute representations of the City as to the truth of the statements purported to be shown thereby.

Section 7. Defeasance.

7.01. General. When the liability of the City on the Series 2021 Bonds issued under and secured by this Resolution has been discharged as provided in this Section 7, all pledges, covenants and other rights granted by this Resolution to the owners of the Series 2021 Bonds shall cease.

7.02. Payment. The City may discharge its liability with reference to the Series 2021 Bonds or installment of interest thereon which is due on any date by depositing with the Registrar on or before that date funds sufficient, or, if a City officer is the Registrar, mailing to the registered owners of the Series 2021 Bonds a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full; or if the Series 2021 Bonds or installments of interest thereon shall not be paid when due, the City may nevertheless discharge its liability with reference thereto by depositing with the Registrar funds sufficient, or, if a City officer is the Registrar, by mailing to the registered owner thereof a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full with interest accrued to the date of such deposit or mailing.

7.03. Prepayment. The City may also discharge its obligations with respect to any Series 2021 Bond called for redemption on any date when it is prepayable in accordance with its terms,

by on or before that date depositing with the Registrar funds sufficient, or, if a City officer is the Registrar, mailing to the registered owner of such Series 2021 Bond a check or a draft in a sum sufficient and providing proceeds available, for the payment of the principal, interest and redemption premium, if any, which are then due; provided that notice of such redemption has been duly given as provided herein or irrevocably provided for.

7.04. Escrow. The City may also at any time discharge its liability in its entirety with reference to the Series 2021 Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without reinvestment, to provide funds sufficient to pay all principal and interest to become due on the Series 2021 Bonds on or before maturity or, if the Series 2021 Bonds have been duly called for redemption or notice of such redemption has been irrevocably provided for, on or before the designated redemption date.

7.05. Irrevocable Deposits. If an officer of the City is the Registrar, any deposit made under this Section 7 with the Registrar shall be irrevocable and held for the benefit of the owner of the Series 2021 Bonds in respect of which such deposits have been made.

Section 8. Repeals and Effective Date.

8.01. Repeal. All provisions of other resolutions and other actions and proceedings of the City and this Council that are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

8.02. Effective Date. This Resolution shall take effect immediately upon its passage and adoption by this Council.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 12th day of July, 2021.

_____
Mayor

Attest: _____
City Clerk

(SEAL)

EXHIBIT A

THE IMPROVEMENTS

General Description

The Bond is being issued for the purpose of financing costs of installation, construction, reconstruction and/or replacements of certain curbs, gutters, sidewalks, drive approaches, and/or appurtenant features or a combination thereof in certain locations in the City heretofore ordered by this Council as W.O. 20-12, South 32nd Street Improvements, to include reconstructing South 32nd Street West between King Avenue West and Gabel Road to a 3-lane street including two travel lanes and a two-way-left-turn-lane. Other improvements include a trail connection from King Avenue West south to Transtech Way on the west side and sidewalk on the east side. Street lights will be added between King Ave West and Transtech Way. The improvements will also include striping improvements on South 32nd Street West from King Avenue north to Monad Road and sidewalk widening on the west side, also from King Avenue to Monad Road.

EXHIBIT B

UNITED STATES OF AMERICA
STATE OF MONTANA
YELLOWSTONE COUNTY

CITY OF BILLINGS

SPECIAL SIDEWALK, CURB, GUTTER AND
ALLEY APPROACH BOND, SERIES 2021

Interest at the rate per annum specified below,
payable on the 1st day of January and the 1st day of July
in each year, commencing January 1, 2022.

Interest Rate	Maturity Date	Date of Original Issue
3.19%	July 1, 2033	July 28, 2021

No. R-1 $960,000.00

REGISTERED OWNER: ROCKY MOUNTAIN BANK

PRINCIPAL AMOUNT: NINE HUNDRED SIXTY THOUSAND AND NO/100 DOLLARS

FOR VALUE RECEIVED, the City of Billings, Montana (the "City"), will pay to the registered owner identified above, or registered assigns, on the maturity date specified above the principal amount specified above, solely from the revenues hereinafter specified, as authorized by Resolution No. 21-[____], adopted July 12, 2021 (the "Resolution"), all subject to the provisions hereinafter described relating to the redemption of this Bond before maturity. This Bond bears interest at the rate per annum specified above from the date of original issue specified above, or from such later date to which interest hereon has been paid or duly provided for, until the maturity date specified above or an earlier date on which this Bond shall have been duly called for redemption by the City Finance Director. Interest on this Bond is payable semiannually on the 1st day of January and the 1st day of July in each year, commencing January 1, 2022, to the owner of record of this Bond appearing as such in the bond register as of the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. Interest on and, upon presentation and surrender hereof at the principal office of the Registrar, the principal of this Bond, shall be payable by check or draft drawn on the Registrar. Notwithstanding the foregoing, so long as this Bond is evidenced by a single, fully registered term Bond, it shall not be necessary to present and surrender this Bond until the full redemption hereof pursuant to the Resolution, but the Registrar shall note in the bond register such principal payment. The principal of and interest on this Bond are payable in lawful money of the United States of America. Interest on this Bond shall be calculated on the basis of a 360-day year composed of twelve 30-day months. The City Finance Director shall initially serve as Registrar for this Bond.

This Bond is one of an issue in the aggregate principal amount of $960,000 (the "Series 2021 Bonds"), all of like date of original issue and tenor, except as to serial number, denomination, date, maturity date and redemption rights. The Series 2021 Bonds are issued pursuant to and in full conformity with the Constitution and laws of the State of Montana thereunto enabling, including Montana Code Annotated, Title 7, Chapter 14, Part 41 and Title 7, Chapter 12, Parts 41 and 42, as amended (the "Act"), and ordinances and resolutions duly adopted by the governing body of the City, including the Resolution, for the purpose of financing costs of installation, construction, reconstruction or replacements of certain curbs, gutters, sidewalks, drive approaches, driveways, alley approaches and appurtenant improvements in certain locations in the City (the "Improvements"), to fund a deposit to the Special Improvement District Revolving Fund (the "Revolving Fund") and to pay costs of issuance of the Bonds.

The Series 2021 Bonds are payable from the collection of a special tax or assessment levied upon all assessable real property adjacent to the Improvements, in an aggregate principal amount not less than $960,000, except as such amounts may be reduced or increased in accordance with provisions of Montana law. Such assessments constitute a lien against the property against which they are made and levied and are to be deposited into the 2021 Special Sidewalk, Curb, Gutter and Alley Approach Sinking Fund of the City (the "2021 Sidewalk Sinking Fund"). The Series 2021 Bonds are not general obligations of the City.

The City has validly established the Revolving Fund to secure the payment of certain of its special improvement and sidewalk, curb, gutter and alley approach bonds and warrants, including the Series 2021 Bonds. The City has also agreed, to the extent permitted by the Act, to issue orders annually, or more often as necessary, authorizing loans or advances from the Revolving Fund to the 2021 Sidewalk Sinking Fund, in amounts sufficient to make good any deficiency in the 2021 Sidewalk Sinking Fund to pay principal of or interest on the Series 2021 Bonds, to the extent money is available in the Revolving Fund, and to provide funds for the Revolving Fund by annually levying such tax or making such loan from its general fund, subject to the limitation that no such tax levy or loan may in any year cause the balance in the Revolving Fund to exceed five percent of the principal amount of the City's then outstanding special improvement and sidewalk, curb, gutter and alley approach bonds and warrants secured thereby and subject to the durational limitations specified in the Act. While any property tax levy to be made by the City to provide funds for the Revolving Fund is subject to levy limits under current law, the City has agreed in the Resolution to levy property taxes to provide funds for the Revolving Fund to the extent described in this paragraph and, if necessary, to reduce other property tax levies correspondingly to meet applicable levy limits.

If on any interest payment date there will be a balance in the 2021 Sidewalk Sinking Fund after payment of the principal and interest then due on the Series 2021 Bonds drawn against it, either from the prepayment of assessments or from the transfer of surplus money from the Construction Account to the Principal Account, the City Finance Director shall call for redemption on the interest payment date the principal amount of the Series 2021 Bonds which, together with the interest thereon to the interest payment date, will equal the amount of such funds on deposit in the 2021 Sidewalk Sinking Fund on that date. The redemption price shall equal the principal amount of the Series 2021 Bonds to be redeemed plus interest accrued to the date of redemption. Such mandatory redemption payments shall reduce the Mandatory Sinking Fund Payments *pro rata* among all Series 2021 Bonds based upon the respective outstanding principal amounts, and

with respect to each Series 2021 Bond shall be applied to the Mandatory Sinking Fund Payments in inverse order thereof.

The Series 2021 Bonds are subject to redemption at any time, at the option of the City, in whole or in part, from sources of funds available therefor (other than those described in Section 2.05(a) of the Resolution), at a redemption price equal to the principal amount hereof to be redeemed plus interest accrued to the redemption date, without premium. Such optional redemption payments shall reduce the Mandatory Sinking Fund Payments *pro rata* among all Series 2021 Bonds based upon the respective outstanding principal amounts, and with respect to each Series 2021 Bond shall be applied to the Mandatory Sinking Fund Payments in inverse order thereof.

This Bond is subject to redemption on July 1 of the respective years shown below (herein referred to as a "Sinking Fund Payment Date") and in the principal amounts (hereinafter referred to as a "Mandatory Sinking Fund Payment") set forth below:

Term Bond

Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount	Sinking Fund Payment Date	July 1 Mandatory Sinking Fund Payment Amount
2022	$69,000	2028	$81,000
2023	69,000	2029	83,000
2024	71,000	2030	86,000
2025	73,000	2031	89,000
2026	75,000	2032	91,000
2027	78,000	2033	95,000*

*Final maturity.

The date of redemption and principal amount of this Bond to be redeemed shall be fixed by the City Finance Director, who shall give notice thereof to the Registrar 45 days prior to the date set for redemption in order for the Registrar to give notice, by first class mail, postage prepaid, to the owner of this Bond at its addresses appearing on the bond register, of the principal amount of this Bond to be redeemed and the date on which payment will be made, which date shall not be less than 30 days after the date of mailing of notice. On the date so fixed interest on this Bond or principal amount thereof so redeemed shall cease to accrue.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or his attorney. Upon such transfer or exchange, the City will cause a new Bond to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar shall be affected by any notice to the contrary.

This Bond has been designated by the Borrower as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all things required to be done precedent to the issuance of this Bond have been properly done, happened and been performed in the manner prescribed by the laws of the State of Montana and the resolutions and ordinances of the City of Billings, Montana, relating to the issuance hereof.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by the manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Billings, Montana, by its City Council, has caused this Bond to be executed by the facsimile signatures of the Mayor, the City Finance Director and the City Clerk, and by a printed facsimile of the official seal of the City.

CITY OF BILLINGS, MONTANA

(Facsimile Signature)
MAYOR

(Facsimile Signature)
(Facsimile Seal) CITY FINANCE DIRECTOR

(Facsimile Signature)
CITY CLERK

Dated:

CERTIFICATE OF AUTHENTICATION

This Bond is delivered pursuant to the Resolution mentioned herein.

CITY OF BILLINGS, MONTANA,
as Registrar, Transfer Agent, and
Paying Agent

By _____
City Finance Director

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM --	as tenants in common	UTMA….....Custodian…..... (Cust) (Minor)
TEN ENT --	as tenants by the entireties	
		under Uniform Gifts to
JT TEN --	as joint tenants with right of survivorship and not as tenants in common	Minor Act…..... (State)

Additional abbreviations may also be used.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ _____ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE:

_____

_____

_____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever.

SIGNATURE GUARANTEED

_____

Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Registrar, which requirements include membership or participation in STAMP or such other "signature guaranty program" as may be determined by the Registrar in addition to or in substitution for STAMP, all in accordance with the Securities Exchange Act of 1934, as amended

City Council Regular
Date: 07/12/2021
Title: Resolution to Authorize Staff to Apply for State Competitive Grant Funds
Presented by: Debi Meling
Department: Public Works
Presentation:

RECOMMENDATION

Staff recommends that City Council approve the resolution authorizing staff to apply for State of Montana Competitive Grant funds.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The American Rescue Plan Act (ARPA) distributed money to state governments to spur economic recovery. The State of Montana passed HB 632 which establishes the parameters for distribution of the State's ARPA funds. One of the state grants established in HB 632 is the State Competitive Grant Program. The City can apply for multiple grants up to a ceiling of $25M per project. HB 632 limits the funds to water, wastewater, and storm water infrastructure projects. Water and wastewater projects should meet drinking water standards and reach portions of the city that are needing improvements or build pipelines and storage to meet usage needs. This includes failing treatment or distribution systems and should address water quality or pollution. Storm water is also an option and should focus on projects that address pollution so that the water can be treated and reused in an efficient and safe manner.

Additionally, the State requires a match from the local government and a higher match means greater approval odds. There will be a "ranking" system for competitiveness that will be based on the match amounts, readiness to proceed, water and wastewater affordability, and how well the projects meet drinking water or clean water state revolving fund criteria. As Billings is competing against other cities and counties, this project(s) should demonstrate a high level of necessity. The timeline allows Billings to be able to pay for projects retroactively going back to March 3rd of 2021. The state competitive grant applications will need to be submitted by the July15, 2021.

Both water and wastewater have many projects included in the Capital Improvement Plan (CIP). After review of the ranking system, staff selected projects that would score the highest for both water and sewer. The criteria strongly favors projects that address existing deficiencies. The projects being planned for grant application are:

- Influent Lift Station (wastewater)
- Zone 6 Reservoir and Redundant Line (water)
- Water Storage Improvements Zone 1 (water)
- Staples Reservoir (water)
- West End Distribution and Treatment Plant (water)
- 2021 and 2022 Water Rehabilitation (water)

While there are many projects in the CIP that are important, these projects most closely meet the criteria of the competitive grant program. A resolution authorizing staff to apply for these funds is required.

ALTERNATIVES

City Council may:

- Approve the resolution authorizing staff to apply for ARPA State Competitive grants; or,
- Not Approve the resolution. If the resolution is not approved, the City will not apply for ARPA State Competitive Grant funds.

FISCAL EFFECTS

ARPA grant funds up to $25M per project can be applied for up until July 15, 2021. Each project must have a match for the grant funding. City staff is planning to apply for several projects based on the July 6, 2021, City Council Work Session. At that meeting, the list of projects for application will be determined.

Attachments

Resolution

RESOLUTION 21-_____

A RESOLUTION AUTHORIZING THE CITY OF BILLINGS TO APPLY FOR A STATE OF MONTANA COMPETITIVE GRANT PROGRAM FOR ELIGIBLE WATER AND SEWER PROJECTS

WHEREAS, the United States Congress approved the American Rescue Plan Act of 2021, providing $350 billion for eligible state, local, territorial, and tribal governments to respond to the COVID-19 emergency; and

WHEREAS, the State of Montana Legislature passed HB632, providing appropriations and allocations of Federal funds and providing funding for grants for water and sewer infrastructure projects; and

WHEREAS, the Billings City Council has adopted a Capital Improvement Plan for long-range Infrastructure programming that includes construction of water and wastewater infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA: The Billings City Council approves this Resolution to submit for the State of Montana Competitive Grant Program for eligible Water and Sewer projects.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the _____ day of _____, 2021.

CITY OF BILLINGS

By: _____

William A. Cole, Mayor

ATTEST:

By: _____

Denise R. Bohlman, City Clerk

City Council Regular

Date:	07/12/2021
Title:	Payment of Claims for week of June 7, 2021
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Claims in the amount of $3,967,815.59 have been reviewed and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department.

Payment Approval Process

Every invoice for payment in entered into the City's accounting system and the backup documentation is scanned in and attached (physical invoices, additional e-mails explaining payments, bids, contracts, etc.) Each invoice goes through a multi-step approval process depending upon the amount of the payment.

First, invoices are entered by the department requesting the payment and the department director or designee must perform an initial review and approval of the purchase. The number of approvals within the department can vary based upon the size of the department, but no less than one approver within each department must verify the payment.

Second, all payments, regardless of size, must be approved by the Purchasing Agent or designee. The Purchasing Agent will review the payment to ensure purchasing procedures are followed and appropriate documentation is attached.

If the payment is greater than $1,000, then it must be approved by the Finance Director or designee.
If that payment is greater than $10,000, then it must be approved by the City Administrator or Assistant City Administrator.

Once all approvals are completed, the payment is able to be made and the Accounts Payable Clerk can print the check. After all checks are printed, a list of all checks in excess of $2,500 is generated and placed on the next City Council meeting for review.

ALTERNATIVES

- No other alternatives were analyzed

FISCAL EFFECTS

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

Attachments

Councilmemo wk of 06072021

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	843332	3 Bull Contracting	Park Dist 1	$ 12,464.10	site work at ditch (1% tax withdrawn from original payment of 12,590)
06/07/2021	843335	Ace Electric Inc	Water	$ 241,708.83	WO 20-20 Walter Pump Station Pump Addition; 5F WO2020 Ace Elec
06/07/2021	843338	Alberta Bair Theater	Tax Incrmnt N27	$ 750,000.00	2nd Payment in FY21 of $750K from N 27th TIF
06/07/2021	843339	Allstates Coating	Street/Traffic	$ 29,268.25	traffic paint
06/07/2021	843340	Allstream Business	Park Dist 1	$ 46.00	Main Bill New Account # 330046 -Dehler Park
06/07/2021	843340	Allstream Business	Phone System	$ 79.95	Main Bill New Account # 330046 -IT
06/07/2021	843340	Allstream Business	Phone System	$ 2,548.14	Main Bill New Account # 330046 -IT
06/07/2021	843348	Askin Construction	Water	$ 82,162.89	W.O. 21-24: Zone 3 12-inch Waterline Replacement; 21010-01A /1
06/07/2021	843353	Billings Monument	Property Ins	$ 4,550.00	Damaged Veterans' markers. #2020-134
06/07/2021	843358	Burns & McDonnell	Water	$ 82,826.12	WO 19-42 West End Water Treatment Plant Project; 118386-10
06/07/2021	843359	Business Tax Section	Airport	$ 10,533.76	Terminal Expansion (No Grant) App #18 - Eligible For Reimburse
06/07/2021	843359	Business Tax Section	Airport	$ 1,170.42	Terminal Expansion (No Grant) App #18 - Eligible Local Costs
06/07/2021	843359	Business Tax Section	Airport	$ 990.16	Terminal Expansion (No Grant) App #18 - Ineligible Costs
06/07/2021	843359	Business Tax Section	Park Dist 1	$ 125.90	business tax on easement
06/07/2021	843359	Business Tax Section	Water	$ 829.93	W.O. 21-24: Zone 3 12-inch Waterline Replacement; 21010-01A /1
06/07/2021	843359	Business Tax Section	Water	$ 2,441.51	WO 20-20 Walter Pump Station Pump Addition; 5F WO2020 Ace Elec
06/07/2021	843379	Dana Safety Supply	Public Safety	$ 1,212.00	721160
06/07/2021	843379	Dana Safety Supply	Public Safety	$ 484.75	723407
06/07/2021	843379	Dana Safety Supply	Public Safety	$ 361.50	725088
06/07/2021	843379	Dana Safety Supply	Public Safety	$ 2,472.00	725238
06/07/2021	843379	Dana Safety Supply	Street/Traffic	$ 660.00	722130
06/07/2021	843379	Dana Safety Supply	Street/Traffic	$ 684.25	723629
06/07/2021	843381	Dept Of Justice	General	$ 8,343.81	Legal service fees for the Estates of Polen, Senger, and Winfrey
06/07/2021	843385	Emergency Vehicles	Public Safety	$ 150.00	Freight
06/07/2021	843385	Emergency Vehicles	Public Safety	$ 12,296.00	NS Retro Shaft 4 kit, Light SPC MAX-S 1344 (4x336W) 240 AC
06/07/2021	843386	Faro Technologies	Public Safety	$ 5,582.70	FARO 91214245, upgrade to onsite software
06/07/2021	843387	FCS	Storm Sewer	$ 20,788.31	WO 20-37 Stormwater Utility Development; 3241-22104062/8
06/07/2021	843387	FCS	Storm Sewer	$ 37,716.50	WO 20-37 Stormwater Utility Development; 3241-22105082/9
06/07/2021	843390	First Interstate Bank	Tax Incrmnt E	$ 94,790.09	Final FIB Development Incentives payment through East TIF FY21
06/07/2021	843391	First MT Title Co	CDBG	$ 15,000.00	FTHB Donavan Ruff 241 Custer Ave
06/07/2021	843395	Great West Eng	Solid Waste	$ 492.25	MISCELLANEOUS ENGINEERING SERVICES LANDFILL
06/07/2021	843395	Great West Eng	Solid Waste	$ 2,048.25	WO 20-23 Solid Waste Container Storage Facility; 23849/9
06/07/2021	843395	Great West Eng	Solid Waste	$ 8,668.75	WO 20-23 Solid Waste Container Storage Facility; 24031/10
06/07/2021	843396	Guardian Security	Library	$ 8,741.60	718 April 2021
06/07/2021	843396	Guardian Security	Library	$ 7,980.00	719 May 2021
06/07/2021	843401	HDR, Inc.	Wastewater	$ 1,497.08	WO 20-11 Lloyd Mangrum & Lake Hills Lift Station Rehab

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	843401	HDR, Inc.	Water	$ 5,203.05	WO 15-35 Water Treatment Plant Valve Replacement
06/07/2021	843401	HDR, Inc.	Water	$ 2,112.51	WO 18-22 Leavens Reservoir Expansion & Zone 1 Improvements
06/07/2021	843403	High Point Network	IT Resources	$ 1,505.00	O365 Monthly Datto Backup Service
06/07/2021	843403	High Point Network	IT Resources	$ (17,928.00)	Credit for XDR Prevent Licenses Purchased earlier
06/07/2021	843403	High Point Network	IT Resources	$ 33,104.55	1245 PAN-XDR ADV-EP Cortex XDR Pro for 1 endpoint thru 1/24/2022
06/07/2021	843403	High Point Network	Phone System	$ 669.38	4.25 hours used of block hours -Doug
06/07/2021	843407	Iaff	Payroll Clearing	$ 5,197.14	Payroll Summary
06/07/2021	843408	Insight Public Sector	Public Safety	$ 718.45	5/24/21 invoice 1100837921, printer carrying case
06/07/2021	843408	Insight Public Sector	Public Safety	$ 7,039.18	Qty.2 Panasonic Toughbooks i7, 16GB RAM, 512 GB SSD
06/07/2021	843421	Knife River	Street/Traffic	$ 241.32	1 1/2" crushed base
06/07/2021	843421	Knife River	Street/Traffic	$ 113.30	asphalt
06/07/2021	843421	Knife River	Street/Traffic	$ 524.32	asphalt
06/07/2021	843421	Knife River	Street/Traffic	$ 647.90	asphalt
06/07/2021	843421	Knife River	Street/Traffic	$ 152.22	1 1/2" crushed base
06/07/2021	843421	Knife River	Street/Traffic	$ 1,731.95	asphalt
06/07/2021	843421	Knife River	Street/Traffic	$ 595.65	asphalt
06/07/2021	843421	Knife River	Street/Traffic	$ 2,420.00	asphalt
06/07/2021	843421	Knife River	Street/Traffic	$ 443.30	asphalt
06/07/2021	843421	Knife River	Street/Traffic	$ 559.35	asphalt
06/07/2021	843427	L P Anderson Tire	Public Safety	$ 65.00	1935829
06/07/2021	843427	L P Anderson Tire	Public Safety	$ 4,624.00	1936447
06/07/2021	843427	L P Anderson Tire	Street/Traffic	$ 34.95	1935790
06/07/2021	843427	L P Anderson Tire	Street/Traffic	$ 85.00	1935790
06/07/2021	843427	L P Anderson Tire	Street/Traffic	$ 1,080.00	1936659
06/07/2021	843427	L P Anderson Tire	Transit	$ 717.96	1939243 PO NUM 312595. Paratransit Tires for Inventory
06/07/2021	843427	L P Anderson Tire	Transit	$ 1,254.50	1939243. Fixed Route Tire Service
06/07/2021	843427	L P Anderson Tire	Transit	$ 65.00	1939243. Paratransit Tire Service
06/07/2021	843428	Landrum & Brown	Airport	$ 12,499.50	Air Cargo Facility Assessment
06/07/2021	843430	LeadsOnline LLC	Public Safety	$ 7,868.00	LeadsOnline 318494, 2021-2022 investigation service subscription
06/07/2021	843434	Lyon	Public Safety	$ 3,800.00	REGISTRATION: SR EXECUTIVES IN STATE & LOCAL GOVERNMENT
06/07/2021	843435	Mailing Technical	Central Services	$ 4,758.51	May 2021
06/07/2021	843435	Mailing Technical	General	$ 1,252.80	May 2021
06/07/2021	843435	Mailing Technical	Library	$ 833.63	LIBR Library mailing April 2021
06/07/2021	843435	Mailing Technical	Parking	$ 146.74	May 2021
06/07/2021	843440	Montana CSED	Payroll Clearing	$ 3,291.43	Payroll Summary
06/07/2021	843441	MT Dakota Utilities	Fleet	$ 4,852.47	051921 PO NUM 312571

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	843443	MFPE	Payroll Clearing	$ 2,741.25	Payroll Summary
06/07/2021	843444	Montana Peterbilt	Fleet	$ 39.96	19013B PO NUM 312580
06/07/2021	843444	Montana Peterbilt	Solid Waste	$ 83.49	16529B
06/07/2021	843444	Montana Peterbilt	Solid Waste	$ 393.92	1844B
06/07/2021	843444	Montana Peterbilt	Solid Waste	$ 127.60	18720B
06/07/2021	843444	Montana Peterbilt	Solid Waste	$ 266.59	18776B
06/07/2021	843444	Montana Peterbilt	Solid Waste	$ 156.80	18781B
06/07/2021	843444	Montana Peterbilt	Solid Waste	$ 60.40	18817B
06/07/2021	843444	Montana Peterbilt	Solid Waste	$ 3,142.00	Extended 5 year warranty. New 2021 landfill waste hauler truck.
06/07/2021	843444	Montana Peterbilt	Solid Waste	$ 3,142.00	Extended 5 year warranty. New 2021 landfill waste hauler truck.
06/07/2021	843446	MT State Firemen	Payroll Clearing	$ 4,416.74	Payroll Summary
06/07/2021	843448	MPPA	Payroll Clearing	$ 3,618.85	Payroll Summary
06/07/2021	843451	Napa-MET	Transit	$ 159.35	3977-00-301302. Oxygen Sensor Unit 1820. W/O 200486
06/07/2021	843451	Napa-MET	Transit	$ 20.62	3977-00-301330.. Brass Fitting Unit 1823. W/O 200254 Job #2
06/07/2021	843451	Napa-MET	Transit	$ 154.01	3977-00-301415 PO NUM 312599. Oil Filters and Wiper Blades
06/07/2021	843451	Napa-MET	Transit	$ 15.99	3977-00-301415. Paper Towels
06/07/2021	843451	Napa-MET	Transit	$ 46.79	3977-00-301420 PO NUM 312599. Serpentine Belt
06/07/2021	843451	Napa-MET	Transit	$ (54.00)	3977-00-301428. Battery Cores for Floor Scrubber
06/07/2021	843451	Napa-MET	Transit	$ (30.59)	3977-00-301428. Power Steering Hose Unit 1823. W/O 200254
06/07/2021	843451	Napa-MET	Transit	$ 54.42	3977-00-301609 PO NUM 312599. Oil Filters
06/07/2021	843451	Napa-MET	Transit	$ (159.35)	3977-00-301686. Oxygen Sensor Unit 1820. W/O 200486
06/07/2021	843451	Napa-MET	Transit	$ 161.26	3977-00-301710. Brake Caliper Unit 1890. W/O 200529
06/07/2021	843451	Napa-MET	Transit	$ (9.98)	3977-00-301812 PO NUM 312599. Oil Filter
06/07/2021	843451	Napa-MET	Transit	$ 5.94	3977-00-301946. Radiator Cap Unit 1890. W/O 200528
06/07/2021	843451	Napa-MET	Transit	$ 83.51	3977-00-301992. Coolant Reservoir Unit 1980. W.O 200528
06/07/2021	843451	Napa-MET	Transit	$ (77.00)	3977-00-302062. Brake Caliper Core Unit 1890. W/O 200529
06/07/2021	843451	Napa-MET	Transit	$ 103.20	3977-00-302308 PO NUM 312599. Coolant Filters
06/07/2021	843451	Napa-MET	Transit	$ 200.88	3977-00-302316. Wheel Seals & Brake Rotors Unit 1888.
06/07/2021	843451	Napa-MET	Transit	$ (61.60)	3977-00-302332. Coolant Reservoir Unit 1890. W/O 200528
06/07/2021	843451	Napa-MET	Transit	$ 252.26	3977-00-302531 PO NUM 312599. Stock
06/07/2021	843451	Napa-MET	Transit	$ 508.12	3977-00-302531. Brake Caliper & Ball Joints Unit 1893.
06/07/2021	843451	Napa-MET	Transit	$ 229.64	3977-00-302643. Brake Rotors Unit 1888.
06/07/2021	843451	Napa-MET	Transit	$ 14.16	3977-00-302643. Brushes
06/07/2021	843451	Napa-MET	Transit	$ 1,900.00	3977-00-302659. Parts Washer
06/07/2021	843451	Napa-MET	Transit	$ 103.20	3977-00-302886 PO NUM 312599. Coolant Filters
06/07/2021	843451	Napa-MET	Transit	$ 291.21	3977-00-303381. Alternator Unit 1820. W/O 200726

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	843451	Napa-MET	Transit	$ 204.13	3977-00-303432 PO NUM 312599. Brake Pads
06/07/2021	843458	Northwest Playground	Park Dist 1	$ 18,859.53	invoice 47575 Rose park playground equipment option 2
06/07/2021	843458	Northwest Playground	Park Dist 1	$ 8,358.67	invoice 47638Rose park playground equipment option 2
06/09/2021	843518	NorthWestern Energy	Airport	$ 17.72	0712534-7. Entrance Gate 16. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 18.80	0712791-3. Gate 16. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 19.41	0712795-4. Gate 17. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 18.03	0712797-0. Gate 9. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 6.00	0712805-1. IP-10. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 7.00	0712813-5. Burn Pit. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 17.79	0719759-3. Gate 12. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 84.74	0719760-1. Gate 14. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 12.09	0719761-9. Gate 15. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 18.41	0719762-7. Gate 13. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 17.56	0720296-3. Gate 29. May 2021
06/09/2021	843518	NorthWestern Energy	Airport	$ 19.71	2114868-9. Runway Weather System. May 2021
06/09/2021	843518	NorthWestern Energy	CDBG	$ 4.67	FINAL BILL / 817 N 22nd Street
06/09/2021	843518	NorthWestern Energy	General	$ 60.41	0712539-6
06/09/2021	843518	NorthWestern Energy	General	$ 158.42	0720841-6
06/09/2021	843518	NorthWestern Energy	General	$ 7.87	1635289-0
06/09/2021	843518	NorthWestern Energy	General	$ 56.78	1692666-9
06/09/2021	843518	NorthWestern Energy	Library	$ 7,506.46	3039007-4 Library electricity May 2021
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 232.39	0722256-5
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 28.61	0722277-1
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ -	0723053-5
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 149.26	0793134-8
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 44.98	0920801-8
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 247.63	1141284-8
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 9.10	1156527-2
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 666.50	1160780-1
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 6.00	1230066-1
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 45.20	1409394-2
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 7.49	1902257-3
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 44.49	3020837-5
06/09/2021	843518	NorthWestern Energy	Park Dist 1	$ 6.00	3477233-5
06/09/2021	843518	NorthWestern Energy	Parks Maint	$ 7.90	0723387-7
06/09/2021	843518	NorthWestern Energy	Parks Maint	$ 46.02	0971824-8

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/09/2021	843518	NorthWestern Energy	Parks Maint	$ 45.91	1312707-1
06/09/2021	843518	NorthWestern Energy	Parks Maint	$ 45.20	1396192-5
06/09/2021	843518	NorthWestern Energy	Parks Maint	$ 6.75	1564209-3
06/09/2021	843518	NorthWestern Energy	Public Safety	$ 393.53	0100477-9 FIRE6: ELECTRICAL SERVICE
06/09/2021	843518	NorthWestern Energy	Radio	$ 166.29	1006915-1
06/09/2021	843518	NorthWestern Energy	Street/Traffic	$ 18.93	1738989-1
06/09/2021	843518	NorthWestern Energy	Street/Traffic	$ 46.00	1797828-9
06/09/2021	843518	NorthWestern Energy	Street/Traffic	$ 7.00	2047000-1
06/09/2021	843518	NorthWestern Energy	Street/Traffic	$ 7.49	2047011-8
06/09/2021	843518	NorthWestern Energy	Street/Traffic	$ 7.49	2047018-3
06/09/2021	843518	NorthWestern Energy	Street/Traffic	$ 122.34	3660075-7
06/09/2021	843518	NorthWestern Energy	Wastewater	$ 323.45	0723878-5
06/09/2021	843518	NorthWestern Energy	Wastewater	$ 7.25	1704025-4
06/09/2021	843518	NorthWestern Energy	Wastewater	$ 77.26	1704030-4
06/09/2021	843518	NorthWestern Energy	Wastewater	$ 1,330.73	2132749-9
06/09/2021	843518	NorthWestern Energy	Water	$ 830.90	0100478-7
06/09/2021	843518	NorthWestern Energy	Water	$ 9.67	0722249-0
06/09/2021	843518	NorthWestern Energy	Water	$ 2,713.27	0722252-4
06/09/2021	843518	NorthWestern Energy	Water	$ 2,660.78	0722270-6
06/09/2021	843518	NorthWestern Energy	Water	$ 6,684.55	0723043-6
06/09/2021	843518	NorthWestern Energy	Water	$ 384.90	805 Constitution Ave May 2021
06/07/2021	843461	PeopleReady Inc	Solid Waste	$ 5,504.20	Contract labor for landfill.
06/07/2021	843461	PeopleReady Inc	Solid Waste	$ 2,809.04	Contract labor for landfill.
06/07/2021	843461	PeopleReady Inc	Solid Waste	$ 3,188.64	Contract labor for landfill.
06/07/2021	843462	Perform Eng & Consult	Gas Tax	$ 4,390.00	WO 20-28 Songbird Dr; 2021-064-001
06/07/2021	843463	Peterson Office	Library	$ 4,849.64	204720 Cubicle and installation for tech upgrade in the Community Room
06/07/2021	843463	Peterson Office	Street/Traffic	$ 1,377.76	cubicle panels
06/07/2021	843464	Pierce Mfg	Capital Replace	$ 638,777.00	PIERCE ENFORCER PUC PUMPER. REPLACEMENT FOR UNIT #4049
06/07/2021	843466	Priority Dispatch	EOC 911	$ 14,840.00	License renew, service & support- 05/01/2021 thru 05/01/2022
06/07/2021	843466	Priority Dispatch	EOC 911	$ 280.00	ProQZ Training license ESP renewal, service & support-05/01/21 to 05/01/22
06/07/2021	843467	Proactive Consulting	Public Safety	$ 5,593.00	tuition for Domestic Terrorism training
06/07/2021	843468	ProDIGIQ Inc	Airport	$ 10,370.00	FY21 MUFIDS Maintenance Agreement January 1, 2021 - June 30, 2021
06/07/2021	843476	Rexel USA Inc	Wastewater	$ 473.40	FUSES FOR BOXCAR
06/07/2021	843476	Rexel USA Inc	Wastewater	$ 1,058.99	PROCESS AND SOURCE METER. REPLACED OUTDATED METERS
06/07/2021	843476	Rexel USA Inc	Water	$ 1,058.99	PROCESS AND SOURCE METER. REPLACED OUTDATED METERS
06/07/2021	843480	Rocky Mt Health	City Ins Fund	$ 5,000.00	2019 Quality Metric Pilot Program - colonoscopies

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	843480	Rocky Mt Health	City Ins Fund	$ 2,290.00	EAP May 2021
06/07/2021	843480	Rocky Mt Health	City Ins Fund	$ 7,800.00	May 2021 Healthy Is
06/07/2021	843481	Routeware Inc	Solid Waste	$ 2,538.00	EasyRoute Subscription
06/07/2021	843481	Routeware Inc	Solid Waste	$ 14,341.50	Routeware Control Center Support.
06/07/2021	843486	Sletten Construction	Airport	$ 115,871.38	Terminal Expansion (No Gran) App #18 - Eligible Local Costs
06/07/2021	843486	Sletten Construction	Airport	$ 1,042,842.46	Terminal Expansion (No Grant) App #18 - Eligible For Reimburse
06/07/2021	843486	Sletten Construction	Airport	$ 98,025.68	Terminal Expansion (No Grant) App #18 - Ineligible Costs
06/07/2021	843496	Town & Country Supply	Fleet	$ 21,293.26	417721 PO NUM 312587
06/07/2021	843496	Town & Country Supply	Public Safety	$ 1,044.54	417788 FIRE 1: DIESEL
06/07/2021	843496	Town & Country Supply	Public Safety	$ 910.00	417788 FIRE 1: UNLEADED
06/07/2021	843496	Town & Country Supply	Public Safety	$ 348.18	417788 FIRE 3: DIESEL
06/07/2021	843496	Town & Country Supply	Public Safety	$ 698.68	417788 FIRE 5: DIESEL
06/07/2021	843496	Town & Country Supply	Public Safety	$ 464.24	417788 FIRE 6: DIESEL
06/07/2021	843496	Town & Country Supply	Transit	$ 4,977.15	417724 PO NUM 312612. 2022 Gallons Unleaded
06/07/2021	843496	Town & Country Supply	Transit	$ 13,969.27	417851 PO NUM 312612. 5999 Gallons Diesel Dyed #2
06/07/2021	843499	Tri-Tech Forensics Inc	Public Safety	$ 4,941.00	Basic crime scene photography training
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 99.00	Accent Print Shop - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 3.59	Air Host Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 7.49	Albertsons #4025 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 55.95	Albertsons #4041 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 143.00	Alg*Air B4Bqjk - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 68.00	Alg*Air B4Ddjw - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 130.00	Als Bootery And Repair Sh - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 45.00	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 361.14	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 143.33	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 324.04	American Floor Mats - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 583.03	Amzn Mktp Us*2L1Oz2Uj2 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 11.97	Amzn Mktp Us*2L22O1Pt1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 16.87	Amzn Mktp Us*2L2W89Kz0 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 187.19	Amzn Mktp Us*2L4Bb8R00 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 259.00	Amzn Mktp Us*2L5Hf73K2 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 304.94	Amzn Mktp Us*2L6N91902 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 42.46	Amzn Mktp Us*2R5Cm1Fu3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 14.46	Amzn Mktp Us*Ay1017Yb3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 34.99	Amzn Mktp Us*El6Kt5Sw3 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 22.98	Amzn Mktp Us*Kz5M782X3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 81.99	Amzn Mktp Us*O83Hr4Dl3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 230.77	Amzn Mktp Us*Wa3X94Wy3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 360.00	Billings Overhead Door In - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 300.00	Billings Overhead Door In - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 11.37	Buildersfirstsource64021 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 274.79	City Of Billiings Buildin - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 42.52	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 88.00	Creative Monograms Smb - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 254.00	Creative Monograms Smb - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 72.47	Crescent Electric 054 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 95.99	Dtv*Directv Service - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 214.36	Ecolab Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 123.24	Edge Construction Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 16.99	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 138.87	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 9.99	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 465.58	Fischer Comm Flooring L - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 49.93	Fisher'S Technology - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 121.94	Galls - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 144.88	Galls - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 259.37	Galls - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 199.97	Genesis Lamp Corp - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 68.48	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 174.96	Graybar Electric - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 1,050.00	In *Automatic Doors Of Mo - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 40.00	In *Cotter'S Sewer, Septi - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 265.68	Johnson Controls Ss - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 276.96	Kb Commercial Products - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 252.04	Kimball Midwest Payeezy - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 65.90	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 669.94	Long Bldg. Technologies - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 28.21	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 16.50	Lp Anderson - Point S, Dt - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 47.94	Marketing Specialtites - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 550.00	Metro Marketing Inc - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 70.71	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 87.23	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 104.65	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 113.27	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 805.01	Montana Broom & Brush Co1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 276.00	Mt Dor Revenue Pmt - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 145.01	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 138.00	Norco Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 65.84	Partstree Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 560.00	Pp*Mcwholesale - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 1,050.00	Rgp*Trugreen - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 130.00	Scheels Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 78.84	Schnitzer Steel Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 337.84	Schnitzer Steel Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 17.54	Shipton'S Big R-East - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ (74.95)	Shipton'S Big R-East - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 92.89	Shipton'S Big R-East - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 89.94	Shipton'S Big R-East - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 60.50	Spic And Span - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 79.75	Spic And Span - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 195.00	Spic And Span - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 24.38	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 58.80	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 28.94	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 66.40	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 79.98	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 1,500.00	Transportation Security - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 1,500.00	Transportation Security - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 2,495.00	Village Gardens - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 1,500.00	Wilbur Ellis Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Airport	$ 14.99	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	Ball pk Donate	$ 36.92	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Ball pk Donate	$ 65.20	Sq *Midwest Everlasting M - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 475.94	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 43.45	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 30.95	360 Office Solutions Inc - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Building	$ 35.98	Amzn Mktp Us*2L1Wp2Qq2 - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 5.00	Amzn Mktp Us*2L3W61Qt2 - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 72.38	Amzn Mktp Us*2R37D23P1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 799.96	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 46.75	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 594.00	Edge Construction Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 95.00	Int'L Code Council Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 219.00	Int'L Code Council Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 219.00	Int'L Code Council Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Building	$ 219.00	Int'L Code Council Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 9.56	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ (9.56)	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 74.07	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 1,104.14	Airbnb Hm4Naqpk8Z - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 1,160.57	Airbnb Hm5Sxbd8Tz - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 12.99	Albertsons #0047 - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 97.15	Amazon.Com*Ef6Vw28M3 - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 109.78	Amazon.Com*Jy23B8Nl3 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 88.32	Amazon.Com*Td94G3Mf3 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 87.71	Amzn Mktp Us*2L45O59E0 - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 232.47	Amzn Mktp Us*Jt1Pp5Rb3 - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 78.49	Amzn Mktp Us*Kl9W69N43 - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 70.00	Bozeman Eservices Recreat - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 12.95	Canva* 03039-25886273 - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 27.83	City Of Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 36.95	Credit Technologies, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 36.95	Credit Technologies, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 215.14	Fisher'S Technology - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 30.48	Imperial Thai Cuisine - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 221.95	India Grill - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 28.10	Montana Brewing Company - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 150.00	Mt Housing Conference - PCard
06/07/2021	ACH	U.S. Bank PCards	CDBG	$ 15.00	Sq *Big Dipper Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Court Grants	$ 21.12	Albertsons #4041 - PCard
06/07/2021	ACH	U.S. Bank PCards	Court Grants	$ 5.49	Albertsons #4041 - PCard
06/07/2021	ACH	U.S. Bank PCards	Court Grants	$ 442.00	Community Education Nt - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Court Grants	$ 453.40	Delta Air 0062452291641 - PCard
06/07/2021	ACH	U.S. Bank PCards	Court Grants	$ 453.40	Delta Air 0062452291642 - PCard
06/07/2021	ACH	U.S. Bank PCards	Court Grants	$ 5.00	Dollar Tree - PCard
06/07/2021	ACH	U.S. Bank PCards	Court Grants	$ 745.00	Nadcp - PCard
06/07/2021	ACH	U.S. Bank PCards	Court Grants	$ 745.00	Nadcp - PCard
06/07/2021	ACH	U.S. Bank PCards	Court Grants	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 436.53	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 193.52	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 286.57	Amazon.Com*Xg1D38Wa3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 36.00	Fps/Mountain Alarm - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 51.04	Fps/Mountain Alarm - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 250.00	Fsp*Mountain District Of - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 419.00	Ite Career Center - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 33.99	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 607.00	Selby'S - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 210.39	Selby'S - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 48.94	Yellowstone County Treas - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 51.00	Zeecreativeinc - PCard
06/07/2021	ACH	U.S. Bank PCards	Engineering	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	EOC 911	$ 459.00	Apco International Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	EOC 911	$ 459.00	Apco International Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 491.03	Ace Electric - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 128.33	Ace Electric - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 14.99	Adobe *800-833-6687 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 150.00	Billings Overhead Door In - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 300.00	Billings Overhead Door In - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 99.00	Cbi*Draftsight - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 702.45	City Of Billiings Buildin - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 151.20	Ecolab Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 75.00	Fps/Mountain Alarm - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 12.50	Fps/Mountain Alarm - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 185.46	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 39.98	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 69.35	Hose & Rubber Supply - Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 13.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 3.99	Kings Ace Hdwe - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 15.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 42.96	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 29.99	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 30.04	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 63.52	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 16.98	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ (16.98)	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 68.93	Montana Broom & Brush Co1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 290.34	Montana Broom & Brush Co1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 221.32	Montana Broom & Brush Co1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 1,170.70	Montana Broom & Brush Co1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 6.85	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 15.97	Office Depot #450 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 378.00	Rgp*Trugreen - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 300.00	Sq *Gated Solutions - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 965.00	Sq *Skyline Services, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 74.91	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 119.00	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 21.64	Wal-Mart #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 24.97	Wm Supercenter #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	Facilities	$ 30.05	Wm Supercenter #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	Fleet	$ 90.55	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Fleet	$ 23.33	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Fleet	$ 189.99	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Fleet	$ 130.00	Bighorn Boots - PCard
06/07/2021	ACH	U.S. Bank PCards	Fleet	$ 139.00	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 255.09	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 77.52	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 44.95	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 107.51	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 4.42	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 290.51	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 12.90	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 113.28	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 768.16	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 240.38	360 Office Solutions Inc - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	General	$ 29.61	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 1,988.04	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 923.60	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 314.23	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 48.57	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 6.00	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 145.79	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 58.42	Adobe Creative Cloud - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 52.99	Adobe Creative Cloud - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 52.99	Adobe Creative Cloud - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 52.99	Adobe Creative Cloud - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 52.99	Adobe Creative Cloud - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 85.78	Albertsons #0038 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 21.32	Albertsons #0038 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 18.27	Albertsons #0038 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 50.32	Albertsons #0038 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 19.67	Albertsons #0047 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ (7.99)	Amazon.Com Amzn.Com/Bill - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ (20.23)	Amazon.Com Amzn.Com/Bill - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 40.00	American Red Cross - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 560.00	American Red Cross - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 40.00	American Red Cross - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 40.00	American Red Cross - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 307.28	Amzn Mktp Us*2L2Cx0Xl0 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 115.10	Amzn Mktp Us*2L2Uz7Bi0 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 274.14	Amzn Mktp Us*2L2Z89Ur1 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 44.58	Amzn Mktp Us*2L6Je6Ta0 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 11.49	Amzn Mktp Us*2R3N230Y1 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 32.31	Amzn Mktp Us*F45Yr39J3 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 40.32	Amzn Mktp Us*J74Cc4W03 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 6.49	Amzn Mktp Us*Pt6F370R3 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 6.99	Amzn Mktp Us*Rx5Oy38Z3 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 14.99	Amzn Mktp Us*S25Jf3Fn3 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 43.96	Amzn Mktp Us*T42Fz2L73 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 119.98	Amzn Mktp Us*V41707943 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 130.00	Asn - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	General	$ 760.45	At Home Store 281 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 25.00	Billings Chamber Of Comme - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 38.14	Billings Hardware & Servi - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 40.95	Billings Hardware & Servi - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 35.94	Billings Hardware & Servi - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 540.00	Billings Ink And Toner, I - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 47.25	Bin 119 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 31.50	Bloedorn Lumber Co- Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 14.28	Bloedorn Lumber Co- Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 74.00	Blues Bar-B-Q - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 72.50	Blues Bar-B-Q - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 50.00	Buddy Punch - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 50.00	Buddy Punch - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 49.00	Buddy Punch - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 94.98	Cab Store Billings, Mt - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 1,620.00	Cool River Roasting - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 34.97	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 2,529.00	Davidson Designs - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 1,069.00	Davidson Designs - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 3.00	Dollar Tree - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 36.00	Dollar Tree - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 4.00	Dollar Tree - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 15.00	Dollar Tree - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 53.00	Dollar Tree - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 6.00	Dollar Tree - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 56.00	Dollar Tree - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 50.00	Don Luis Restaurant - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 192.93	Econo Print - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 104.96	Edge Construction Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 180.00	Edge Construction Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 67.50	Emergency Medical Produc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 25.00	Facebk *Ucswa4K4Y2 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 93.16	Fedex 90971151 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 79.72	Fei, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 152.73	Ferguson Ent #1342 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 552.76	Firstmark Materials - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	General	$ 232.87	Fisher'S Technology - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 101.85	Gotabletenn - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 37.00	Graphic Imprints - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 108.60	Graybar Electric - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 464.75	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 75.53	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 27.96	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 103.92	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 26.36	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 766.06	In *Elifeguard, Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 817.54	In *Elifeguard, Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 90.73	Issa Intl Sports Scien - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 73.07	J J Keller & Associates - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 126.25	Jimmy Johns - 1646 - M - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 638.00	Juli Pierce Law Pllc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 35.00	Kelley Imaging Systems - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 15.42	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 58.55	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 23.92	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 48.29	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 4.29	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 15.29	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 46.07	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 11.98	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 13.96	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 129.00	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 14.98	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 18.24	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 16.39	Meadow Green Sales - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 122.74	Meadow Green Sales - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 253.84	Meadow Green Sales - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 110.00	Meadow Green Sales - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 88.56	Mfcp Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 273.40	Montana Broom & Brush Co1 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 106.96	Nrpa Operating - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 374.36	Nrpa Operating - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	General	$ 214.10	Nrpa Operating - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 275.00	Nutrien Ag Solution 2747 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 104.93	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 188.37	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 20.58	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 57.98	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 47.58	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 38.99	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 49.78	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 34.78	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 27.48	O'Reilly Auto Parts 1548 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 15.00	Pepsicola Bottling Compan - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 53.46	Pizza Hut #1714 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 49.98	Play It Again Sports - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 24.99	Pound Fitness - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 99.00	Prolite Sports - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 275.99	Scheels Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 65.00	Smk*Surveymonkey.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 131.76	Snappyduds - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 79.99	Spectrum - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 1,600.00	Spectrum Reach - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 2,000.00	Spectrum Reach - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 75.90	Sq *Off Main Deli A - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 35.00	Stacked A Montana Grill - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 121.66	Target 00001719 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 25.34	Target 00001719 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 8.07	Target 00001719 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 27.84	Target 00001719 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 33.33	Target 00013334 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 82.97	Target 00013334 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 20.00	Target 00013334 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 20.00	Target 00013334 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 73.80	Target 00013334 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 19.99	Target 00013334 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 44.36	Target 00013334 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 24.40	Teacherspayteachers.Com - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	General	$ 64.88	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 16.00	The Rubber Stamp Shop, - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 1,265.28	Thomson West*Tcd - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 662.81	Thomson West*Tcd - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 27.00	Tire Rama 101 Bc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 62.91	Uline *Ship Supplies - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 78.39	Wal-Mart #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 27.52	Wal-Mart #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 179.40	Wal-Mart #2923 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 244.13	Wal-Mart #2923 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 70.72	Wal-Mart #2923 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 36.00	West End Lock And Secur - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 16.50	West End Lock And Secur - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 16.50	West End Lock And Secur - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 23.80	Wheniwork.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 40.00	Wheniwork.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 56.57	Wm Supercenter #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 21.50	Wm Supercenter #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 107.69	Wm Supercenter #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 122.22	Wm Supercenter #2923 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 2.64	Wm Supercenter #2923 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 139.23	Wm Supercenter #2923 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 63.70	Wm Supercenter #2923 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 12.17	Wm Supercenter #4412 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 17.95	Yellowstone County Treas - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 24.00	Zeecreativeinc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 770.00	Zeecreativeinc - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 49.00	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 2,064.43	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 59.30	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 44.97	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 57.05	Zoom.Us 888-799-9666 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	General	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 68.40	Zumba Fitness - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ (350.00)	Zumbini - PCard
06/07/2021	ACH	U.S. Bank PCards	General	$ 385.00	Zumbini - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 53.73	Amazon.Com*2L7T16Xo1 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 469.00	Amzn Mktp Us*2L42G6Aj0 Am - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 966.11	Amzn Mktp Us*2L8E98Nm0 - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 63.92	Amzn Mktp Us*Vw4No46R3 - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 399.00	Digicert Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 34.50	Fps/Mountain Alarm - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 584.84	Idu*Insight Public Sec - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 428.18	Idu*Insight Public Sec - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 181.32	Newegg Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 695.00	Nth Degree Rsa Conference - PCard
06/07/2021	ACH	U.S. Bank PCards	IT Resources	$ 633.15	Rapidsupplies.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Legal Grants	$ 108.40	Alaska Air 0272183142785 - PCard
06/07/2021	ACH	U.S. Bank PCards	Legal Grants	$ (308.20)	American Air0012174273696 - PCard
06/07/2021	ACH	U.S. Bank PCards	Legal Grants	$ 308.20	American Air0012174273696 - PCard
06/07/2021	ACH	U.S. Bank PCards	Legal Grants	$ 93.00	American Air0012174287847 - PCard
06/07/2021	ACH	U.S. Bank PCards	Legal Grants	$ 93.00	American Air0012174499048 - PCard
06/07/2021	ACH	U.S. Bank PCards	Legal Grants	$ 158.20	United 0162348118484 - PCard
06/07/2021	ACH	U.S. Bank PCards	Legal Grants	$ 13.00	United 0169919374247 - PCard
06/07/2021	ACH	U.S. Bank PCards	Legal Grants	$ 10.00	United 0169919374248 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 14.96	Albertsons #0047 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 5.18	Albertsons #0047 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 119.22	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 35.47	Amazon.Com*2L05J4Sh2 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 32.74	Amazon.Com*2L0Xv6Zt1 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 15.95	Amazon.Com*3D3Ah9633 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 6.15	Amazon.Com*Fh14S4Gi3 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ (71.50)	Amzn Mktp Us - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 197.18	Amzn Mktp Us*2L2Zx7640 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 38.95	Amzn Mktp Us*2L33Q3Vz2 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 97.80	Amzn Mktp Us*2L40A5M50 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 182.74	Amzn Mktp Us*2L5Ef6M52 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 21.59	Amzn Mktp Us*2L5Jh0Gq0 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Library	$ 4.29	Amzn Mktp Us*2L9L04Kw1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 30.98	Amzn Mktp Us*Ix4Gf3Pd3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 14.34	Amzn Mktp Us*Ng8615Yu3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 219.96	Amzn Mktp Us*Wt43G5Up3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 149.99	Bestbuycom806452091599 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 19.90	Billings - Goodwill - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 12.00	Billings Hardware & Garde - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 20.41	Billings Hardware & Servi - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 78.00	Book Outlet - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 56.30	Book Outlet - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 2,158.00	Cbi*Quest - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 68.93	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 12.48	Fisher'S Technology - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 157.50	Fps/Mountain Alarm - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 57.07	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ (511.00)	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 365.00	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 1,470.00	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 167.38	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 68.25	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 577.61	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ (365.00)	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ (68.25)	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 163.91	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 1,930.73	High Point Networks, Llc - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 22.60	Joann Stores #2315 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 41.80	Kb Commercial Products - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 67.00	Ls The Ride Cyclery - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 48.00	Ls The Ride Cyclery - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 313.43	Motion Picture Ecommerce - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 20.00	Ntl Cntr For Safety - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 68.93	Otc Brands Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 50.00	Paypal *Montanarapt - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 25.86	Samsclub #4805 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 130.00	Sq *Crooked Line Studio - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 24.00	Sq *Stompin Grounds - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Library	$ 52.00	Sq *Yellowstone Cou - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 52.00	Sq *Yellowstone County Ne - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 36.78	Target 00013334 - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 49.90	Tlf*Gainans Floral And G - PCard
06/07/2021	ACH	U.S. Bank PCards	Library	$ 5.76	Wal-Mart #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 1,423.38	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 165.25	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 391.07	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 207.00	Accounting Professional E - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 146.00	Amzn Mktp Us*L23Fh2Dz3 - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 11.49	Billingsgazettethriftynck - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 9.00	Fps/Mountain Alarm - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 12.76	Fps/Mountain Alarm - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 106.73	Office Depot #2135 - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 31.13	Office Depot #450 - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	P.W. Admin	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 35.29	2M Company Warehouse - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 314.37	2M Company Warehouse - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 128.40	2M Company Warehouse - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 5.81	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 181.30	A & I Distributors - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 147.08	A & I Distributors - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 35.94	A & I Distributors - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 14.37	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 12.40	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 16.80	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 8.53	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 322.36	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 125.90	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 80.27	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 27.14	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 21.30	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 347.97	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 819.60	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 164.51	A And H Turf And Specialt - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 52.99	Adobe Creative Cloud - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 8.28	Albertsons #1227 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 115.95	Als Bootery And Repair Sh - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 68.97	Amzn Mktp Us*Nk8I90F83 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 106.25	Batteries+Bulbs #0253 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 79.25	Billings Construction Sup - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 9.00	Billings Construction Sup - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 23.98	Billings Hardware & Garde - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 68.75	Billings Hardware & Garde - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 7.74	Billings Hardware & Servi - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 36.98	Billings Hardware & Servi - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 79.56	Border States Industries - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 72.27	Border States Industries - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 628.25	C&B Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 95.04	C&B Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 4.44	C&B Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 8.07	Carquest 3153 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 36.54	Cenex Zip Trip07082662 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 11.80	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 40.66	Crescent Electric 054 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 2,400.00	Dri*Rainbird Dgtal Svc - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 53.60	Ereplacementparts.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 79.94	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 16.58	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 29.96	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 13.58	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 41.98	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 36.66	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 177.92	Ferguson Ent #1342 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 50.91	Ferguson Ent #1342 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 90.33	Ferguson Ent #1342 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 77.63	Fisher'S Technology - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 199.36	Frontier Fence - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 36.14	Fsp*D&D Transport Refrig - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 12.08	Fsp*D&D Transport Refrig - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 73.50	Garden Avenue Greenhous - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 91.71	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 359.40	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 29.95	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 19.80	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 45.95	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 50.97	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 36.98	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 40.55	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 126.94	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 56.99	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 247.99	In *Canyon Creek Nursery - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 316.67	In *Canyon Creek Nursery - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 183.99	In *Canyon Creek Nursery - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 1,040.56	In *Canyon Creek Nursery - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 377.00	Jares Fence Company Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 427.00	Jares Fence Company Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 27.97	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 72.85	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 35.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 17.99	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 11.69	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 19.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 8.09	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 71.07	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 17.97	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 50.14	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 180.00	Knife River 5601 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 29.62	Lisacs Billingstire Sp - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 57.94	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 11.96	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 55.90	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 84.12	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 1,753.66	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 120.32	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 384.15	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 29.93	Midland Implement Co - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 1,053.00	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 996.29	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 1,446.88	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 284.16	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 325.80	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 51.37	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 183.23	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 1,290.25	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 295.20	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 3.29	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 702.00	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 371.00	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 127.44	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 202.50	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 221.33	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 470.19	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 115.54	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 13.10	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 1,276.08	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 1,033.40	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 20.51	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 115.06	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 162.67	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 57.74	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 122.13	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 28.17	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 98.04	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 1,914.12	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 19.00	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 30.69	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 171.69	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 65.00	Montana Nursery & Landsca - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 53.75	Mountain Supply - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 9.58	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 26.17	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 139.99	Napa Store 3547007 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 40.09	Norco Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 52.94	Northwest Pipe Fittings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 315.74	Northwest Pipe Fittings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 619.42	Northwest Pipe Fittings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 179.20	Northwest Pipe Fittings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 88.44	Northwest Pipe Fittings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 53.48	Nrpa Operating - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 401.10	Nrpa Operating - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 216.00	Pacific Steel Branch #02 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 484.00	Pp*Zeecreativeinc - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 3.00	Purvis Industries 68 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 116.00	Ratco Trailer And Hitch - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 119.98	Rdoce Bil 020112 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 58.90	Samsclub #4805 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 124.95	Scheels Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 548.19	Sherwin Williams 701710 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 207.16	Sherwin Williams 703203 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 95.97	Shipton'S Big R-East - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 579.00	Shipton'S Big R-West - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 239.97	Shipton'S Big R-West - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 123.95	Shipton'S Big R-West - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 106.96	Snappyduds - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 90.00	Sq *Mojo Graphics - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 48.00	Sq *Mojo Graphics - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 105.00	St Vincent Occ Health - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 24.50	Staley S Tire And Automot - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 76.95	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 22.95	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 46.65	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 90.62	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 87.34	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 36.02	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 140.46	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 88.83	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 330.00	The Good Earth Works - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 890.00	The Good Earth Works - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 1,551.25	The Good Earth Works - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 700.00	The Good Earth Works - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 12.70	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 77.56	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 13.32	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 219.40	The Home Depot 3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 219.40	The Home Depot 3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 449.67	The Home Depot 3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 649.95	The Ski Station - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 30.14	Toner Buzz - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 145.00	Tvetene Turf Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 136.99	Vermeer Rocky Mountian In - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 639.91	Volleyballusa.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 54.00	Western Ranch Supply - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 19.00	Wilbur Ellis Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 214.50	Wilbur Ellis Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 46.78	Wm Supercenter #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 19.00	Yellowstone Valley Elect - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Dist 1	$ 14.99	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 7.99	Albertsons #0038 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 24.36	Albertsons #0047 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 36.00	Big Sky Coffee Roasters - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 31.34	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 139.97	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 159.00	International Bronze Plaq - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 358.00	International Bronze Plaq - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 179.00	International Bronze Plaq - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 387.50	Jimmy Johns - 1646 - E - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 569.96	Sherwin Williams 703203 - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ (11.96)	Walmart.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ (28.96)	Walmart.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 90.26	Walmart.Com As - PCard
06/07/2021	ACH	U.S. Bank PCards	Park Prgrms	$ 76.44	Walmart.Com As - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 62.82	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 177.46	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 62.82	360 Office Solutions Inc - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 13.30	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 108.55	Air Controls-Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 379.19	Air Controls-Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 61.17	Awg 3575 - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 135.25	Billings Construction Sup - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 135.25	Billings Construction Sup - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 1.00	City Of Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 1.00	Co Billings Park3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 1.00	Co Billings Park3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 1.00	Co Billings Park3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 24.78	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 14.95	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 165.00	Creative Monograms Smb - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 43.00	Creative Monograms Smb - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 3.22	Fastenal Company 01Mtbll - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 3.22	Fastenal Company 01Mtbll - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 3.22	Fastenal Company 01Mtbll - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 12.09	Firemaster - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 11.25	Firemaster - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 12.07	Firemaster - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 11.25	Firemaster - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 12.09	Firemaster - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 11.25	Firemaster - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 73.20	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 73.20	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 73.20	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 73.20	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 73.20	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 73.20	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 2,151.11	Idu*Insight Public Sec - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 375.00	In *Automatic Doors Of Mo - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 61.38	Kb Commercial Products - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 22.15	Kb Commercial Products - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 61.38	Kb Commercial Products - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 22.16	Kb Commercial Products - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 22.16	Kb Commercial Products - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 61.36	Kb Commercial Products - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 13.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 59.99	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 150.00	Overhead Door-S Mont - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 90.00	Sq *Skyline Services, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 210.00	Sq *Skyline Services, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 1,075.00	Sq *Skyline Services, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 1,645.00	Sq *Skyline Services, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 290.00	Sq *Skyline Services, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Parking	$ 170.00	Zeecreativeinc - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 1,426.00	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 178.50	Garden Avenue Greenhous - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 672.00	Garden Avenue Greenhous - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 993.72	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 147.47	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 112.10	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 71.95	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 122.13	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 87.24	Northwest Pipe Fittings - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 350.00	Vermeer Rocky Mountian In - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 19.56	Yellowstone Valley Elect - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 173.97	Yellowstone Valley Elect - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 77.06	Yellowstone Valley Elect - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 252.00	Yellowstone Valley Elect - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 20.24	Yellowstone Valley Elect - PCard
06/07/2021	ACH	U.S. Bank PCards	Parks Maint	$ 40.59	Yellowstone Valley Elect - PCard
06/07/2021	ACH	U.S. Bank PCards	PD Program	$ 550.66	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	PD Program	$ 640.00	Cmi Inc Moto - PCard
06/07/2021	ACH	U.S. Bank PCards	PD Program	$ 18.77	Cmi Inc Moto - PCard
06/07/2021	ACH	U.S. Bank PCards	PD Program	$ 1,067.00	Delta Air 0062452002735 - PCard
06/07/2021	ACH	U.S. Bank PCards	PD Program	$ 618.40	Tracfone *Phones - PCard
06/07/2021	ACH	U.S. Bank PCards	PD Program	$ 1,230.40	Uline *Ship Supplies - PCard
06/07/2021	ACH	U.S. Bank PCards	PD Program	$ 39.00	Universal Awards - PCard
06/07/2021	ACH	U.S. Bank PCards	PD Program	$ 39.76	Walmart.Com As - PCard
06/07/2021	ACH	U.S. Bank PCards	PD Program	$ 39.76	Walmart.Com Av - PCard
06/07/2021	ACH	U.S. Bank PCards	Phone System	$ 19.98	Amzn Mktp Us*2L8T90W31 Am - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Phone System	$ 47.96	Amzn Mktp Us*2L9Ka0T50 - PCard
06/07/2021	ACH	U.S. Bank PCards	Phone System	$ 21.62	Amzn Mktp Us*6J8Xz6043 - PCard
06/07/2021	ACH	U.S. Bank PCards	Phone System	$ 87.38	Amzn Mktp Us*Q90Cl6Sg3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Phone System	$ 29.44	Graybar Electric - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 9.78	Albertsons #4025 - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 7.13	Amazon.Com*2L9E86Zu0 - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 676.00	American Planning A - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 9.68	Amzn Mktp Us*2L5M71Vm1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 80.28	Amzn Mktp Us*2L6W87221 - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 38.99	Amzn Mktp Us*2R2Oy2Cd1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 31.08	Amzn Mktp Us*Wb07H20L3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 46.75	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 26.58	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 43.24	Jimmy Johns - 1646 - E - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 41.24	Jimmy Johns - 1646 - E - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 164.13	Lowen Corporation - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	Planning	$ 37.35	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 448.96	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 748.60	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 18.78	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 13.60	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 800.55	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 299.00	4010 Bose Corp Web Store - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 1,920.64	Airgas Usa, Llc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 35.95	Albertsons #0038 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 31.99	Albertsons #0047 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 84.05	Albertsons #0047 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 16.68	Albertsons #0630 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 10.00	Albertsons #4041 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 99.00	Amazon.Com*Ph13W3Jv3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ (67.68)	Amzn Mktp Us - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ (195.96)	Amzn Mktp Us - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 239.76	Amzn Mktp Us*0Y49P5973 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 52.97	Amzn Mktp Us*2L0Dz4X71 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 94.45	Amzn Mktp Us*2L0Hb4V40 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 90.00	Amzn Mktp Us*2L0Mf4In1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 76.24	Amzn Mktp Us*2L53J29E1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 37.01	Amzn Mktp Us*2L6877Jz1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 432.39	Amzn Mktp Us*2L6Qq2Qr2 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 2,040.63	Amzn Mktp Us*2R3Ir0Fr1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 23.99	Amzn Mktp Us*2V8Rt5Op3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 250.86	Amzn Mktp Us*3N4Hy8Sd3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 25.93	Amzn Mktp Us*5C8Ls3Gj3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 340.40	Amzn Mktp Us*6J09K27V3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 16.61	Amzn Mktp Us*6J8Xz6043 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 62.47	Amzn Mktp Us*Bh2Pg1Zv3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 978.00	Amzn Mktp Us*Bz9Py9Gi3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 143.60	Amzn Mktp Us*Fd8Zg4Jt3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 43.71	Amzn Mktp Us*Il90O8S73 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 17.95	Amzn Mktp Us*Mj0Q04T13 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 31.96	Amzn Mktp Us*Yt5Tc0D03 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 464.00	Apco International Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 96.00	Apco International Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 439.00	Apco International Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 439.00	Apco International Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 459.00	Apco International Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 153.65	B&H Photo 800-606-6969 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 549.20	B&H Photo 800-606-6969 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 85.90	B&H Photo 800-606-6969 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 639.96	Best Buy 00005926 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 49.99	Best Buy 00005926 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 1,035.00	Big Sky Communications 1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 119.90	Billings Army Navy Surplu - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 157.00	Billings Ink And Toner, I - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 106.50	Blues Bar-B-Q - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 104.68	Butte Holiday Inn Expres - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 104.68	Butte Holiday Inn Expres - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 119.88	Cab Store Billings, Mt - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 36.11	Cenex Lisac S 07063167 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 51.96	Chalet Market - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 133.48	Chalet Market - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 21.42	Concordance Healthcare - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 52.95	Conoco - Thriftway Ss #9 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ (75.00)	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 34.95	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 48.18	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 161.60	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 50.00	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 100.13	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 863.50	Creative Monograms Smb - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 4.39	Dmi* Dell Corp Bus - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 323.16	Eb Big Sky Drug And A - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 277.85	Evident Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 49.07	Exxonmobil 45940400 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 282.00	Fire Protection Pub - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 519.00	Fire Protection Pub - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 2,495.00	Flir Systems - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 169.55	Fps/Mountain Alarm - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 1,238.00	Freds Appliance Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 139.95	Grammarly Coxbyjvik - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 440.00	Gunarama Wholesale Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 1,366.00	Gunarama Wholesale Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 138.24	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 46.87	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 82.00	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 151.23	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 38.85	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 100.82	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 100.82	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 115.44	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 259.63	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 127.32	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 238.24	Hitt Marking Devices - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 103.60	Homedepot.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 185.76	Homedepot.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 111.52	Homedepot.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 1,478.00	Homedepot.Com - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 828.00	Homedepot.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 1,225.00	Iacp - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 165.00	In *Device Doctor - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 770.00	In *Law Enforcement Semin - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 2,310.00	In *Law Enforcement Semin - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 2,310.00	In *Law Enforcement Semin - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 536.90	In *Sissie'S Cleaning Ser - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 110.88	Iron Mountain - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 57.50	Iron Mountain - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 69.00	Jimmy Johns - 1646 - E - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 182.27	Kb Commercial Products - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 276.52	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 33.21	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 124.08	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 114.60	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 136.00	Ls The Ride Cyclery - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 61.00	Mackenzie River Pizza Hel - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 48.29	Mcdonald'S F13978 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 34.24	Mcdonald'S F13978 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 19.33	Mcfinys 1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 36.35	Montana Brewing Company - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 949.95	Northwest River Supplies - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 232.33	Oregon Rule - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 50.00	Paypal *Iape - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 149.30	Projector Lamps Llc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 46.44	Sams Club #4805 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 147.10	Samsclub #4805 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 249.99	Scheels Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 176.79	Scheels Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 2,376.00	Shepherd Warrior Martial - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 349.99	Shipton'S Big R-West - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 1,645.06	Sp * Phokus Research - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 1,398.00	Special Event Safety S - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 234.83	Spectrum - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 300.00	Sq *Carol Staben Burrough - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 100.00	Sq *Carol Staben Burrough - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 1,450.00	Sq *Montana Law Enf - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 3.79	Target 00001719 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 24.00	Target 00013334 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 186.88	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 40.56	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 69.38	The Ups Store 2594 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 25.00	Tst* City Brew Coffee - C - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 453.86	Uniforms2Gear Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 12.00	Universal Awards - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 129.35	Ups*000000W219W8161 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 42.49	Ups*000000W219W8171 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 18.77	Ups*000000W219W8181 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 104.42	Ups*000000W219W8191 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 34.48	Ups*000000W219W8201 - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 13.28	Walmart.Com Aa - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 10.50	West End Lock And Secur - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 28.50	West End Lock And Secur - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 359.98	Www Costco Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 439.99	Www Costco Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 97.00	Www.Volgistics.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 115.62	Yellowstone County Treas - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 43.78	Yellowstone County Treas - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 12.50	Yellowstone Ice And Water - PCard
06/07/2021	ACH	U.S. Bank PCards	Public Safety	$ 99.84	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 316.94	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 133.97	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 200.75	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 459.77	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 397.20	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 182.63	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 192.63	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 186.15	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 408.57	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 444.94	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 66.50	American Water Technol - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 17.99	Amzn Mktp Us*2L9Ka0T50 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 5.98	Amzn Mktp Us*6J8Xz6043 - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 113.50	Billings Construction Sup - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 85.11	Cintas Corp - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 139.81	Cintas Corp - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 82.17	Fastenal Company 01Mtbll - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 1,419.73	Fastenal Company 01Mtbll - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ (82.17)	Fastenal Company 01Mtbll - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 134.87	Fisher'S Technology - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 74.83	Fisher'S Technology - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 56.83	Fisher'S Technology - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 115.44	Hanson Chemical - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 15.48	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 25.57	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 206.36	Hose & Rubber Supply - Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 211.35	Hose & Rubber Supply - Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 185.25	Industrial Sales And Se - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 78.85	Kb Commercial Products - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 53.96	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 54.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 14.99	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ (42.48)	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ (14.72)	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 57.20	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 759.25	Norco Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 72.74	Norco Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 63.99	Office Depot #450 - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 309.10	Six Robblees No 6 - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 48.27	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 54.87	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Solid Waste	$ 7.00	West End Lock And Secur - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 30.00	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 970.00	Altitude Signal Llc - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 345.60	Amazon.Com*2R4G991B1 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 15.41	Amzn Mktp Us*2L6Kz67Y2 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 36.00	Amzn Mktp Us*2R76771W1 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 462.60	Amzn Mktp Us*Q44Ls0Eq3 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 51.83	Awg 3575 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 19.99	Best Buy 00005926 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 703.96	Best Buy 00005926 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 49.99	Billings Hardware & Servi - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 37.90	City Of Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 564.39	Fastenal Company 01Mtbll - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 60.38	Fisher'S Technology - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 8.99	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 9.51	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 49.96	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 299.80	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 160.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 24.98	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 39.96	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 19.98	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 20.96	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 318.08	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 19.96	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 79.98	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 117.30	Midway Rental-Laurel - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 109.93	Pacific Steel Branch #02 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 91.44	Selby'S - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 28.70	Selby'S - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 10.99	Shipton'S Big R-West - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 189.99	Shipton'S Big R-West - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 44.99	Shipton'S Big R-West - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 677.00	Southerncarlson - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 209.45	Sq *Hotsy Wy-Mont - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 26.95	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 450.00	The Good Earth Works - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 19.94	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 29.91	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 9.97	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 550.58	Trafficsafetystore.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 130.00	Tvetene Turf Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 817.40	United 0162346193206 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 817.40	United 0162346193207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 200.00	Wwett Reg - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 77.28	Yellowstone County Treas - PCard
06/07/2021	ACH	U.S. Bank PCards	Street/Traffic	$ 155.39	Yellowstone Valley Elect - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 24.29	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 262.44	Aaim - Services - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 210.38	Air Controls-Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 108.60	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 354.40	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 72.40	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 40.92	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 869.22	Amazon.Com*Ch4Jq5R83 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 115.97	Amzn Mktp Us*046Jm84Q3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 188.98	Amzn Mktp Us*2L0Nt75E2 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 7.77	Amzn Mktp Us*2L0Uv8W91 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 215.82	Amzn Mktp Us*Zn0Pr0293 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 1,000.00	Community Transportation - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 59.98	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 102.60	Ebay O*04-06985-95590 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 102.00	Ebay O*27-07007-80935 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 149.19	Ecolab Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 149.19	Ecolab Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 496.48	Freedom Racing Tool And A - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 160.80	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ (162.77)	Idu*Insight Public Sec - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 162.77	Idu*Insight Public Sec - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 100.00	In *Cotter'S Sewer, Septi - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 100.00	Indeed - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 24.55	Kimball Midwest Payeezy - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 380.97	Kimball Midwest Payeezy - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 225.50	Kimball Midwest Payeezy - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 17.96	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 142.09	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 49.99	Lowes #00907* - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 66.22	Marketing Specialtites - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 1.96	Midland Implement Co - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 24.86	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 16.90	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 6.65	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 51.49	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 37.92	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 21.67	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 46.66	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 96.84	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 1.69	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 28.57	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 63.96	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 8.29	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 17.38	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 87.68	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 47.97	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 25.75	Napa Store 3547001 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 50.99	Office Depot #450 - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 21.99	Shipton'S Big R-East - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 35.00	Sign Pro Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 50.00	Sign Pro Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 149.50	Smartsign - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 597.89	Superior Water Solutions - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 56.70	Unique Truck - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 230.85	Usa Clean Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 198.39	Usa Clean Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 887.05	Willards Garage - PCard
06/07/2021	ACH	U.S. Bank PCards	Transit	$ 15.55	Zoom.Us 888-799-9666 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 71.92	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 44.75	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 36.48	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 24.97	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 68.01	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 114.89	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 14.99	Adobe Acropro Subs - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 316.20	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 7.60	Alsco Inc. - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 248.76	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 213.17	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 156.26	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 300.54	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 234.39	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 373.14	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 431.81	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 43.63	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 34.90	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 46.38	Amazon.Com*Wa2Wo6W23 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 23.90	Amzn Mktp Us*2L5G77Zv0 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 21.90	Amzn Mktp Us*Gr3X52Fm3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 37.80	Billings Construction Sup - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 513.60	Border States Industries - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 19.24	Carquest 3103 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 20.45	Chemetrics.Com - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 13.81	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 21.60	Edge Construction Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 1,746.30	Environmental Resource - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 151.26	Fedex 787161878760 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 48.49	Gih*Globalindustrialeq - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 68.40	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 1,169.58	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 92.44	Hach Company - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 49.85	Hach Company - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 33.97	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 277.72	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 2.80	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 13.99	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 35.50	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 114.95	Hose & Rubber Supply - Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 7.18	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 6.79	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 2.52	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 7.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 5.99	Kings Ace Hdwe - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 2,409.00	Lous Gloves - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 25.71	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 168.99	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 123.81	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 36.15	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 20.79	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 37.32	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 218.70	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 168.99	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 131.68	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 158.11	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 80.23	Midland Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 14.58	Montana Waterworks - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 100.00	Msu-Bz-Extuniv-Cm - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 50.00	Mt Gov Online Trnsctns - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 32.00	Mt Prof License Renew - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 32.00	Mt Prof License Renew - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 17.93	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 42.34	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 4.64	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 12.83	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 39.02	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 400.00	Paypal *Ata Train - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ (200.00)	Paypal *Ata Train - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 450.00	Paypal *Ata Train - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 720.83	Provantage - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 127.89	Samsclub #4805 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 31.71	Southco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 52.50	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 7.20	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 13.21	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 1,000.00	Usc Viterbi Fccc Online - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 10.25	Usps Po 2907800103 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 3.55	Wal-Mart #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 222.00	Wef Main - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 85.00	Wef Main - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 2.75	West End Lock And Secur - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 2.36	Wm Supercenter #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	Wastewater	$ 55.04	Yellowstone Valley Elect - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 109.44	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 134.25	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 38.30	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 13.07	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 229.79	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 23.97	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 143.84	360 Office Solutions Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 5.11	A And H Turf And Specialt - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 38.00	Aaim - Services - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 15.69	Albertsons #4025 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 130.89	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 22.80	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 209.46	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 319.75	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 474.30	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 104.70	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 156.26	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 234.39	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 202.14	Alsco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 75.27	Amazon.Com*2J1K73Tc3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 175.63	Amazon.Com*G68R79Vg3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 290.10	Amazon.Com*Rp6Vx4Gk3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 69.58	Amazon.Com*Wa2Wo6W23 Amzn - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 139.25	Amzn Mktp Us*5Z2Lt1153 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 25.90	Amzn Mktp Us*997Li5E43 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 17.48	Amzn Mktp Us*Q90Cl6Sg3 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 65.90	Amzn Mktp Us*Vr3D97X03 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 27.00	Associated Glass Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 141.32	B&H Photo 800-606-6969 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 56.70	Billings Construction Sup - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 513.60	Border States Industries - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 311.06	C&B Billings - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 28.86	Carquest 3103 - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Water	$ 41.45	Costco Whse #0069 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 55.76	Cpi*Coleparmerinstrumt - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 244.66	Econo Print - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 291.81	Edge Construction Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 199.68	Edge Construction Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 32.40	Edge Construction Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 582.01	Epasales - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 27.98	Evergreen Ace Hardware - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 106.15	Fedex 90777058 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 81.16	Fei, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 489.60	Fei, Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 165.00	Fsp*Generator Starter Sho - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 145.46	Gih*Globalindustrialeq - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 363.00	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 102.60	Grainger - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 12.00	Graphic Imprints - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 164.61	Hach Company - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 299.28	Hach Company - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 33.97	Harbor Freight Tools 207 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 53.24	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 4.19	Heights Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 93.46	Hose & Rubber Supply - Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 172.43	Hose & Rubber Supply - Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 91.70	Hose & Rubber Supply - Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 247.73	Hose & Rubber Supply - Bi - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 973.25	Idexx Distribution Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 1,740.28	Indelco Plastics Corp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 501.33	Indelco Plastics Corp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ (1,740.28)	Indelco Plastics Corp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ (1,012.00)	Jims Electric - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 1,012.00	Jims Electric - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 2.90	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 20.37	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 50.95	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 64.95	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 8.98	Kings Ace Hdwe - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Water	$ 49.19	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 14.99	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 11.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 4.79	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 19.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 4.75	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 3.77	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 10.78	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 72.98	Kings Ace Hdwe - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 55.50	Lowes #00319* - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 19.94	Mcmaster-Carr - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 54.24	Mcmaster-Carr - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ (402.00)	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 804.00	Midland Implement Co - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 20.00	Montana Waterworks - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 100.00	Msu-Bz-Extuniv-Cm - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 500.00	Msu-Bz-Extuniv-Cm - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 900.00	Msu-Bz-Extuniv-Cm - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 50.00	Mt Gov Online Trnsctns - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 48.00	Mt Prof License Renew - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 48.00	Mt Prof License Renew - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 190.55	Mt Rural Water System Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 1,580.72	Norco Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 22.48	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 6.96	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 84.00	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 58.54	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 26.90	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 19.73	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 183.03	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 14.00	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 63.52	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 19.25	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 70.00	Northwest Industrial Supp - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 118.54	Northwest Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 143.20	Northwest Scientific Inc - PCard

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	ACH	U.S. Bank PCards	Water	$ 215.74	Northwest Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 91.90	Northwest Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 54.12	Northwest Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 35.40	Northwest Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 57.38	Northwest Scientific Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 51.80	Pacific Steel Branch #02 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 11.75	Pacific Steel Branch #02 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 3,408.27	Provantage - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 191.83	Samsclub #4805 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 167.49	Sherwin Williams 703203 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 91.00	Shiloh Veterinary Hospita - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 7.47	Shipton'S Big R-East - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 114.00	Skechers.Com #600 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 31.70	Southco Inc. - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 443.87	Sp * Freshwatersystems - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 38.75	Sq *Big Sky Safety Supply - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 79.37	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 8.15	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 44.86	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 52.49	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 156.56	Tacoma Screw Products B - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 10.07	The Home Depot #3101 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 10.00	Tvetene Turf Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 12.50	Tvetene Turf Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 7.50	Tvetene Turf Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 15.00	Tvetene Turf Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 10.00	Tvetene Turf Inc - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 5.32	Wal-Mart #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 8.25	West End Lock And Secur - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 7.10	Wm Supercenter #1956 - PCard
06/07/2021	ACH	U.S. Bank PCards	Water	$ 27.31	Yellowstone Valley Elect - PCard
06/07/2021	843505	Vermont Systems	General	$ 7,030.82	RecTrac system annual fees - 70016
06/07/2021	843510	Yellowstone Co	Public Safety	$ 12,000.00	YCDF invoice for May 2021 jail boarders
06/07/2021	843512	Ylwstn Co Treas	General	$ 12,678.30	Remaining Amounts Due from Estates Winfrey, Senger, and Polen
06/07/2021	843512	Ylwstn Co Treas	General	$ 5,467.18	Remaining Amounts Due from Estates Winfrey, Senger, and Polen
06/07/2021	843512	Ylwstn Co Treas	General	$ 8,694.64	Remaining Amounts Due from Estates Winfrey, Senger, and Polen

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/07/2021	843514	Ylwstn Valley Elec	Solid Waste	$ 4,552.48	Electricity Service Landfill 04/01/21 - 05/01/21.
06/07/2021	843514	Ylwstn Valley Elec	Wastewater	$ 19.00	Winchester trail rod and gun club

City Council Regular

Date:	07/12/2021
Title:	Payment of Claims for week of June 14, 2021
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Claims in the amount of $663,491.42 have been reviewed and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department.

Payment Approval Process

Every invoice for payment in entered into the City's accounting system and the backup documentation is scanned in and attached (physical invoices, additional e-mails explaining payments, bids, contracts, etc.) Each invoice goes through a multi-step approval process depending upon the amount of the payment.

First, invoices are entered by the department requesting the payment and the department director or designee must perform an initial review and approval of the purchase. The number of approvals within the department can vary based upon the size of the department, but no less than one approver within each department must verify the payment.

Second, all payments, regardless of size, must be approved by the Purchasing Agent or designee. The Purchasing Agent will review the payment to ensure purchasing procedures are followed and appropriate documentation is attached.

If the payment is greater than $1,000, then it must be approved by the Finance Director or designee.
If that payment is greater than $10,000, then it must be approved by the City Administrator or Assistant City Administrator.

Once all approvals are completed, the payment is able to be made and the Accounts Payable Clerk can print the check. After all checks are printed, a list of all checks in excess of $2,500 is generated and placed on the next City Council meeting for review.

ALTERNATIVES

- No other alternatives were analyzed

FISCAL EFFECTS

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

Attachments

Councilmemo wk of 06142021

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843531	Auto Doors Of MT	Airport	$ 3,500.00	Invoice #20253. Repair/Reseal Existing Windows TSA Building
06/14/2021	843530	Auto Trim Design	Public Safety	$ 3,292.00	9032305
06/14/2021	843530	Auto Trim Design	Public Safety	$ 1,768.00	9032384/1
06/14/2021	843530	Auto Trim Design	Water	$ 103.68	873080
06/14/2021	843530	Auto Trim Design	Water	$ 488.00	NONSTOCKING ITEMS-P.U.D.
06/14/2021	843536	Beartooth Enviro	Solid Waste	$ 4,843.05	HHW Solid Waste shipment.
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 364.95	500889
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 9.53	500889
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 54.41	500898
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 165.92	500904
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 322.80	15555 - S-155 BADGE: CAPTAIN, RHODIUM, MT STATE SEAL CENTER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 111.60	15556, S-155 BADGE, FIRE MARSHAL, GOLD W/MT STATE SEAL CENETER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 111.60	15557 S-155 BADGE, ASST. FIRE MARSHAL, GOLD W/MT STATE SEAL CENETER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 223.20	15558, S-155 BADGE, FIRE CHIEF, GOLD W/MT STATE SEAL CENETER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 223.20	15559, S-155 BADGE, TRAINING CHIEF, GOLD W/MT STATE SEAL CENETER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 1,291.20	15560 - S-155 BADGE: FIREFIGHTER, RHODIUM, MT STATE SEAL CENTER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 322.80	15561 S-155 BADGE: ENGINEER, RHODIUM, MT STATE SEAL
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 446.40	15562 , S-155 BADGE, BATTALION CHIEF, GOLD W/MT STATE SEAL CENETER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 334.80	15563 S-155 BADGE, ASST. FIRE CHIEF, GOLD W/MT STATE SEAL CENETER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 107.60	15564-S-155 BADGE: DEPUTY FIRE MARSHAL, RHODIUM, MT STATE SEAL CENTER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 223.20	15566, S-155 BADGE, ASST. TRAINING CHIEF, GOLD W/MT STATE SEAL CENETER
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 37.60	C102 HAT BADGE, 5X BUGLES, GOLD 472124
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 75.20	C103 HAT BADGE, 4X BUGLES, GOLD 472125
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 75.20	C104 HAT BADGE 3X BUGLES, GOLD, 472126
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 218.40	C-110 HAT BADGE, RHODIUM, 2 STANDING BUGLES, CAPTAIN
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 37.60	C111 HAT BADGE, 2X BUGLES, GOLD 2111
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 80.70	C118S BUGLES 2X GOLD LAPEL PIN 21187
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 80.70	C118S BUGLES, 4X GOLD LAPEL PIN 21227
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 215.20	C119S BUGLES, 3X GOLD LAPEL PIN 21197
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 80.70	C121S BUGLES, 5X GOLD LAPEL PIN 21217
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 48.40	C174 COLLAR BRASS, GOLD 2X BUGLES, 7/8" ROUND 21167
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 145.20	C176 COLLAR BRASS, GOLD 3X BUGLES, 7/8" ROUND 21167
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 234.00	C182 COLLAR BARSS, NICKEL, 2 STANDING BUGLES, 7/8" ROUND - CLASS 'A'
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 96.80	C186 COLLAR BRASS, GOLD 4X BUGLES, 7/8" ROUND 21167
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 72.60	C188 COLLAR BRASS, GOLD, 5X BUGLES, 7/8" ROUND 211167
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 936.00	C196, COLLAR BRASS, NICKLE, SCRAMBLE, 7/8" ROUND FOR CLASS 'A' UNIFORMS

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843540	Big Sky Fire Equipt	Public Safety	$ 621.60	F10 HAT BADGE, RHODIUM, SCRAMBLE 31042
06/14/2021	843544	Billings Clinic	Public Safety	$ 176.00	Legal Blood Draw DUI 545335770-I
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2020172
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021024
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021032
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021036
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021038
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021039
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021040
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021041
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021042
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021046
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021051
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021053
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021054
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021055
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021057
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021058
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021059
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021060
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021061
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021062
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021067
06/14/2021	843544	Billings Clinic	Public Safety	$ 600.00	SANE 2021069
06/14/2021	843553	Bueter	Public Safety	$ 2,696.96	Tuition FY2021- ADJUSTMENT FROM 44% TO 100% REIMBURSEMENT.
06/14/2021	843558	Cellebrite USA Corp	Public Safety	$ 7,700.00	tuition for Jim Woog & John Tate to attend ILT CCO +CCPA
06/14/2021	843564	Chicago Title of MT	CDBG	$ 15,000.00	FTHB Donovan Ruff 739 Broadwater
06/14/2021	843580	Dell Computer L P	Planning	$ 1,901.38	2-Dell Latitude 7420 i5, 8GB RAM, 128GB SSD -laptop
06/14/2021	843580	Dell Computer L P	Public Safety	$ 2,519.12	Qty.2 15"Precision 3551 i7, 16GB 256GB -Detectives
06/14/2021	843581	Denny Menholt	Public Safety	$ 3,267.50	382160
06/14/2021	843584	DOWL	Arterial Strs	$ 4,927.50	24th St W/Central Ave Signal Improvements
06/14/2021	843591	Ecoverse Industries	Solid Waste	$ 120.84	2120165
06/14/2021	843591	Ecoverse Industries	Solid Waste	$ 791.43	2120165
06/14/2021	843591	Ecoverse Industries	Solid Waste	$ 37.23	2130130
06/14/2021	843591	Ecoverse Industries	Solid Waste	$ 1,734.37	2130130
06/14/2021	843591	Ecoverse Industries	Solid Waste	$ 379.14	2150052

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843591	Ecoverse Industries	Solid Waste	$ 18.88	2150052
06/14/2021	843591	Ecoverse Industries	Solid Waste	$ 3,123.15	AUTO &TRUCK MAINT.ITEMS
06/14/2021	843591	Ecoverse Industries	Solid Waste	$ 385.77	SHIPPING AND HANDLING
06/14/2021	843594	Ekblad	Public Safety	$ 5,339.18	TUITION FY2021-ADJUSTMENT FROM 44% TO 100% REIMBURSEMENT
06/14/2021	843597	Faronics Tech	Library	$ 3,307.50	Deep Freeze Licenses (70) for public PCs
06/14/2021	843597	Faronics Tech	Library	$ 1,609.30	Deep Freeze maintenance for public PCs
06/14/2021	843601	First MT Title Co	CDBG	$ 15,000.00	FTHB Desiree Kroll 217 S. 33rd
06/14/2021	843600	First MT Title Co	CDBG	$ 10,000.00	FTHB Tiyana Sample 4023 2nd Avenue S
06/14/2021	843615	HDR, Inc.	Solid Waste	$ 4,209.52	WO 20-07 Solid Waste CNG Station Expansion
06/14/2021	843615	HDR, Inc.	Wastewater	$ 21,086.48	WO 19-21 WRF Influent Lift Station
06/14/2021	843615	HDR, Inc.	Wastewater	$ 4,610.32	WO 20-44 WRF Nutrient Recovery Improvements Project
06/14/2021	843615	HDR, Inc.	Water	$ 67,127.54	WO 19-12 West End Reservoir
06/14/2021	843622	Ingram Library Service	Library	$ 39.87	5282689
06/14/2021	843622	Ingram Library Service	Library	$ 107.51	5282689
06/14/2021	843622	Ingram Library Service	Library	$ 108.99	51367455
06/14/2021	843622	Ingram Library Service	Library	$ 44.00	51367455
06/14/2021	843622	Ingram Library Service	Library	$ 25.14	52718614
06/14/2021	843622	Ingram Library Service	Library	$ 40.48	52718614
06/14/2021	843622	Ingram Library Service	Library	$ 15.93	52718615
06/14/2021	843622	Ingram Library Service	Library	$ 10.02	52718616
06/14/2021	843622	Ingram Library Service	Library	$ 17.67	52718618
06/14/2021	843622	Ingram Library Service	Library	$ 9.43	52718619
06/14/2021	843622	Ingram Library Service	Library	$ 33.14	52718620
06/14/2021	843622	Ingram Library Service	Library	$ 109.29	52718621
06/14/2021	843622	Ingram Library Service	Library	$ 11.39	52718621
06/14/2021	843622	Ingram Library Service	Library	$ 5.99	52725445
06/14/2021	843622	Ingram Library Service	Library	$ 34.76	52725446
06/14/2021	843622	Ingram Library Service	Library	$ 18.39	52725446
06/14/2021	843622	Ingram Library Service	Library	$ 10.20	52725446
06/14/2021	843622	Ingram Library Service	Library	$ 53.34	52725446
06/14/2021	843622	Ingram Library Service	Library	$ 14.71	52725446
06/14/2021	843622	Ingram Library Service	Library	$ 22.99	52725446
06/14/2021	843622	Ingram Library Service	Library	$ 24.82	52725446
06/14/2021	843622	Ingram Library Service	Library	$ 45.17	52725447
06/14/2021	843622	Ingram Library Service	Library	$ 42.44	52725447
06/14/2021	843622	Ingram Library Service	Library	$ 66.82	52725447

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843622	Ingram Library Service	Library	$ 10.20	52725447
06/14/2021	843622	Ingram Library Service	Library	$ 29.99	52725448
06/14/2021	843622	Ingram Library Service	Library	$ 7.35	52725449
06/14/2021	843622	Ingram Library Service	Library	$ 29.66	52725450
06/14/2021	843622	Ingram Library Service	Library	$ 22.99	52725451
06/14/2021	843622	Ingram Library Service	Library	$ 27.19	52725452
06/14/2021	843622	Ingram Library Service	Library	$ 78.35	52789310
06/14/2021	843622	Ingram Library Service	Library	$ 17.69	52789311
06/14/2021	843622	Ingram Library Service	Library	$ 10.61	52789311
06/14/2021	843622	Ingram Library Service	Library	$ 55.19	52789312
06/14/2021	843622	Ingram Library Service	Library	$ 4.79	52789312
06/14/2021	843622	Ingram Library Service	Library	$ 10.61	52789313
06/14/2021	843622	Ingram Library Service	Library	$ 77.58	52789313
06/14/2021	843622	Ingram Library Service	Library	$ 10.20	52789313
06/14/2021	843622	Ingram Library Service	Library	$ 32.29	52789314
06/14/2021	843622	Ingram Library Service	Library	$ 8.99	52789315
06/14/2021	843622	Ingram Library Service	Library	$ 16.52	52789316
06/14/2021	843622	Ingram Library Service	Library	$ 14.97	52789317
06/14/2021	843622	Ingram Library Service	Library	$ 23.99	52789318
06/14/2021	843622	Ingram Library Service	Library	$ 112.81	52789318
06/14/2021	843622	Ingram Library Service	Library	$ 5.89	52828685
06/14/2021	843622	Ingram Library Service	Library	$ 10.59	52828686
06/14/2021	843622	Ingram Library Service	Library	$ 15.90	52828687
06/14/2021	843622	Ingram Library Service	Library	$ 32.41	52828688
06/14/2021	843622	Ingram Library Service	Library	$ 89.60	52828690
06/14/2021	843622	Ingram Library Service	Library	$ 11.20	52851331
06/14/2021	843622	Ingram Library Service	Library	$ 6.59	52851332
06/14/2021	843622	Ingram Library Service	Library	$ 3.59	52851333
06/14/2021	843622	Ingram Library Service	Library	$ 17.99	52851334
06/14/2021	843622	Ingram Library Service	Library	$ 71.47	52851334
06/14/2021	843622	Ingram Library Service	Library	$ 14.16	52851334
06/14/2021	843622	Ingram Library Service	Library	$ 530.99	52851334
06/14/2021	843622	Ingram Library Service	Library	$ 307.36	52851334
06/14/2021	843622	Ingram Library Service	Library	$ 10.61	52898920
06/14/2021	843622	Ingram Library Service	Library	$ 4.79	52898921
06/14/2021	843622	Ingram Library Service	Library	$ 15.34	52898921

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843622	Ingram Library Service	Library	$ 63.69	52898922
06/14/2021	843622	Ingram Library Service	Library	$ 14.72	52898923
06/14/2021	843622	Ingram Library Service	Library	$ 29.02	52898924
06/14/2021	843622	Ingram Library Service	Library	$ 9.60	52898924
06/14/2021	843622	Ingram Library Service	Library	$ 15.34	52898924
06/14/2021	843622	Ingram Library Service	Library	$ 34.77	52898924
06/14/2021	843622	Ingram Library Service	Library	$ 39.01	52898925
06/14/2021	843622	Ingram Library Service	Library	$ 68.01	52918555
06/14/2021	843622	Ingram Library Service	Library	$ 173.91	52918556
06/14/2021	843622	Ingram Library Service	Library	$ 34.01	52918556
06/14/2021	843622	Ingram Library Service	Library	$ 17.04	52983500
06/14/2021	843622	Ingram Library Service	Library	$ 14.16	52983500
06/14/2021	843622	Ingram Library Service	Library	$ 25.44	52983500
06/14/2021	843622	Ingram Library Service	Library	$ 9.59	52983501
06/14/2021	843622	Ingram Library Service	Library	$ 27.49	52983501
06/14/2021	843622	Ingram Library Service	Library	$ 81.89	52983501
06/14/2021	843622	Ingram Library Service	Library	$ 90.29	52983501
06/14/2021	843622	Ingram Library Service	Library	$ 96.25	52983501
06/14/2021	843622	Ingram Library Service	Library	$ 20.38	52983501
06/14/2021	843622	Ingram Library Service	Library	$ 50.54	52983502
06/14/2021	843622	Ingram Library Service	Library	$ 27.49	52983502
06/14/2021	843622	Ingram Library Service	Library	$ 66.21	52983502
06/14/2021	843622	Ingram Library Service	Library	$ 11.20	52983502
06/14/2021	843622	Ingram Library Service	Library	$ 249.50	52983502
06/14/2021	843622	Ingram Library Service	Library	$ 59.98	52983503
06/14/2021	843622	Ingram Library Service	Library	$ 62.10	53030459
06/14/2021	843622	Ingram Library Service	Library	$ 11.20	53030459
06/14/2021	843622	Ingram Library Service	Library	$ 5.89	53030459
06/14/2021	843622	Ingram Library Service	Library	$ 11.98	53030459
06/14/2021	843622	Ingram Library Service	Library	$ 16.52	53030460
06/14/2021	843622	Ingram Library Service	Library	$ 7.79	53030461
06/14/2021	843622	Ingram Library Service	Library	$ 42.29	53030461
06/14/2021	843622	Ingram Library Service	Library	$ 7.66	53030462
06/14/2021	843622	Ingram Library Service	Library	$ 8.97	53030463
06/14/2021	843622	Ingram Library Service	Library	$ 5.99	53030463
06/14/2021	843622	Ingram Library Service	Library	$ 19.24	53030463

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843622	Ingram Library Service	Library	$ 9.60	53030463
06/14/2021	843622	Ingram Library Service	Library	$ 54.77	53030464
06/14/2021	843622	Ingram Library Service	Library	$ 143.27	53030464
06/14/2021	843622	Ingram Library Service	Library	$ 23.60	53030465
06/14/2021	843622	Ingram Library Service	Library	$ 31.41	53030466
06/14/2021	843622	Ingram Library Service	Library	$ 11.99	53030466
06/14/2021	843622	Ingram Library Service	Library	$ 15.33	53030467
06/14/2021	843622	Ingram Library Service	Library	$ 10.61	53030467
06/14/2021	843622	Ingram Library Service	Library	$ 75.43	53030468
06/14/2021	843622	Ingram Library Service	Library	$ 170.16	53030469
06/14/2021	843622	Ingram Library Service	Library	$ 101.90	53030470
06/14/2021	843622	Ingram Library Service	Library	$ 5.99	53030471
06/14/2021	843622	Ingram Library Service	Library	$ 15.93	53030472
06/14/2021	843622	Ingram Library Service	Library	$ 305.50	53030474
06/14/2021	843622	Ingram Library Service	Library	$ 89.60	53030475
06/14/2021	843622	Ingram Library Service	Library	$ 10.59	53030476
06/14/2021	843622	Ingram Library Service	Library	$ 15.34	53030477
06/14/2021	843622	Ingram Library Service	Library	$ 11.39	53030478
06/14/2021	843622	Ingram Library Service	Library	$ 54.97	53030478
06/14/2021	843622	Ingram Library Service	Library	$ 179.81	53030478
06/14/2021	843622	Ingram Library Service	Library	$ 261.09	53030478
06/14/2021	843622	Ingram Library Service	Library	$ 787.18	53030478
06/14/2021	843622	Ingram Library Service	Library	$ 92.26	53030478
06/14/2021	843622	Ingram Library Service	Library	$ 652.24	53116425
06/14/2021	843622	Ingram Library Service	Library	$ 43.64	53116425
06/14/2021	843622	Ingram Library Service	Library	$ 30.08	53138001
06/14/2021	843622	Ingram Library Service	Library	$ 253.94	53138002
06/14/2021	843622	Ingram Library Service	Library	$ 21.79	53138002
06/14/2021	843622	Ingram Library Service	Library	$ 120.58	53138003
06/14/2021	843622	Ingram Library Service	Library	$ 17.11	53138004
06/14/2021	843622	Ingram Library Service	Library	$ 12.97	53138005
06/14/2021	843622	Ingram Library Service	Library	$ 10.20	53138005
06/14/2021	843622	Ingram Library Service	Library	$ 18.29	53138005
06/14/2021	843622	Ingram Library Service	Library	$ 53.40	53138006
06/14/2021	843622	Ingram Library Service	Library	$ 50.10	53138006
06/14/2021	843622	Ingram Library Service	Library	$ 10.61	53138007

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843622	Ingram Library Service	Library	$ 27.31	53138008
06/14/2021	843622	Ingram Library Service	Library	$ 102.84	53138008
06/14/2021	843622	Ingram Library Service	Library	$ 11.98	53138008
06/14/2021	843622	Ingram Library Service	Library	$ 6.59	53138009
06/14/2021	843622	Ingram Library Service	Library	$ 65.77	53138010
06/14/2021	843622	Ingram Library Service	Library	$ 29.99	53138010
06/14/2021	843622	Ingram Library Service	Library	$ 17.70	53161311
06/14/2021	843622	Ingram Library Service	Library	$ 38.70	53161312
06/14/2021	843622	Ingram Library Service	Library	$ 11.18	53161313
06/14/2021	843622	Ingram Library Service	Library	$ 10.20	53161314
06/14/2021	843622	Ingram Library Service	Library	$ 14.44	53161314
06/14/2021	843622	Ingram Library Service	Library	$ 20.99	53161315
06/14/2021	843622	Ingram Library Service	Library	$ 68.98	53161316
06/14/2021	843622	Ingram Library Service	Library	$ 616.90	53161317
06/14/2021	843622	Ingram Library Service	Library	$ 17.10	53161318
06/14/2021	843622	Ingram Library Service	Library	$ 124.02	53161319
06/14/2021	843622	Ingram Library Service	Library	$ 17.70	53161320
06/14/2021	843622	Ingram Library Service	Library	$ 10.61	53161321
06/14/2021	843622	Ingram Library Service	Library	$ 52.41	53161322
06/14/2021	843622	Ingram Library Service	Library	$ 16.51	53161322
06/14/2021	843622	Ingram Library Service	Library	$ 16.52	53161323
06/14/2021	843622	Ingram Library Service	Library	$ 123.72	53161323
06/14/2021	843622	Ingram Library Service	Library	$ 263.00	53161323
06/14/2021	843622	Ingram Library Service	Library	$ 18.00	53161323
06/14/2021	843622	Ingram Library Service	Library	$ 14.99	53161323
06/14/2021	843622	Ingram Library Service	Library	$ 649.86	53161323
06/14/2021	843622	Ingram Library Service	Library	$ 452.31	53161323
06/14/2021	843622	Ingram Library Service	Library	$ 16.00	53161323
06/14/2021	843622	Ingram Library Service	Library	$ 17.10	53161324
06/14/2021	843622	Ingram Library Service	Library	$ 102.00	53161325
06/14/2021	843622	Ingram Library Service	Library	$ 31.50	53167452
06/14/2021	843622	Ingram Library Service	Library	$ 25.76	53167452
06/14/2021	843622	Ingram Library Service	Library	$ 24.74	53167453
06/14/2021	843622	Ingram Library Service	Library	$ 32.20	53167453
06/14/2021	843622	Ingram Library Service	Library	$ 13.75	53167453
06/14/2021	843622	Ingram Library Service	Library	$ 11.95	53167454

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843622	Ingram Library Service	Library	$ 119.27	53167454
06/14/2021	843622	Ingram Library Service	Library	$ 267.10	53167456
06/14/2021	843622	Ingram Library Service	Library	$ 104.38	53167456
06/14/2021	843622	Ingram Library Service	Library	$ 33.19	53167456
06/14/2021	843622	Ingram Library Service	Library	$ 21.23	53167457
06/14/2021	843622	Ingram Library Service	Library	$ 19.24	53167548
06/14/2021	843622	Ingram Library Service	Library	$ 38.49	52718617 and apply credit for 50740462 and 51299275
06/14/2021	843622	Ingram Library Service	Library	$ 37.18	52718617 and apply credit for 50740462 and 51299275
06/14/2021	843622	Ingram Library Service	Library	$ 173.56	52718617 and apply credit for 50740462 and 51299275
06/14/2021	843622	Ingram Library Service	Library	$ (74.42)	52718617 and apply credit for 50740462 and 51299275
06/14/2021	843622	Ingram Library Service	Library	$ (129.64)	52718617 and apply credit for 50740462 and 51299275
06/14/2021	843622	Ingram Library Service	Library	$ 380.10	52718617 and apply credit for 50740462 and 51299275
06/14/2021	843622	Ingram Library Service	Library	$ 47.98	52718617 and apply credit for 50740462 and 51299275
06/14/2021	843622	Ingram Library Service	Library	$ 592.91	52718617 and apply credit for 50740462 and 51299275
06/14/2021	843622	Ingram Library Service	Library	$ 19.51	52718617 and apply credit for 50740462 and 51299275
06/14/2021	843628	Jack Henry & Assoc	P.W. Admin	$ 4,437.00	Remit Plus service 07/01/2021-06/30/2022
06/14/2021	843634	Jottodesk	Public Safety	$ 4,916.22	7821220
06/14/2021	843641	Knife River	Water	$ 6,041.01	CRUSHED GRAVEL 3/4"---1-1 - /2TON = 1 YARD
06/14/2021	843645	KTVQ Communication	P.W. Admin	$ 4,500.00	All-inclusive strategic, creative & production-video content & digital display
06/14/2021	843645	KTVQ Communication	P.W. Admin	$ 500.00	All-inclusive strategic, creative & production-video content & digital display
06/14/2021	843645	KTVQ Communication	P.W. Admin	$ 5,000.00	All-inclusive strategic, creative & production-video content & digital display
06/14/2021	843646	L N Curtis & Sons	Public Safety	$ 3,694.26	492755
06/14/2021	843646	L N Curtis & Sons	Public Safety	$ 112.19	493465
06/14/2021	843647	L P Anderson Tire	Public Safety	$ 65.00	1938580
06/14/2021	843647	L P Anderson Tire	Public Safety	$ 181.00	1938664
06/14/2021	843647	L P Anderson Tire	Public Safety	$ 37.50	1938856
06/14/2021	843647	L P Anderson Tire	Public Safety	$ (124.00)	1939056
06/14/2021	843647	L P Anderson Tire	Public Safety	$ 87.50	1939118
06/14/2021	843647	L P Anderson Tire	Public Safety	$ 908.00	1939146
06/14/2021	843647	L P Anderson Tire	Public Safety	$ 65.00	1939606
06/14/2021	843647	L P Anderson Tire	Street/Traffic	$ 912.72	1938480
06/14/2021	843647	L P Anderson Tire	Street/Traffic	$ 62.50	1939055
06/14/2021	843647	L P Anderson Tire	Street/Traffic	$ 62.50	1939083
06/14/2021	843647	L P Anderson Tire	Street/Traffic	$ 341.00	1939107
06/14/2021	843648	Land Design	Park Dist 1	$ 16,423.00	invoice 016059-phase I of the Poly Vista project
06/14/2021	843648	Land Design	Tax Incrmnt S	$ 1,220.00	design, contract administration & construction management-Optimist Park shelter

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843650	Lee Law Firm	General	$ 3,420.00	21 May Lee Pro Tem
06/14/2021	843654	LSC Enviro Product	Solid Waste	$ 30.00	Additional shipping charge
06/14/2021	843654	LSC Enviro Product	Solid Waste	$ 660.00	Estimated Shipping.
06/14/2021	843654	LSC Enviro Product	Solid Waste	$ 30,825.00	Posi-shell; Daily cover for refuge.
06/14/2021	843657	Mailing Tech Service	Library	$ 795.77	LIBR Library mailing May 2021
06/14/2021	843657	Mailing Tech Service	P.W. Admin	$ 2,405.42	City Water Notice insert/postage
06/14/2021	843657	Mailing Tech Service	P.W. Admin	$ 9,106.20	City Water Notice insert/postage
06/14/2021	843666	MJR Industries	Airport	$ 3,232.63	Invoice #16106821. Bag Belt Repairs
06/14/2021	843668	Montana Peterbilt	Fleet	$ 861.09	19752B PO NUM 312616
06/14/2021	843668	Montana Peterbilt	Solid Waste	$ 3,142.00	Extended 5 year warranty. New 2021 landfill waste hauler truck
06/14/2021	843670	Morrison Maierle	Airport	$ 4,694.55	Amendment #35. Electrical Vehicle Charging Stations - Design
06/14/2021	843670	Morrison Maierle	Airport	$ 11,064.45	Amendment 20/AIP 64 Runway 7-25 Phase 1 Design - Federal Share
06/14/2021	843670	Morrison Maierle	Airport	$ 179.62	Amendment 22. Misc. Airport Engineering
06/14/2021	843670	Morrison Maierle	Airport	$ 92.93	Amendment 22. Misc. Airport Engineering
06/14/2021	843670	Morrison Maierle	Airport	$ 5,761.72	Amendment 26 - AIP-69 Commercial Concrete Ramps - CA - Federal Share
06/14/2021	843670	Morrison Maierle	Airport	$ 4,079.65	Amendment 26 - AIP-69 Commercial Concrete Ramps - Design - Federal Share
06/14/2021	843670	Morrison Maierle	Airport	$ 918.30	Fiber Installation Project Phase 1 and 2. Amendment 24
06/14/2021	843670	Morrison Maierle	Airport	$ 3,176.00	Passenger Boarding Bridges (Gates A 1-4 and B 1-4) Amendment 7 Phase 1
06/14/2021	843670	Morrison Maierle	Water	$ 532.00	WO 20-40 Walter Pump Station Generator
06/14/2021	843674	MSTOA	Public Safety	$ 3,300.00	2021 Conference
06/14/2021	843675	MT Waterworks	Water	$ 588.00	#31 VALVE SEAT PACER - SPAFCPACER31 (SP-AFCPACER31)
06/14/2021	843675	MT Waterworks	Water	$ 157.26	1" BALL CORP STOP CTS - COMPRESSION B25008 (H2500008)
06/14/2021	843675	MT Waterworks	Water	$ 236.00	1" COMPRESSION COUPLING SLIP
06/14/2021	843675	MT Waterworks	Water	$ 35.76	1" STIFFENERS - CTS PE INSERTS SS P/N: 6133T1
06/14/2021	843675	MT Waterworks	Water	$ 69.00	1" X 100' POLY PIPE - SDR9 CTS 250# P/N: SDR91100
06/14/2021	843675	MT Waterworks	Water	$ 31.40	1/2" X 2" BRASS NIPPLE
06/14/2021	843675	MT Waterworks	Water	$ 251.20	1-1/2" TD METER FLANGES
06/14/2021	843675	MT Waterworks	Water	$ 1,380.36	12" HYMAX 2 COUPLING (LONG BODY)
06/14/2021	843675	MT Waterworks	Water	$ 32.88	3/4" STIFFENERS - CTS PE INSERTS SS P/N: 6133T34
06/14/2021	843675	MT Waterworks	Water	$ 32.88	3/4" STIFFENERS - CTS PE INSERTS SS P/N: 6133T34
06/14/2021	843675	MT Waterworks	Water	$ 45.00	3/4" X 100' POLY PIPE - SDR9 CTS 250# P/N: SDR934100
06/14/2021	843675	MT Waterworks	Water	$ 165.00	3/4" X 100' POLY PIPE - SDR9 CTS 250# P/N: SDR934100
06/14/2021	843675	MT Waterworks	Water	$ 924.00	8" GRIP RING ACCESSORY PACK - C 900
06/14/2021	843675	MT Waterworks	Water	$ 2,775.00	8" MJ GATE VALVE P/N: 2608BLAFMMU
06/14/2021	843675	MT Waterworks	Water	$ 73.70	BRASS REDUCER COUPLING 3/4" X 1/2"
06/14/2021	843675	MT Waterworks	Water	$ 832.50	CURB BOX 3/4" - 1-1/2" TAP - 7' BURY (56147) MT WATERWORKS

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843675	MT Waterworks	Water	$ 315.00	MARKING PAINT GREEN - GREEN SPRAYON #3631
06/14/2021	843675	MT Waterworks	Water	$ 209.20	STEAMER NOZZLE O-RING - K8143 (K8143)
06/14/2021	843675	MT Waterworks	Water	$ 772.00	TYLER 5-1/4" HD 12# DROP LID - WATER (TY502418)
06/14/2021	843675	MT Waterworks	Water	$ 465.60	UPPER STEM WATEROUS # 71 - (# 71)
06/14/2021	843673	Mt West Holding	Street/Traffic	$ 7,548.75	emergency repair work to concrete barriers on zimmerman
06/14/2021	843677	National Value Consult	Facilities	$ 7,400.00	Stillwater Building Appraisal Inv. DEN2103033
06/14/2021	843678	NeighborWorks MT	CDBG	$ 5,381.60	NWMT C & C Reimbursement Request #10
06/14/2021	843680	Northland Automotive	Building	$ 3,002.00	289148
06/14/2021	843680	Northland Automotive	Engineering	$ 463.25	289184
06/14/2021	843680	Northland Automotive	Engineering	$ 421.79	289465
06/14/2021	843680	Northland Automotive	Public Safety	$ 165.00	288999
06/14/2021	843680	Northland Automotive	Public Safety	$ 37.00	289448
06/14/2021	843680	Northland Automotive	Street/Traffic	$ 577.44	288450
06/14/2021	843680	Northland Automotive	Street/Traffic	$ 1,092.18	288451
06/14/2021	843680	Northland Automotive	Street/Traffic	$ 514.74	288450B1
06/14/2021	843683	NorthWestern Energy	Building	$ 15.94	1569631-3
06/14/2021	843683	NorthWestern Energy	General	$ 603.29	0712538-8
06/14/2021	843683	NorthWestern Energy	General	$ 6.00	3178260-0
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.11	0722253-2
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 8.27	0722258-1
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 12.53	0722259-9
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 8.58	0722272-2
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 88.33	0722273-0
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 13.85	0722274-8
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 115.83	0722275-5
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 29.13	0722278-9
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 17.72	0722279-7
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.11	0722280-5
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.11	0722281-3
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.11	0722283-9
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.11	0722284-7
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 17.72	0722808-3
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.48	0722852-1
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 8.27	0722862-0
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 45.10	0722901-6
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.35	0722976-8

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 158.35	0722995-8
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 77.45	0723005-5
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.11	0723025-3
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 45.21	0723039-4
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.00	0723046-9
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 15.80	0723049-3
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 18.14	0723064-2
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 18.14	0723065-9
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 4.12	0723391-9
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 109.94	0723884-3
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 18.14	0723887-6
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 36.05	0813489-2
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 13.44	0978917-3
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 90.69	0999807-1
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 6.11	1588262-4
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 40.48	1849408-8
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 43.25	1904944-4
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 36.73	1941243-6
06/14/2021	843683	NorthWestern Energy	Park Dist 1	$ 62.49	3241436-9
06/14/2021	843683	NorthWestern Energy	Parking	$ 13.69	3835890-9
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 5.73	0722272-2
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.11	0723384-4
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 7.90	0723385-1
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 7.90	0723386-9
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 7.90	0723388-5
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 2.75	0723391-9
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 45.90	0723392-7
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.87	0723393-5
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.11	0723394-3
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.11	0723395-0
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.11	0723396-8
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.11	0723397-6
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.11	0723398-4
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.11	0723835-5
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 8.27	0723836-3
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.25	0723840-5

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 207.71	0723879-3
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.48	0723883-5
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 45.90	0723885-0
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 6.75	0881455-0
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 2.72	1045813-1
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 1.17	1265177-4
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 103.09	1513796-1
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 69.30	1513800-1
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 8.23	1513802-7
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 14.09	1513804-3
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 7.11	1514388-6
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 0.94	1948667-9
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 46.72	2041362-1
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 5.23	2055817-7
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 3.82	3707234-5
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 1.74	3707235-2
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 1.28	3707236-0
06/14/2021	843683	NorthWestern Energy	Parks Maint	$ 4.20	3771457-3
06/14/2021	843683	NorthWestern Energy	Public Safety	$ 8.23	0712532-1
06/14/2021	843683	NorthWestern Energy	Public Safety	$ 334.22	0720817-6
06/14/2021	843683	NorthWestern Energy	Public Safety	$ 1,191.36	1183483-5
06/14/2021	843683	NorthWestern Energy	Street/Traffic	$ 9.10	0855404-0
06/14/2021	843683	NorthWestern Energy	Street/Traffic	$ 22.70	1045820-6
06/14/2021	843683	NorthWestern Energy	Street/Traffic	$ 7.60	2047007-6
06/14/2021	843683	NorthWestern Energy	Street/Traffic	$ 6.75	2047010-0
06/14/2021	843683	NorthWestern Energy	Street/Traffic	$ 6.87	2047013-4
06/14/2021	843683	NorthWestern Energy	Street/Traffic	$ 7.37	2047017-5
06/14/2021	843683	NorthWestern Energy	Street/Traffic	$ 6.75	2047019-1
06/14/2021	843683	NorthWestern Energy	Street/Traffic	$ 0.70	3590004-2
06/14/2021	843683	NorthWestern Energy	Street/Traffic	$ 21.64	3648861-7
06/14/2021	843683	NorthWestern Energy	Transit	$ 2,121.24	0100473-8. Monad Rd. June 2021
06/14/2021	843683	NorthWestern Energy	Wastewater	$ -	0723383-6
06/14/2021	843683	NorthWestern Energy	Water	$ 6.00	1160807-2
06/14/2021	843683	NorthWestern Energy	Water	$ 4.20	1346673-5
06/14/2021	843683	NorthWestern Energy	Water	$ 6.62	1867265-9
06/14/2021	843692	Perform Eng & Consult	PD Program	$ 7,230.00	survey & ENG service for site improvements for BPD Hillcrest shooting range

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843692	Perform Eng & Consult	PD Program	$ 3,367.50	survey & ENG service for site improvements for BPD Hillcrest shooting range
06/14/2021	843694	Petty Cash CCSIU	PD Program	$ 5,294.59	June 2021 pe/pi reimbursement.
06/14/2021	843699	Public Utilities	Airport	$ 8,829.65	136516
06/14/2021	843699	Public Utilities	Facilities	$ 528.03	158260
06/14/2021	843699	Public Utilities	Park Dist 1	$ 100.16	255552
06/14/2021	843699	Public Utilities	Wastewater	$ 9.45	180645
06/14/2021	843700	Quality Vans	PD Program	$ 40,775.00	This is an order per attached proposal. 2020 Conversion of Ford Tansit Van.
06/14/2021	843700	Quality Vans	PD Program	$ 7,450.00	This is an order per attached proposal. 2020 Conversion of Ford Tansit Van.
06/14/2021	843700	Quality Vans	Public Safety	$ 3,840.00	This is an order per attached proposal. 2020 Conversion of Ford Tansit Van.
06/14/2021	843702	RDO Equip	Solid Waste	$ 1,214.45	Loaner for unit 0263. Landfill.
06/14/2021	843702	RDO Equip	Solid Waste	$ 476.85	W3022912
06/14/2021	843702	RDO Equip	Solid Waste	$ 269.00	W3022912
06/14/2021	843702	RDO Equip	Solid Waste	$ 43.44	W3022912
06/14/2021	843702	RDO Equip	Solid Waste	$ 278.97	W3034912
06/14/2021	843702	RDO Equip	Solid Waste	$ 224.00	W3034912
06/14/2021	843702	RDO Equip	Solid Waste	$ 330.00	W3034912
06/14/2021	843702	RDO Equip	Solid Waste	$ 486.85	W3050912
06/14/2021	843702	RDO Equip	Solid Waste	$ 377.20	W3050912
06/14/2021	843704	Rolling Right Door	Public Safety	$ 1,709.00	FIRE 1: DOOR #6, REPLACED OPERATOR/OPENER, 2-REMOTES AND SAFETY EYES
06/14/2021	843704	Rolling Right Door	Public Safety	$ 1,328.00	FIRE 6 - REPL'D DOOR OPERATOR/OPENER T50-LM
06/14/2021	843705	Safetech, Inc	Facilities	$ 3,200.00	Remove asbestos sheet vinyl on stair treads & sewer pipe in basement
06/14/2021	843714	St V's Occupational	Airport	$ 50.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	City Ins Fund	$ 945.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	City Ins Fund	$ 175.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	Fleet	$ 95.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	General	$ 4,245.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	Public Safety	$ 40.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	Public Safety	$ 852.75	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	Solid Waste	$ 190.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	Solid Waste	$ 95.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	Street/Traffic	$ 285.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843714	St V's Occupational	Transit	$ 285.00	May 2021 Drug Testing/On-site Nursing/COVID Testing/DOT Physicals
06/14/2021	843725	Tactical Tech	PD Program	$ 1,020.00	TX & Wallaby GSM Device. CCSIU
06/14/2021	843725	Tactical Tech	PD Program	$ 3,900.00	TX and Wallaby GSM Device. HIDTA.
06/14/2021	843728	Thomas Appraisal	Facilities	$ 12,500.00	Appraisal Review Report for Stillwater Building
06/14/2021	843729	Titan Machinery	Fleet	$ (1,024.07)	15563538

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843729	Titan Machinery	Street/Traffic	$ 3,092.83	15547745
06/14/2021	843729	Titan Machinery	Street/Traffic	$ 5,076.40	15547749
06/14/2021	843729	Titan Machinery	Street/Traffic	$ (1,024.07)	15563538
06/14/2021	843729	Titan Machinery	Street/Traffic	$ 88.00	15564327
06/14/2021	843729	Titan Machinery	Street/Traffic	$ 536.75	15582129
06/14/2021	843733	Town & Country Supply	Fleet	$ 18,245.12	417966 PO NUM 312620
06/14/2021	843733	Town & Country Supply	Fleet	$ 15,377.28	417975 PO NUM 312637
06/14/2021	843734	Tractor & Equip	Solid Waste	$ 509.72	BLCS0755473
06/14/2021	843734	Tractor & Equip	Solid Waste	$ 362.50	BLCS0756126
06/14/2021	843734	Tractor & Equip	Solid Waste	$ 1,338.96	BLCS0756246
06/14/2021	843734	Tractor & Equip	Solid Waste	$ 368.40	BLCS0756423
06/14/2021	843734	Tractor & Equip	Solid Waste	$ 1,119.00	BLCS0756613
06/14/2021	843734	Tractor & Equip	Solid Waste	$ 405.00	BLWO0208519
06/14/2021	843734	Tractor & Equip	Solid Waste	$ 318.66	BLWO0208519
06/14/2021	843734	Tractor & Equip	Solid Waste	$ 1,437.86	Two drums of anti-freeze. Landfill.
06/14/2021	843734	Tractor & Equip	Street/Traffic	$ 29.48	BLCS0756614
06/14/2021	843741	Ultra Graphics LLC	General	$ 3,490.28	Annual Jury Questionnaire
06/14/2021	843758	Yellowstone Co News	Airport	$ 11.50	Airport
06/14/2021	843758	Yellowstone Co News	Building	$ 92.00	Building
06/14/2021	843758	Yellowstone Co News	CDBG	$ 69.00	Community Development
06/14/2021	843758	Yellowstone Co News	Engineering	$ 1,096.50	Engineering
06/14/2021	843758	Yellowstone Co News	Facilities	$ 57.50	Facilities
06/14/2021	843758	Yellowstone Co News	General	$ 171.50	Administration
06/14/2021	843758	Yellowstone Co News	General	$ 172.50	Administration
06/14/2021	843758	Yellowstone Co News	General	$ 149.50	Administration
06/14/2021	843758	Yellowstone Co News	General	$ 34.50	Code Enforcement
06/14/2021	843758	Yellowstone Co News	General	$ 126.50	Finance
06/14/2021	843758	Yellowstone Co News	Library	$ 46.00	Library
06/14/2021	843758	Yellowstone Co News	P.W. Admin	$ 45.50	Public Works
06/14/2021	843758	Yellowstone Co News	Park Dist 1	$ 108.00	Parks & Rec
06/14/2021	843758	Yellowstone Co News	Parking	$ 18.00	Parking
06/14/2021	843758	Yellowstone Co News	Planning	$ 415.50	Planning
06/14/2021	843758	Yellowstone Co News	Public Safety	$ 46.00	Police
06/14/2021	843758	Yellowstone Co News	Solid Waste	$ 68.00	Solid Waste
06/14/2021	843758	Yellowstone Co News	Tax Incrmnt S	$ 34.50	Planning
06/14/2021	843758	Yellowstone Co News	Transit	$ 11.50	Airport

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/14/2021	843760	Yellowstone Electric	Airport	$ 1,020.88	Access Control and CCTV Systems - Ineligible Share
06/14/2021	843760	Yellowstone Electric	Airport	$ 12,067.32	Access Control and CCTV Systems - Eligible Share
06/14/2021	843761	Yellowstone Valley Elec	Radio	$ 129.39	4179004 FOX/TANK TOWER SITE ELECTRICITY
06/14/2021	843761	Yellowstone Valley Elec	Wastewater	$ 1,225.11	3002 Cattle Dr
06/14/2021	843761	Yellowstone Valley Elec	Wastewater	$ 214.72	4523 Iron Horse Trail
06/14/2021	843761	Yellowstone Valley Elec	Water	$ 1,447.00	2085 Santiago Blvd

City Council Regular

Date:	07/12/2021
Title:	FY21 Budget Amendments
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	Yes

RECOMMENDATION

Staff recommends City Council hold a public hearing and approve the FY21 budget amendments

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Equipment Replacement Fund

On February 22, 2021, City Council approved a change order with Pierce Mfg to purchase an additional Fire Engine to replace the one that was totaled in an accident. The staff memo for that meeting indicated that, if approved, a budget amendment would be needed for the additional expenditure in FY21. The engine that was totaled was scheduled to be replaced in FY2024. The funds which had been set aside for that replacement will be used to purchase the new engine. A budget amendment of $612,850 is needed in the Equipment Replacement Fund for FY21.

East Billings Tax Increment Fund

On October 26, 2020, City Council approved a TIF expenditure for Belle Chemical in the amount of $44,532. The staff memo from that meeting indicated that a budget amendment would be needed if the project was approved and completed in FY21. The improvements to the property were completed by May 10, 2021. As a result, a budget amendment is needed for the East Billings TIF fund of $44,532. Existing cash on hand will be used for the additional expense. Current cash balance in the East TIF fund is $750,000.

Parks Program Fund

The FY 2021 CIP included a project to construct a vault restroom facility at High Sierra Park. The CIP identified that the project would be funded with Parks Programs cash-in-lieu funds of $25,000. While this project was included in the CIP, it was inadvertently excluded from the FY21 budget. As a result, the Parks Program fund needs a budget amendment for the construction of this restroom which was completed in December 2020 and is requesting the budget authority be established for this project.

The Parks Department received donations totaling $18,900 for memorial benches. The Parks Department has purchased the benches and is requesting the budget authority for the expenditure of the donated amounts.

Dog Park Construction Fund

The Friends of Billings Dog Park donated $44,400 for the construction of a shade structure and fencing at the Dog Park at Centennial Park. A budget amendment is needed for the expenditure of these donations.

Public Safety Fund

The Police Department requested, and City Council approved, the unspent overtime amount of $250,000 be carried forward into FY22. As a result of moving this budget forward into FY22, staff is recommending that the FY21 budget be reduced by that same amount.

Gas Tax Fund

Public Works is requesting budget authority be increased in the FY 2021 budget for the construction of WO 20-15 Wicks Lane Improvements. Improvements consist of approximately 2,400 linear feet of street improvements, including installation of new curb and gutter, sidewalk, drive approaches and pedestrian ramps; pavement widening, asphalt mill and overlay, and related storm drain improvements on Wicks Lane between Bench Boulevard and Hawthorne Lane. Council was previously notified that the bid came in higher than estimated and a budget amendment was forthcoming. The overage will utilize FY21 BARSAA gas tax revenues which also came in higher than estimated. Public Works has sufficient cash in its BARSAA Gas Tax Fund for this project.

Special Improvement District Construction Fund

Public Works is requesting budget authority be increased in the FY 2021 budget for the construction of SID 1417 Elysian Road. Improvements include the construction of streetlights within Annafeld Subdivision 3rd Filing and Annafeld North Subdivision 1st Filing, as well as the construction of Elysian Road. Public Works includes $1 million of SID projects annually in the Capital Improvement Plan and budget for the construction of unknown SIDs that may be created during the year. SID 1417 Elysian Road is a $2.5 million SID and budget authority is needed for $1.5M in excess of the annual budgeted amount. Council was notified at the time of bid award that a budget amendment would be forthcoming. There is no City funding on this project. It is funded through the sale of bonds and assessed back to property owners benefiting from the improvements.

Water Fund

Public Works is requesting budget authority be increased in the FY 2021 budget for several projects. WO 18-22 Leavens Reservoir Waterline and Improvements project had a budget for change orders in FY 2020, but the change

orders were initiated in FY 2021 and a budget amendment is needed to reestablish the budget in the FY 2021 budget. WO 21-39 Water Treatment Plant Rip Rap and WO 19-12 West End Reservoir design and land purchase was also budgeted in FY 2020, but were unable to be started until FY 2021. Thus, a budget amendment is needed to reestablish the budget in FY 2021 for both of these projects. A significant amount of the water pipe replacement program was utilized for water main replacement on the Hallowell project and the bid for WO 21-01 Water Main Replacements exceeded the remaining budget amount. Council was notified at the time of the bid award that a budget amendment was forthcoming and the FY 2022 water main replacement budget would be reduced to fund the overage, since Public Works received good bid prices and desired to award all bid schedules in FY 2021. Public Works has sufficient cash in its water fund for all of these projects.

South Tax Increment Fund

Public Works is requesting budget authority be increased in the FY 2021 budget for the construction of WO 20-30 Hallowell Lane Improvements. Improvements consist of street widening, extensions of sewer and storm drain mains and installation of streetlights, sidewalks, drive approaches, alley approaches, accessibility ramps and miscellaneous related improvements. The low bid exceeded the budgeted amount. SBURA desired to still award the project and Council was notified at time of bid award of both the overage and need for a future budget amendment. Council also requested and approved a $350,000 change order to add the construction of Bruce Lane from Hallowell Lane to Stephens Lane to the project at the June 28, 2021 Council meeting. The South Tax Increment Financing District Fund has sufficient cash for this budget amendment.

Park Maintenance Districts

The Parks Department is requesting $115,000 of additional budget authority for increased watering occurring in FY21. The Park Maintenance Districts budget water expenses based upon historical averages. Because of the dry spring this year, water usage within our PMD's is higher than what historically has been used. Reserves have been used to pay the increased bills.

Public Safety Fund - Fire Department

The Fire Department is requesting additional budget authority for Overtime and Capital Outlay. The Montana DNRC pays the City of Billings for fire assistance. The payroll expenses incurred for this contract work is initially incurred by the City of Billings, but is reimburesed by the DNRC. For FY21, the BFD incurred an additional $170,092 in reimbursed expenses. Also, during FY21 the Fire Department received a warranty check for the replacement of a breathing tank compressor. The compressor was an unplanned replacement, which was mostly covered by the warranty check of $82,825. The Fire Department is requesting increased budget authority of 252,917 for these two reimbursed items.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve the FY21 budget amendments

FISCAL EFFECTS

The following funds are impacted by they budget amendments:

Fund Name	Requested Increase/(Decrease)
Equipment Replacement	$612,850
East Billings Tax Increment	$44,532
Parks Program Fund	$43,900
Dog Park Construction	$44,400
Public Safety Fund	$2,917
Gas Tax Fund	$500,000
SID Construction Fund	$1,500,000
Water Fund	$1,807,000
South Tax Increment Fund	$1,030,000
Park Maintenance Districts	$115,000

Attachments

Budget Adoption Resolution and Exhibit A

RESOLUTION 21-

A RESOLUTION ADOPTING **FISCAL YEAR 2021** ADJUSTMENTS TO APPROPRIATIONS PURSUANT TO M.C.A. 7-6-4006 AS AMENDED, AND PROVIDING TRANSFERS AND REVISIONS WITHIN THE GENERAL CLASS OF SALARIES AND WAGES, MAINTENANCE AND SUPPORT AND CAPITAL OUTLAY.

WHEREAS, M.C.A. 7-6-4006 provides that the City Council, upon proper resolution, adopted by said Council at a regular meeting and entered into its Minutes, may transfer or revise appropriations within the general class of salaries and wages, maintenance and support, and capital outlay, and

WHEREAS, based upon a Budget Review **(FY 2021**), it is necessary to alter and change said appropriations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

That the attached transfers or revisions are hereby adopted.

(SEE EXHIBIT A)

PASSED AND APPROVED by the City Council, this 12th day of July, 2021

THE CITY OF BILLINGS:

BY:_____
William A. Cole, MAYOR

ATTEST:

BY:_____
Denise R. Bohlman, CITY CLERK

EXHIBIT A

	Revenue	Expenditure	

6400 - Equipment Replacment Fund

On February 22, 2021 the City Council approved a contract change order with Pierce Manufacturing to order one more fire engine to replace unit #4049. This is the fire engine that tipped over on icy roads in an accident and was damaged beyond repair. With this additional cost for another fire engine in the Equipment Replacmenent Fund, additional budget authority of $612,850 is needed. The engine was scheduled for replacement in 2024, the funds which were being set aside for that replacement will be used to purchase the new engine.

Equip Repl Fund		612,850	Capital Outlay

7690 - Parks Acquistion Fund

The FY 2021 CIP included a project to construct a vault restroom facility at High Sierra Park. The CIP identified that the project would be funded with Parks Programs cash-in-lieu funds of $25,000. While this project was included in the CIP, it was inadvertently excluded from the FY21 budget. As a result, the Parks Program fund needs a budget amendment for the construction of this restroom which was completed in December 2020 and is requesting the budget authority be established for this project.

The Parks Department received donations totaling $18,900 for memorial benches. The Parks Department has purchased the benches and is requesting the budget authority for the expenditure of the donated amounts.

Parks Acquistion Fund		43,900	Capital Outlay

4990 - Dog Park Construction Fund

The Friends of Billings Dog Park donated $44,400 for the construction of a shade structure and fencing at the Dog Park at Centennial Park. A budget amendment is needed for the expenditure of these donations.

Dog Park Consturction Fund		35,000	Capital Outlay

2010 - East Tax Increment Fund

On October 26, 2020, City Council approved a TIF expenditure for Belle Chemical in the amount of $44,532. The staff memo from that meeting indicated that a budget amendment would be needed if the project was approved and completed in FY21. The improvements to the property were completed by May 10, 2021. As a result, a budget amendment is needed for the East Billings TIF fund of $44,532. Existing cash on hand will be used for the additional expense. Current cash balance in the East TIF fund is $750,000.

East Tax Increment Fund		44,532	Operation and Maintenance

1500 - Public Safety Fund - Police

The Police Department requested, and City Council approved, the unspent overtime amount of $250,000 be carried forward into FY22. As a result of moving this budget forward into FY22, staff is recommending that the FY21 budget be reduced by that same amount.

Public Safety Fund		(250,000)	Personal Services

EXHIBIT A (Continued)

	Revenue	Expenditure	

2060 - Gas Tax Fund

Public Works is requesting budget authority be increased in the FY 2021 budget for the construction of WO 20-15 Wicks Lane Improvements. Improvements consist of approximately 2,400 linear feet of street improvements, including installation of new curb and gutter, sidewalk, drive approaches and pedestrian ramps; pavement widening, asphalt mill and overlay, and related storm drain improvements on Wicks Lane between Bench Boulevard and Hawthorne Lane. Council was previously notified that the bid came in higher than estimated and a budget amendment was forthcoming. The overage will utilize FY21 BARSAA gas tax revenues which also came in higher than estimated. Public Works has sufficient cash in its BARSAA Gas Tax Fund for this project.

Gas Tax Fund	$	500,000	Capital Outlay

4500 - SID Fund

Public Works is requesting budget authority be increased in the FY 2021 budget for the construction of SID 1417 Elysian Road. Improvements include the construction of streetlights within Annafeld Subdivision 3rd Filing and Annafeld North Subdivision 1st Filing, as well as the construction of Elysian Road. Public Works includes $1 million of SID projects annually in the Capital Improvement Plan and budget for the construction of unknown SIDs that may be created during the year. SID 1417 Elysian Road is a $2.5 million SID and budget authority is needed for $1.5M in excess of the annual budgeted amount. Council was notified at the time of bid award that a budget amendment would be forthcoming. There is no City funding on this project. It is funded through the sale of bonds and assessed back to property owners benefiting from the improvements.

SID Construction Fund	$	1,500,000	Capital Outlay

5030 - Water Fund

Public Works is requesting budget authority be increased in the FY 2021 budget for several projects. WO 18-22 Leavens Reservoir Waterline and Improvements project had a budget for change orders in FY 2020, but the change orders were initiated in FY 2021 and a budget amendnment is needed to reestablish the budget in the FY 2021 budget. WO 21-39 Water Treatment Plant Rip Rap and WO 19-12 West End Reservoir design and land purchase was also budgeted in FY 2020, but were unable to be started until FY 2021. Thus, a budget amendment is needed to reestablish the budget in FY 2021 for both of these projects. A significant amount of the water pipe replacement program was utilized for water main replacement on the Hallowell project and the bid for WO 21-01 Water Main Replacements exceeded the remaining budget amount. Council was notified at the time of the bid award that a budget amendment was forthcoming and the FY 2022 water main replacement budget would be reduced to fund the overage, since Public Works received good bid prices and desired to award all bid schedules in FY 2021. Public Works has sufficient cash in its water fund for all of these projects.

Water Fund	$	1,807,000	Capital Outlay

1990 - South Tax Increment Fund

Public Works is requesting budget authority be increased in the FY 2021 budget for the construction of WO 20-30 Hallowell Lane Improvements. Improvements consist of street widening, extensions of sewer and storm drain mains and installation of streetlights, sidewalks, drive approaches, alley approaches, accessibility ramps and miscellaneous related improvements. The low bid exceeded the budgeted amount. SBURA desired to still award the project and Council was notified at time of bid award of both the overage and need for a future budget amendment. Council also requested and approved a $350,000 change order to add the construction of Bruce Lane from Hallowell Lane to Stephens Lane to the project at the June 28, 2021 Council meeting. The South Tax Increment Financing District Fund has sufficient cash for this budget amendment.

South TIF Fund	$	1,030,000	Capital Outlay

EXHIBIT A (Continued)

	Revenue	Expenditure	

8720 - Park Maintenance District Fund

The Parks Department is requesting $115,000 of additional budget authority for increased watering occuring in FY21. The Park Maintenance Districts budget water expenses based upon historical averages. Because of the dry spring this year, water usage within our PMD's is higher than what historically has been used. Reserves have been used to pay the increased bills.

Park Maint District Fund	$	115,000	Operation and Maintenance

1500 - Public Safety Fund - Fire Department

The Fire Department is requesting additional budget authority for Overtime and Capital Outlay. The Montana DNRC pays the City of Billings for fire assistance. The payroll expenses incurred for this contract work is initially incurred by the City of Billings, but is reimburesed by the DNRC. For FY21, the BFD incurred an additional $170,092 in reimbursed expenses. Also, during FY21 the Fire Department received a warranty check for the replacement of a breathing tank compressor. The compressor was an unplanned replacement, which was covered by the warranty check of $82,825. The Fire Department is requesting increased budget authority for these two reimbursed items.

Public Safety Fund	$	252,917

City Council Regular

Date:	07/12/2021
Title:	Zone Change 992- Public Hearing and 2nd Reading
Presented by:	Karen Husman
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

The City Council held its first reading public hearing for Zone Change 992 on June 28, 2021, and approved the zone change on first reading. The Zoning Commission had recommended approval of Zone Change 992, based on the findings of the 10 review criteria. A second reading and public hearing is required to approve the ordinance. Staff recommends the City Council vote to approve the zone change on second reading.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a zone change request from N3 -- Suburban Neighborhood to N2 -- Mid-century Neighborhood on Lot 2, Block 29 of Lake Hills Subdivision, 5th Filing, an 15,466 square foot parcel of land. The purpose of the zone change is to allow an existing two-family dwelling to be conforming to the zone district.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on June 1, 2021, and received the staff report, testimony from the applicant, Eric Schnelbach, who concurred with staff's recommendation. No other testimony was received. The Zoning Commission voted 3-0 to recommend approval of the zone change and adoption of the findings of the 10 review criteria.

The City Council held its first public hearing and first reading on June 28, 2021, and received the Zoning Commission recommendation and testimony from the applicant. There were no other comments from the public. City Council Member Neese asked if there had been any comments or concerns from the public regarding the change, and if the structure were destroyed, how many units could they rebuild. Staff explained that there were no concerns and one comment in favor of the zone change had been received, and there could be a maximum of two units on the property if the change is approved. Council Member Purinton asked if the need for a zone change to make the property conforming was due to ReCode, and if this would be a recurring issue because of ReCode. Staff explained the previous zoning of this property would have required a zone change to be in conformance with zoning as well, and one of the objectives of ReCode was to bring properties in Billings into conformance with zoning and reduce the instances that would require zone changes and variances. However, sometimes zone changes will still occur. Council Member Purinton asked what triggered this zone change request. Staff responded the requirement for a rebuild letter is from the financing institutions, in some cases properties may have had financing prior to this requirement, or had alternative financing solutions. The applicant and property owner for this property may have not needed financing in the past but recently applied for refinancing and is required a rebuild letter, in order to rebuild as a duplex a zone change is required.

The City Council approved the zone change on first reading with a unanimous vote.

ALTERNATIVES

The City Council may:

- Adopt the findings of the 10 criteria as recommended by the Zoning Commission and approve the application; or
- Amend the findings of the 10 criteria as recommended by the Zoning Commission and approve or deny the application; or
- Delay action up to 30 days.

FISCAL EFFECTS

The approval or denial of the requested zone change should have no effect on the Planning Division budget.

Attachments

Ordinance Zone Change 992

Zoning Map

ORDINANCE 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION ON LOT 2, BLOCK 29 OF LAKE HILLS SUBDIVISION, 5TH FILING, GENERALLY LOCATED AT 117 & 119 GLENHAVEN DRIVE, BE AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. **DESCRIPTION.** **Lot 2, Block 29 of Lake Hills Subdivision, 5th Filing**, is presently zoned **Suburban Neighborhood (N3)** and is shown on the official zoning map within this zone.

Section 3. **ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for **Lot 2, Block 29 of Lake Hills Subdivision, 5th Filing,** is hereby changed from **Suburban Neighborhood (N3) to Mid-century Neighborhood (N2)**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Mid-century Neighborhood (N2)** as set out in the Billings, Montana City Code.

Section 4. **EFFECTIVE DATE**. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. **SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 28th Day of June, 2021.

PASSED, ADOPTED and APPROVED on second reading this 12th day of July, 2021.

CITY OF BILLINGS

BY:_____

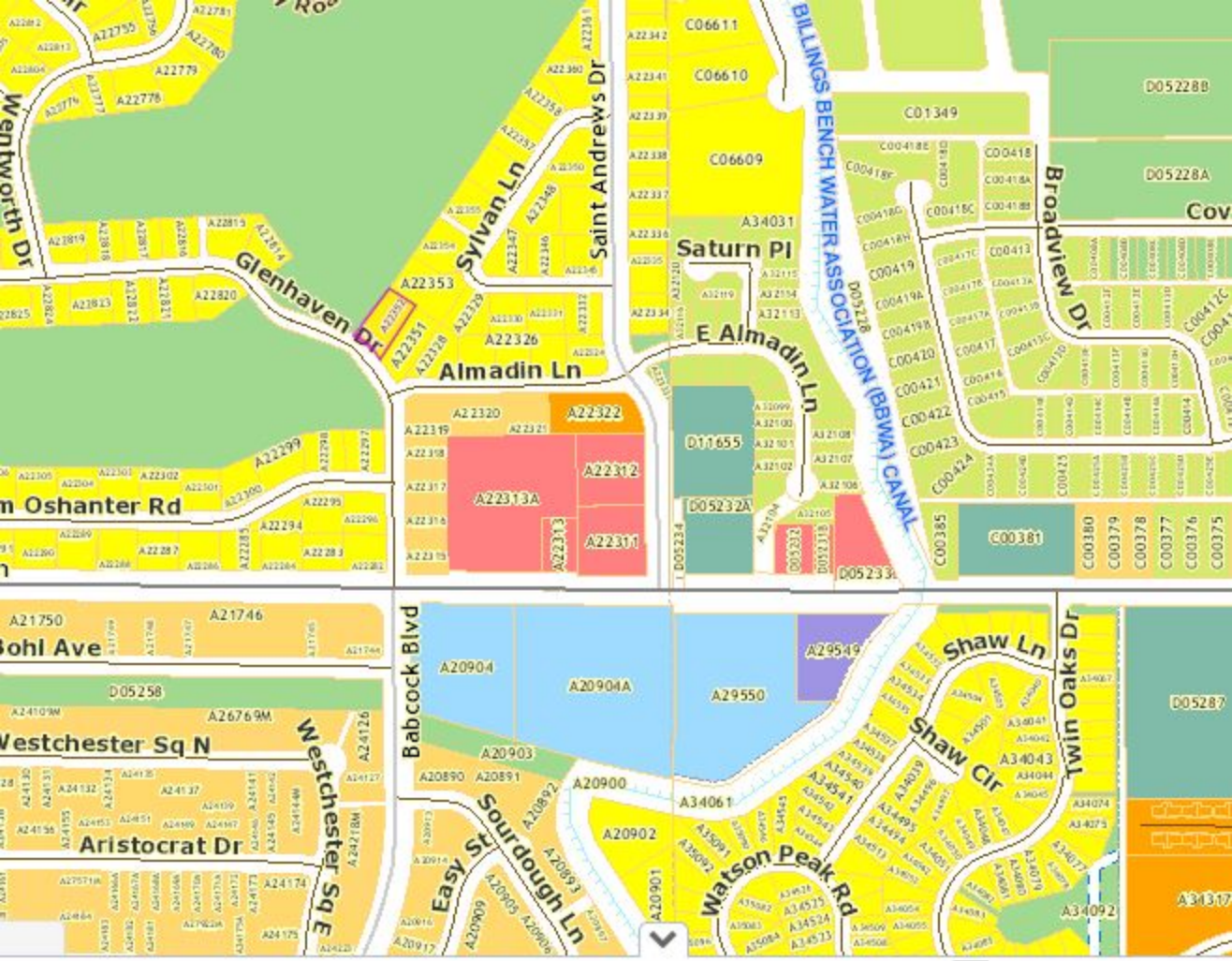
William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

Zone Change 992, 117/119 Glenhaven Drive


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Glenhaven Dr
Sylvan Ln
Saint Andrews Dr
Saturn Pl
E Almadin Ln
Almadin Ln
Broadview Dr
BILLINGS BENCH WATER ASSOCIATION (BBWA) CANAL
m Oshanter Rd
Bohl Ave
Westchester Sq N
Westchester Sq E
Aristocrat Dr
Babcock Blvd
Easy St
Sourdough Ln
Watson Peak Rd
Shaw Ln
Shaw Cir
Twin Oaks Dr
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City Council Regular

Date:	07/12/2021
Title:	Public Hearing and Resolution- Annexation 21-03
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	Yes

RECOMMENDATION

Staff recommends the City Council hold a public hearing and annex the petitioned property with the staff recommended conditions of approval.

Note: This Annexation is for property to be included in the South Billings Boulevard Urban Renewal District (SBBURD). Property must be annexed into the City before it may be included in the SBBURD. The City Council must act on this annexation as one of the steps at the meeting tonight so it can then take action to expand the SBBURD to include this and other properties.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Jason D. Adkins submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located on Jackson Street. The property is described Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County. Including all adjacent rights-of-way of Jackson Street and King Avenue East. The property contains 3.574 gross and 3.522 net acres more or less and is zoned Rural Residential 1. This is a county zone that is not available in the City Limits, therefore, this property is part of Zone Change 993 which will be considered concurrently by City Council. The proposed zoning is NX1 -- Mixed Residential 1 (south of 735 Jackson St) and N2 -- Mid-Century Neighborhood (east and north of 735 Jackson St). Both zone districts allow for single family dwellings. N2 allows for 2 family attached dwellings while NX1 allows for up to 4 attached units. The property is currently vacant.

South Billings Urban Renewal Association Coordinator Jim Tevlin working with City staff in the past 10 months has been in contact with property owners and agents interested in having property included in the South Billings Boulevard Urban Renewal District (SBBURD). This petition for annexation is being considered concurrently with a zone change application (993) and expansion of the District and amendments to the urban renewal plan. This property must be annexed and zoned to be brought into the SBBURD so this action of annexation is a critical ste in the processes that the Council will work through tonight.

Although MCA 7-2-4600 does not require a public services plan, it is the City's custom to have staff prepare a brief analysis of predicted impacts to services and facilities. Staff finds the proposed annexation complies with the adopted Annexation Policy criteria as follows:

1. The area is located within the City's Annexation Petition Area on its Limits of Annexation Map.
2. The City is able to provide adequate city services within a time period mutually agreed to by the property owners requesting annexation and the city.
3. Existing or proposed public improvements within the area to be annexed will meet City standards.
4. All property owners within the area to be annexed must sign a Waiver of Right to Protest future Special Improvement Districts.
5. If annexed, any proposed land use will comply with the zoning.

Departmental Response: City and County Departments were given the opportunity to comment on this annexation. City departments responded favorably and detailed responses are provided below. The County Public Works Department did not respond to this annexation request.

â€¢Water and Sanitary Sewer: The city's public water and sanitary sewer mains do not front this property. Extension of the public mains will be required for this property to be served with water and sanitary sewer service. Service availability is subject to compliance with the Rules and Regulations Governing Water and Wastewater Service and the policies and ordinances of the Public Works Department and the City of Billings. A Development Agreement is required as part of this annexation and Council will consider the proposed agreement following action on this petition.

â€¢ Storm water: Any development will be compliant with the adopted Stormwater Management Manual. There is a

storm drain located in Jackson Street adjacent to this property.

â€¢ Transportation: The subject property fronts Jackson Street and King Avenue East. A traffic study is not required as part of the annexation process. If the property is annexed a rezoned a plan for development would be submitted and reviewed. If the development warrants a traffic study one will be submitted, reviewed and approved prior to the issuance of a building permit.

â€¢ Fire Stations: The subject property is currently served by the Billings Fire Department through the Billings Urban Fire Service Area and the Billings Fire Department will continue to serve the property upon annexation. The Billings Fire Department stated that as this and other annexations are built out, additional fire department resources will be needed. The nearest fire station is Station Fire Station #2, located on S 29th Street, about 2.2 road miles or 5 minutes driving time to the subject property.

â€¢ Parks: If the property is developed by subdivision, cash-in-lieu or parkland dedication will be required in accordance with Montana Code Annotated.

â€¢ School facilities: The subject property will develop with residential uses. There will be some impact to the School District, however, in a request for comments no issues of concern were identified.

General City Services: These are the City services that are provided to all residents and businesses in the City, such as police and fire protection, street and storm drain maintenance, and garbage collection and disposal. The service providers that responded did not object to the annexation of this property, however the Fire Department in its comments above did note its concerns as additional property is annexed into the City.

â€¢ Transit: Existing MET services in the area are accessible to the property and future residents as the South Side Loop Bus Route goes right down Jackson Street.

â€¢ Police: The Police Department staff stated that while additional patrol staff have been approved, continued annexation without additional resources may affect response times and the ability to deliver services.

â€¢ Public Utilities: The Public Works-- Distribution and Collection Division had no concerns with the annexation request.

â€¢ Public Works -Street and Traffic Division: The Street and Traffic Division stated that it has no concerns with serving the property.

â€¢ Public Works-Solid Waste: The Solid Waste Division had no concerns with annexing the property, but pointed out that State Law allows the property owner to choose what garbage hauler may service the property after it is in the City.

â€¢ Ambulance Service: The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of ambulance calls must be answered within 8 minutes. This property may be within the area of acceptable response time.

â€¢ Legal and Finance: General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation.

â€¢ Other Departments: City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve the property whether it is in the City or the County. The Planning Division staff supports the annexation because staff find the annexation policy criteria have been met. All departments were consulted and there was no opposition.

STAKEHOLDERS

Annexation by petition does not require notification of adjoining landowners; however, it does require that the City Council conduct a public hearing, advertise the hearing, and post the property with information on the annexation petition and public hearing. Notice of the public hearing was posted on June 25, 2021.

ALTERNATIVES

The City Council may approve or deny the petition for annexation. Denial of the petition will mean the City Council cannot consider other agenda items related to this property regarding zoning and inclusion of the property in the SBBURD.

- On April 16, 2021, the annexation petition was submitted to the Planning Division by the owner's agent. A delay

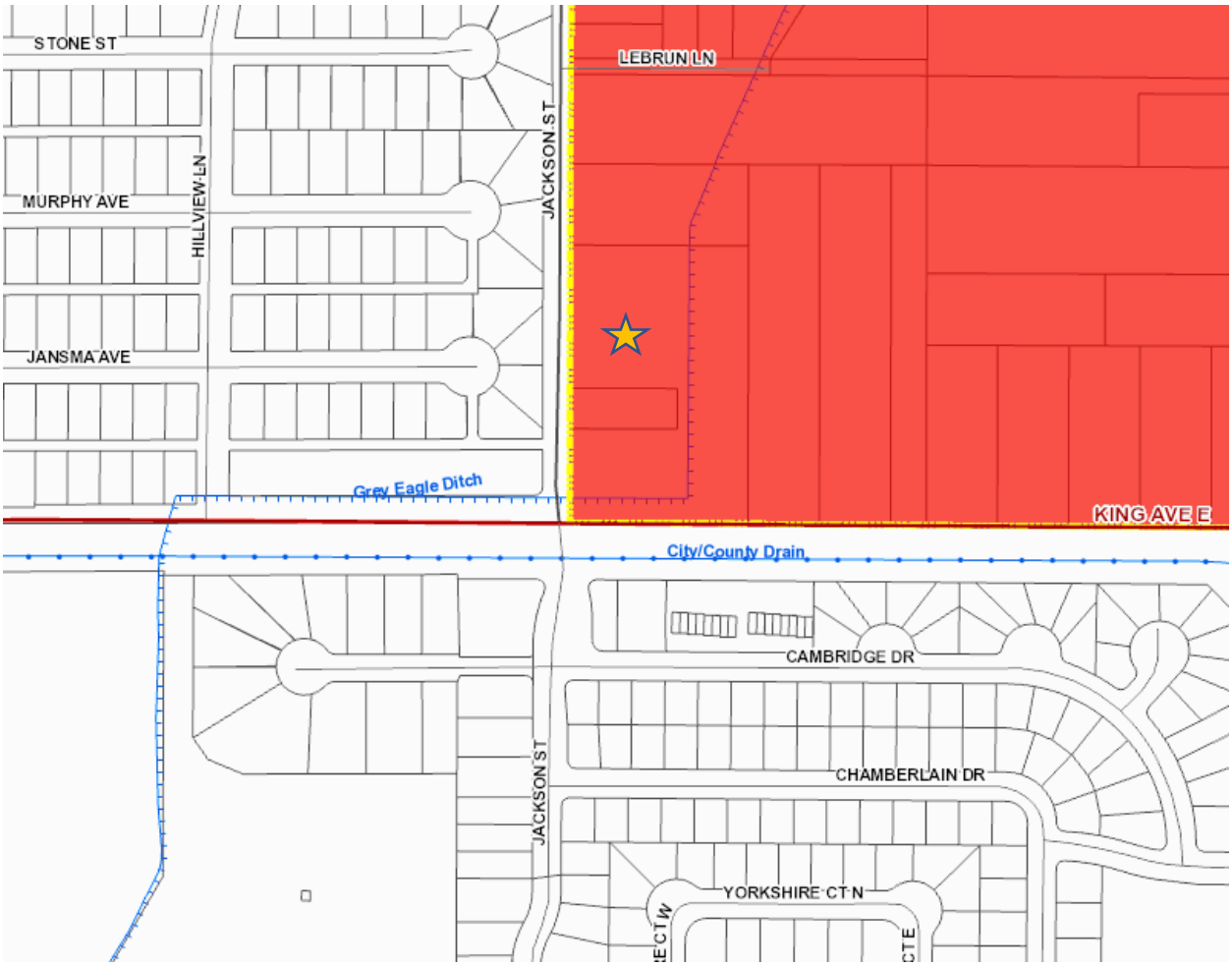
in the application was requested so the annexation petition and zone change could be considered concurrently.
- On July 12, 2021, the City Council is scheduled to take action on the petition.

FISCAL EFFECTS

This application has no impact on the Planning Division Budget.

Attachments

Limits of Annexation Map
Resolution


STONE ST
LEBRUN LN
JACKSON ST
MURPHY AVE
HILLVIEW LN
JANSMA AVE
Grey Eagle Ditch
KING AVE E
City/County Drain
CAMBRIDGE DR
CHAMBERLAIN DR
JACKSON ST
YORKSHIRE CT N

RESOLUTION NO. 21 -

A RESOLUTION APPROVING PETITION FOR ANNEXATION AND ANNEXING TERRITORY TO THE CITY.

WHEREAS, one hundred percent (100%) of the freeholders who constitute more than fifty percent (50%) of the resident freeholder electors have petitioned the City for annexation of the territory hereinafter described; and

WHEREAS, the territory was described in the Petition as required by law; and

WHEREAS, annexation of said territory would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. TERRITORY ANNEXED. Pursuant to Petition filed as provided M.C.A., Title 7, Chapter 2, Part 46, the following territory is hereby annexed to the City of Billings:

   A tract of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

   Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County.

   Including all adjacent rights-of-way of Jackson Street and King Avenue East.

   Said tract of land containing 3.574 gross and 3.522 net acres more or less.

   (#21-03) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following condition:

- Within 45 working days and prior to site development, a mutually acceptable Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and right-of-way dedication, provide guarantees for said improvements, and include a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded;

  If the conditions are not satisfied, any new requests for the property legally described within this resolution shall be processed as a new petition of annexation

3. EFFECTIVE DATE. Upon satisfaction of the above condition(s), this resolution to annex the above described territory will become effective and shall be filed with the Yellowstone County Clerk and Recorder. If the owner fails to meet the deadline identified above, this resolution to annex shall not become effective, will be null and void, and shall not be filed with the Yellowstone County Clerk and Recorder.

4. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 12th day of July, 2021.

CITY OF BILLINGS:

BY: _____

William A. Cole, Mayor

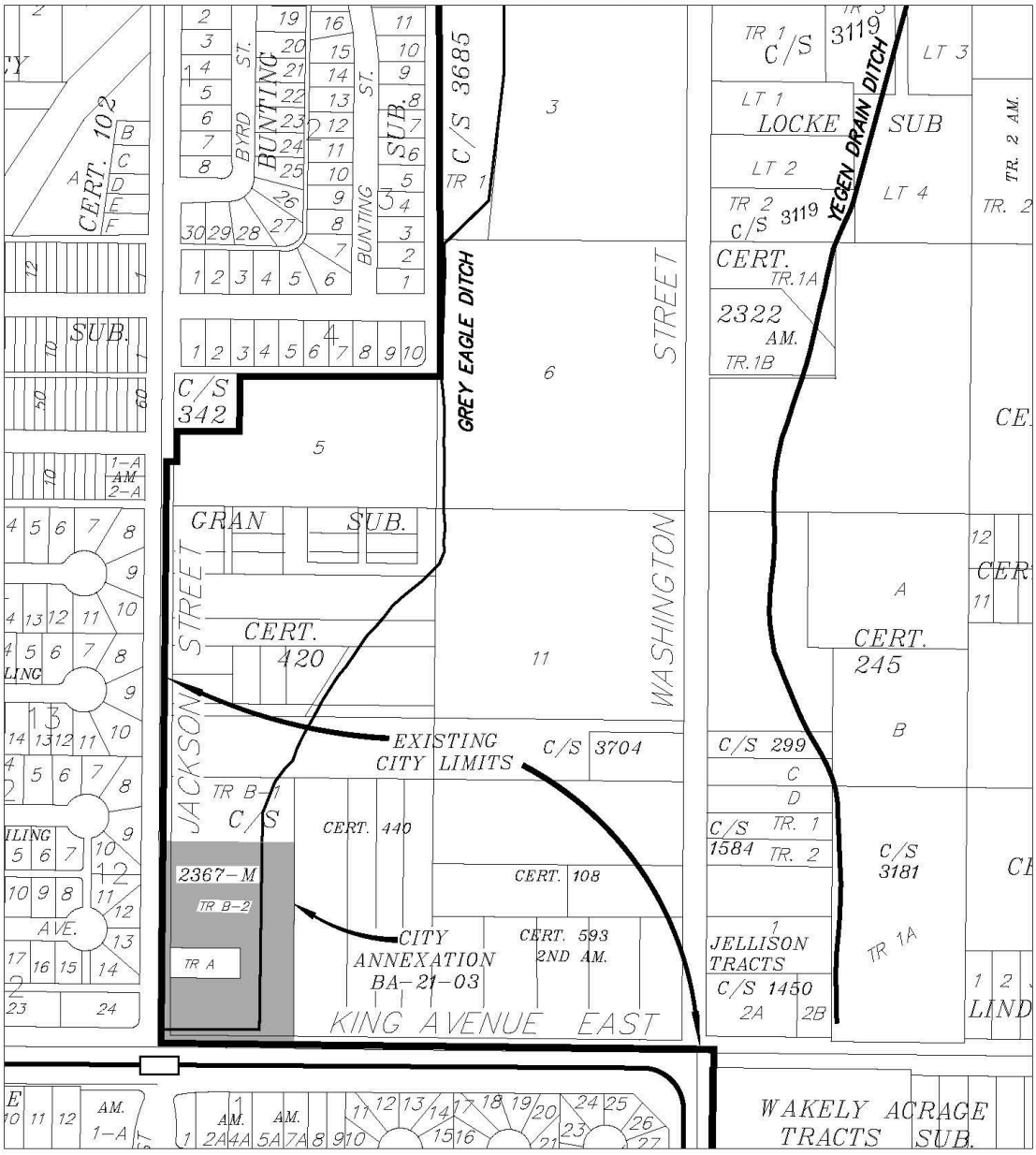
ATTEST:

BY: _____

Denise R. Bohlman, City Clerk

(# 21-03)

EXHIBIT BA-21-03



Date:	07/12/2021
Title:	Development Agreement with Jason Adkins for Certificate of Survey 2367M, Tract B2
Presented by:	Debi Meling
Department:	Public Works
Presentation:	Yes

RECOMMENDATION

Staff recommends that the City Council approve the development agreement with Jason Adkins.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

At the July 12, 2021 meeting, City Council will consider annexation of Tract B-2, Certificate of Survey 2367M. The property is located north of King Avenue East and east of Jackson Street. Jason Adkins has purchased this parcel and desires to develop the property as a residential development. Typically, as a condition of approval of the annexation, the property owner is to enter into a development agreement with the City of Billings outlining necessary public improvements.

ALTERNATIVES

City Council may:

- If the annexation is approved, then approve the development agreement with the property owner; or
- Disapprove the development agreement. If the agreement is not approved, the responsibility for infrastructure improvements would be in accordance with policies in place at the time of development.

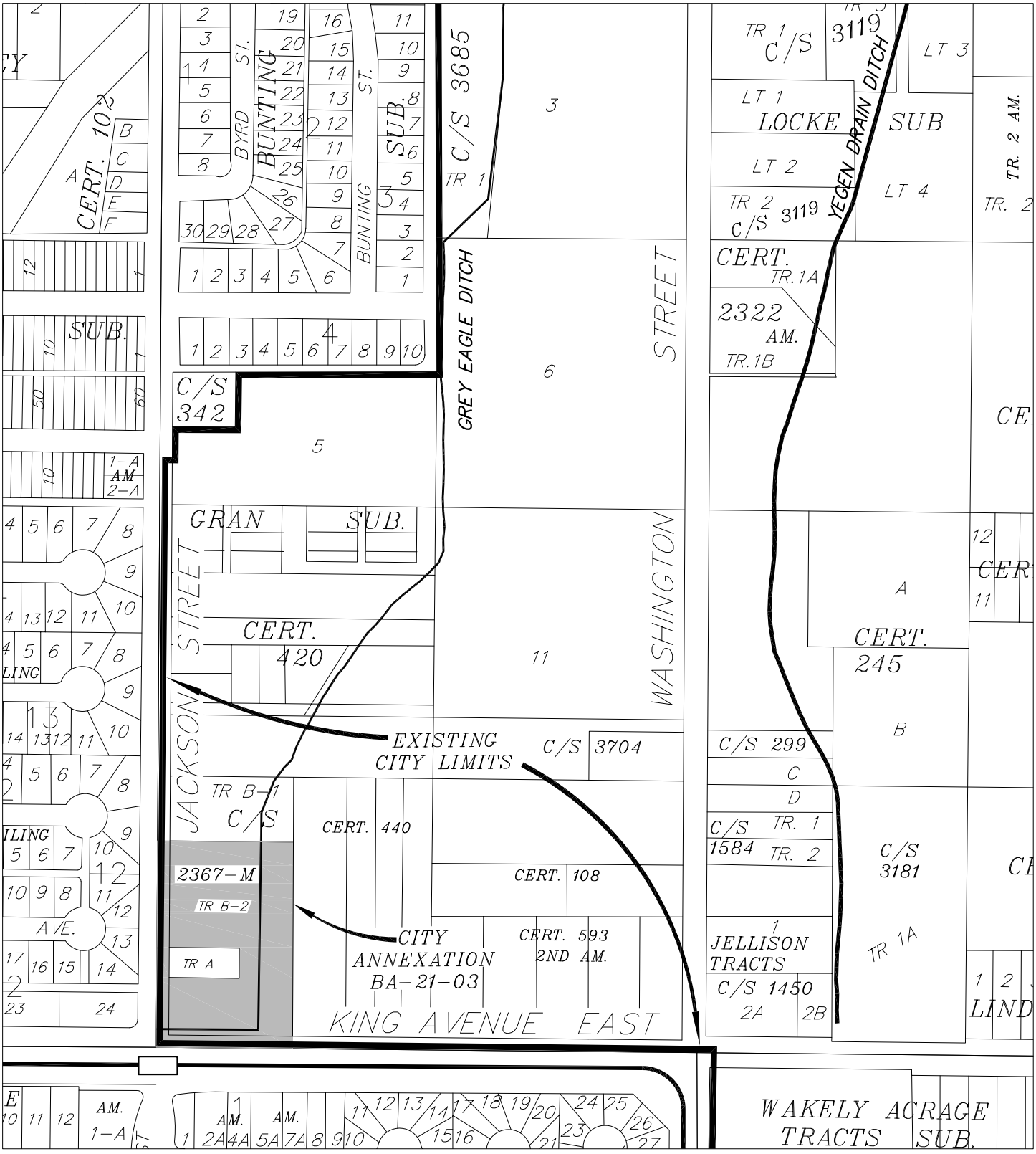
FISCAL EFFECTS

The financial impact of this agreement is dependent on policy changes that may occur before development. If development occurs before any changes to the City's development policies, there would be no financial impact. If development occurs after City development policies change, the financial impact would be dependent on the changes.

Attachments

Exhibit
Development Agreement

EXHIBIT BA-21-03



DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT is made this _____ day of _____, 20____, by and between Jason Adkins, 9211 Riverside Drive, Garden City, ID 83714 hereinafter referred to as "DEVELOPER," and THE CITY OF BILLINGS, MONTANA, a municipal corporation, c/o City Hall, 210 North 27th Street, Billings, Montana, 59101, hereinafter referred to as the "CITY."

WHEREAS, DEVELOPER is the owner of certain real property situated in Yellowstone County, Montana, more particularly described as follows:

> Tract B-2 of Certificate of Survey No. 2367M, according to the official plat on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3640039 hereinafter referred to as "Developer Tract".

WHEREAS, DEVELOPER has submitted to the City a Petition for Annexation to the City for Developer Tract; and

WHEREAS, DEVELOPER desires to annex Developer Tract to the City; and

WHEREAS, DEVELOPER is proposing to develop the Developer Tract in one phase; and

WHEREAS, CITY has approved the Petition for Annexation by Resolution No. 21- for the Developer Tracts contingent that a Development Agreement be executed between CITY and DEVELOPER to identify required off-site infrastructure improvements and guarantees of those improvements.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties do hereby agree as follows:

1. *Roads and Access.* The Developer Tract will be accessed by way of two proposed approaches along Jackson Street. The approaches shall meet current city codes and regulations.

2. *Sanitary Sewer.* The Developer is required to extend 8-inch sanitary sewer from the existing 8-inch sanitary sewer located in the alley between King Avenue East and Jansma Avenue. The sanitary sewer shall extend into Jackson Street and extend along Jackson Street to the north boundary of the Developer Tract for approximately 500 feet. DEVELOPER shall be responsible for payment of the City wastewater system development fee prior to the issuance of any building permits.

3. *Water.* The Developer is required to extend 8-inch water main located at the intersection of Jackson Street and King Avenue East along King Avenue East to the eastern boundary of the Developer Tract and along Jackson Street to the north boundary of the Developer Tract for approximately 775 feet. DEVELOPER shall be responsible for payment of the City water system development fee prior to the issuance of any building permits.

4. *Storm Drain.* The DEVELOPER will manage storm drainage within the Developer Tract in accordance with the City of Billings Stormwater Management Manual (2018). Storm drain, along with construction of inlets, will be required to be extended in Jackson Street and King Avenue East in order to construct half of the street. The extent of the storm drain would be determined through a storm water report to be completed by DEVELOPER to be reviewed and approved by the City.

5. *Right-of-Way.* Right-of-Way will be dedicated to the City of Billings per the 2018 Billings Urban Area Long Range Transportation Plan and in accordance with the City of Billings Subdivision Regulations. A 60-foot half right of way is required along King Avenue East, and a 37-foot half right of way is required along Jackson Street.

6. *Grey Eagle Ditch.* The Grey Eagle Ditch flows through property. DEVELOPER shall obtain permission from Grey Eagle Ditch to relocate and/or pipe ditch.

7. *Street Widening.* Jackson Street is designated by the City as a collector street. DEVELOPER will be required to make road widening improvements along the western frontage of the Development Tract to a collector road width which is approximately 10-feet of widening on the east side of Jackson Street. This includes construction of curb and gutter, street widening, and

construction of concrete boulevard sidewalk with a minimum width of 5-feet and minimum 5-foot boulevard width along the western property frontage.

King Avenue East is designated by the City as an arterial street. DEVELOPER will be required to make road widening improvements along the southern frontage of the Development Tract to an arterial width which is approximately 12-feet of widening on the north side of King Avenue East. This includes construction of curb and gutter, street widening, and construction of concrete boulevard sidewalk with a minimum width of 5-feet and minimum 5-foot boulevard width along the southern property frontage.

8. *Future Intersection Contributions*. If warranted per the site development or subdivision ordinance, DEVELOPER will be required to submit a traffic impact study (TIS) to be reviewed and approved by Engineering at the DEVELOPER's expense. If identified in the TIS, DEVELOPER would be required construct recommended improvements not be required to make cash-in-lieu contributions toward the improvement costs associated with the future intersection improvements.

9. *Other Public Improvements.* For any other improvements not specifically listed in this Agreement, the CITY shall rely on the attached Waiver filed concurrently herewith, to insure the installation of any or all remaining public improvements. Said improvements shall include, but not be limited to, street construction and paving, curb, gutter, sidewalks, driveways, storm drainage, and street lighting. The attached Waiver, waiving the right to protest the creation of one or more Special Improvement Districts, by this reference is expressly incorporated herein and part hereof.

8. *Compliance.* Nothing herein shall be deemed to exempt the Developer Tracts from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.

9. *Runs with Land.* The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.

10. *Attorney's Fees.* In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs, including those fees and costs of in-house counsel.

11. *Amendments and Modifications.* Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

"DEVELOPER" Jason Adkins

By: _____

Title: _____

STATE OF IDAHO)
:ss
County of Ada)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Idaho, personally appeared _____, and who acknowledged to me that said DEVELOPER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Idaho
Printed name:_____
Residing at:_____
My commission expires:_____

This Agreement is hereby approved and accepted by City of Billings, this ___ day of _____, 20___.

"CITY" CITY OF BILLINGS, MONTANA

By:_____
Mayor

Attest:_____
City Clerk

STATE OF MONTANA)
:ss
County of Yellowstone)

On this _____ day of_____, 20___, before me, a Notary Public for the State of Montana, personally appeared _____, and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

Approved as to Form:

_____
City Attorney

WAIVER OF RIGHT TO PROTEST

FOR VALUABLE CONSIDERATION, the undersigned, Owner of the hereinafter described real property, does hereby waive the right to protest the formation of one or more Special Improvement Districts (SID) for the construction, reconstruction or maintenance of streets, curbs, gutter, concrete ribbons, sidewalks, driveways, survey monuments, street name signs, street lights, street light energy and maintenance, traffic control devices on-site and off-site inclusive as determined by an overall traffic accessibility study, specific realignments or relocation of sanitary sewer lines and water lines, valley gutters, culverts, storm sewer lines, if any, either within or without the area and other incidental improvements which the City of Billings may require.

The Waiver and Agreement shall run with the land and shall be binding upon the undersigned, its successors and assigns, and shall be recorded in the office of County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Tract F of Certificate of Survey No. 537, Yellowstone County, Montana

"DEVELOPER" Jason Adkins

By: _____
Title:_____

STATE OF IDAHO)
:ss.
County of Ada)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Idaho, personally appeared _____, and who acknowledged to me that said DEVELOPER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Idaho
Printed name:_____
Residing at:_____
My commission expires:_____

City Council Regular

Date:	07/12/2021
Title:	Public Hearing - Ward Boundary Expansion Ordinance First Reading - Annexation 21-03
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends the City Council hold a public hearing and approve this ordinance on first reading, adding recently annexed property to Ward I.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Jason D. Adkins submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located on Jackson Street. The property is described Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County. Including all adjacent rights-of-way of Jackson Street and King Avenue East. The property contains 3.574 gross and 3.522 net acres more or less.

Upon Council approval, this annexation requires a change in the boundaries of Ward I. Two readings are required for this action. The first reading and public hearing is scheduled for July 12th. Upon approval the second reading will occur on July 26th.

ALTERNATIVES

City Council may:

- Approve adding the subject property to Ward I, or;
- Disapprove adding the subject property to Ward I.

Disapproval will not modify the boundary of Ward I and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

This item has no impact on the Planning Division Budget.

Attachments

Ordinance

ORDINANCE NO. 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD I PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward I the following described real property:

A tract of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County.

Including all adjacent rights-of-way of Jackson Street and King Avenue East.

Said tract of land containing 3.574 gross and 3.522 net acres more or less.

(#21-03) See Exhibit "A" Attached

CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the

election administrator not more than ten (10) days after the effective date of this ordinance.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 12th day of July, 2021.

PASSED by the City Council on the second reading this 26th day of July, 2021.

THE CITY OF BILLINGS:

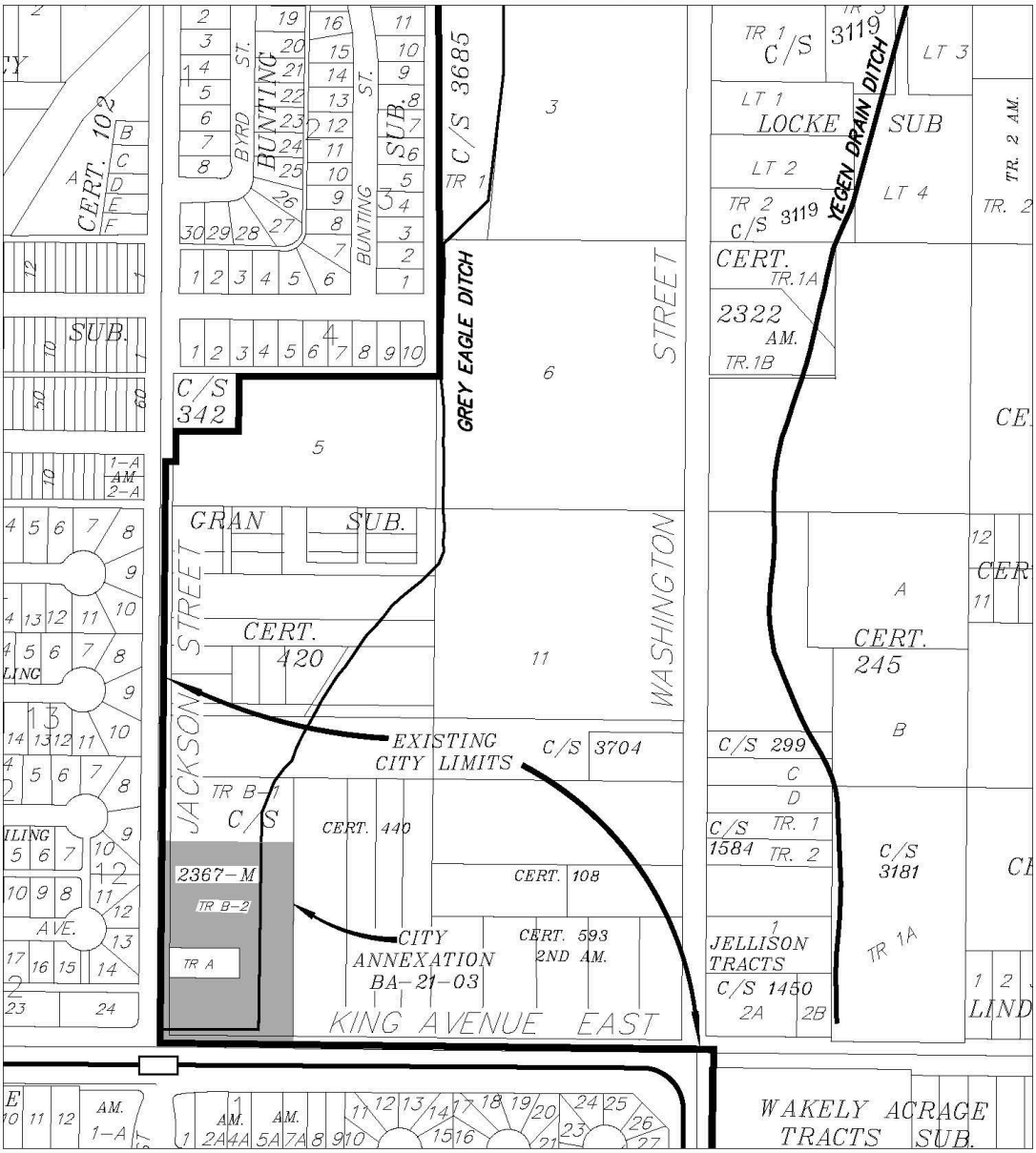
_____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(#21-03)

EXHIBIT BA-21-03



City Council Regular

Date:	07/12/2021
Title:	Public Hearing and Resolution- Annexation 21-04
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	Yes

RECOMMENDATION

Staff recommends the City Council hold a public hearing and annex the petitioned property with the staff recommended conditions of approval.

NOTE: This Annexation is for property to be included in the South Billings Boulevard Urban Renewal District (SBBURD). Property must be annexed into the City before it may be included in the SBBURD. The City Council must act on this annexation as one of the steps at the meeting tonight so it can then take action to expand the SBBURD to include this and other properties.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Torgerson's Real Estate Holdings, LLC. submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located at 3508 South Frontage. The property is legally described as Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted. Said tract of land containing an area of 35.94 acres more or less and is currently zoned Agricultural Open Space. As part of Zone Change 993, which is running concurrently with this application, the proposed zoning is Heavy Commercial (CX). Torgerson's is a local implement dealer in Billings, MT and intends to develop the property.

South Billings Urban Renewal Association Coordinator Jim Tevlin, working with City staff in the past 10 months, has been in contact with property owners and agents interested in having property included in the South Billings Boulevard Urban Renewal District. This petition for annexation is being considered concurrently with a zone change application (993) and amendments to the urban renewal plan.

Although MCA 7-2-4600 does not require a public services plan, it is the City's custom to have staff prepare a brief analysis of predicted impacts to services and facilities. Staff finds the proposed annexation complies with the adopted Annexation Policy criteria as follows:
1. The area is located within the City's Annexation Petition Area on its Limits of Annexation Map.
2. The City is able to provide adequate city services within a time period mutually agreed to by the property owners requesting annexation and the city.
3. Existing or proposed public improvements within the area to be annexed will meet City standards.
4. All property owners within the area to be annexed must sign a Waiver of Right to Protest future Special Improvement Districts.
5. If annexed, any proposed land use will comply with the zoning.

Departmental Response: City and County Departments were given the opportunity to comment on this annexation. City departments responded favorably and detailed responses are provided below. The County Public Works Department did not respond to this annexation request.

â€¢Water and Sanitary Sewer: The city's public water system will need to be extended to serve this property with public water. A public sanitary sewer trunk main fronts the property, however connections to this main across the Frontage Road will need to be constructed to serve the property. Service availability is subject to compliance with the Rules and Regulations Governing Water and Wastewater Service and the policies and ordinances of the Public Works Department and the City of Billings. A Development Agreement is required as part of this annexation and Council will consider the proposed agreement following action on this petition.

â€¢ Storm water: Any development will be compliant with the adopted Stormwater Management Manual. There a 48" storm drain located in the South Frontage Road adjacent to this parcel.

â€¢ Transportation: The subject property fronts the South Frontage Road. Access and approaches must be reviewed and approved by the Montana Department of Transportation (MDT) and the City of Billings, who may also require a traffic impact study prior to development. It should be noted, a traffic study is not required as part of the annexation process. These items are addressed as part of the development agreement.

â€¢ Fire Stations: The subject property is currently served by the Billings Fire Department through the Billings Urban Fire Service Area and the Billings Fire Department will continue to serve the property upon annexation. The Billings Fire Department stated that as this and other annexations are built out, additional fire department resources will be needed. The nearest fire station is Station Fire Station #2, located on S 29th Street, about 2.04 road miles or 5 minutes driving time to the subject property.

â€¢ Parks: As a commercial development, parkland is not required. There are parks in the area that would serve this property, but no creation or expansion of a PMD is required.

â€¢ School facilities: The subject property will develop with commercial uses. There should be minimal impact to the School District. In a request for comments no issues of concern were identified.

General City Services: These are the City services that are provided to all residents and businesses in the City, such as police and fire protection, street and storm drain maintenance, and garbage collection and disposal. The service providers that responded did not object to the annexation of this property, however the Fire Department in its comments above did note its concerns as additional property is annexed into the City.

â€¢ Transit: Expansion in outlying areas does create a burden for MET transit, however, given the location and commercial nature of this area MET does not anticipate high demand for expanded service at this time.

â€¢ Police: The Police Department staff stated that while additional patrol staff have been approved, continued annexation without additional resources may affect response times and the ability to deliver services.

â€¢ Public Utilities: The Public Works-- Distribution and Collection Division had no concerns with the annexation request.
â€¢ Public Works -Street and Traffic Division: The Street and Traffic Division stated that it has no concerns with serving the property.
â€¢ Public Works-Solid Waste: The Solid Waste Division had no concerns with annexing the property.

â€¢ Ambulance Service: The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of ambulance calls must be answered within 8 minutes. This property may be within the area of acceptable response time.

â€¢ Legal and Finance: General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation.

â€¢ Other Departments: City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve the property whether it is in the City or the County. The Planning Division staff supports this annexation and finds the criteria found in the annexation policy has been met. All departments have been consulted with no opposition. Staff recommends approval.

STAKEHOLDERS

Annexation by petition does not require notification of adjoining landowners; however, it does require that the City Council conduct a public hearing and post the property with information on the annexation petition and public hearing. Notice of the public hearing was posted on June 25, 2021.

ALTERNATIVES

The City Council may approve or deny the petition for annexation. Denial of the petition will mean the City Council cannot consider other agenda items related to this property.

- In June, the annexation petition was submitted to the Planning Division by the owner's agent.
- On July 12, 2021, the City Council is scheduled to take action on the petition.

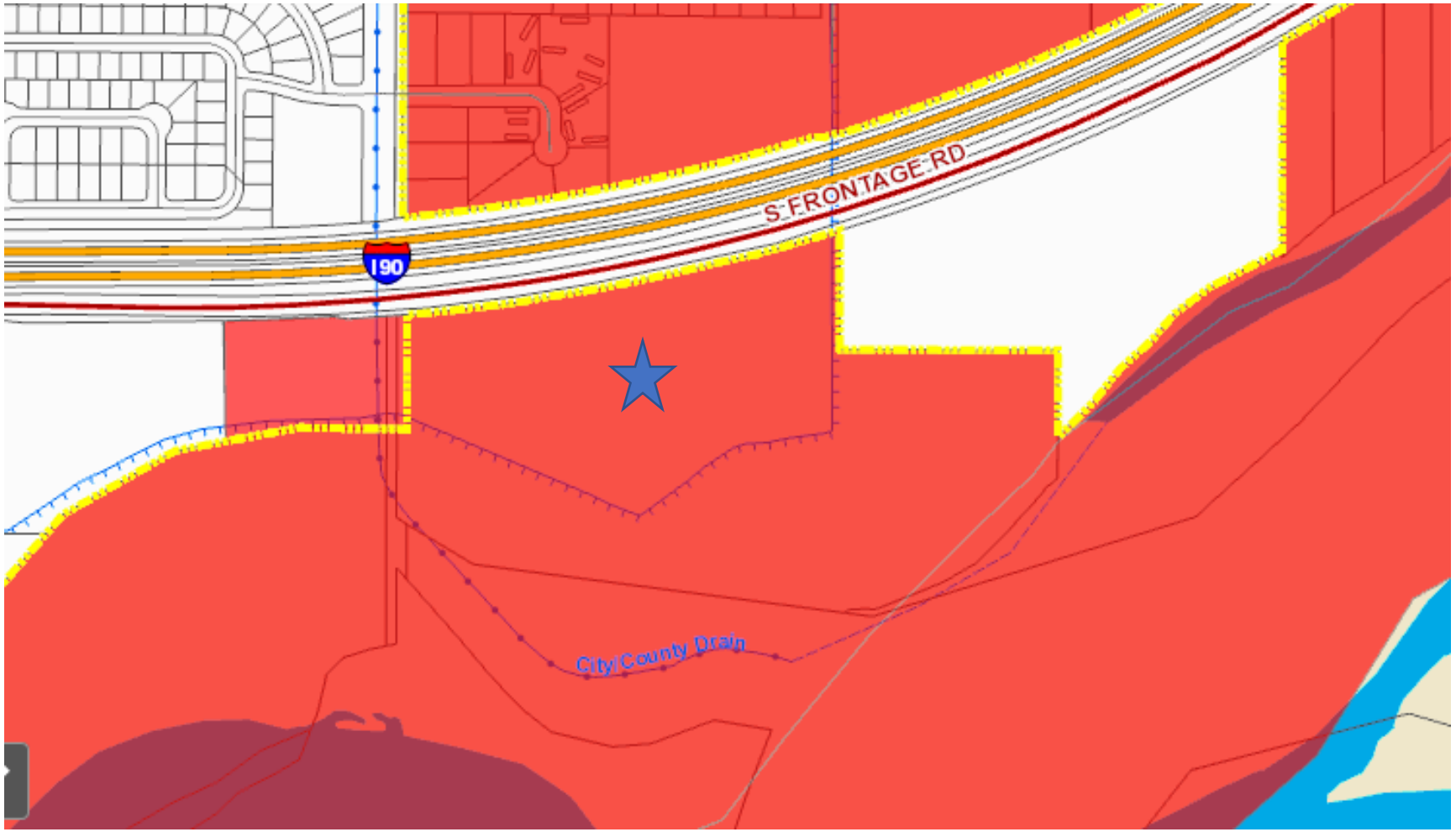
FISCAL EFFECTS

This application has no impact on the Planning Division Budget.

Attachments

Limits of Annexation Map

Resolution


S FRONTAGE RD
190
City/County Drain

RESOLUTION NO. 21 -

A RESOLUTION APPROVING PETITION FOR ANNEXATION AND ANNEXING TERRITORY TO THE CITY.

WHEREAS, one hundred percent (100%) of the freeholders who constitute more than fifty percent (50%) of the resident freeholder electors have petitioned the City for annexation of the territory hereinafter described; and

WHEREAS, the territory was described in the Petition as required by law; and

WHEREAS, annexation of said territory would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. TERRITORY ANNEXED. Pursuant to Petition filed as provided M.C.A., Title 7, Chapter 2, Part 46, the following territory is hereby annexed to the City of Billings:

   Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

   Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 (Washington Street Right-Of-Way) of Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County, on the North by Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No.

1029099, Records of Yellowstone County, and South Frontage Road Right-Of-Way.

Said tract of land containing an area of 35.94 acres more or less.

(#21-04) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following condition:

- Within 45 working days and prior to site development, a mutually acceptable Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and right-of-way dedication, provide guarantees for said improvements, and include a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded;

  If the conditions are not satisfied, any new requests for the property legally described within this resolution shall be processed as a new petition of annexation

3. EFFECTIVE DATE. Upon satisfaction of the above condition(s), this resolution to annex the above described territory will become effective and shall be filed with the Yellowstone County Clerk and Recorder. If the owner fails to meet the deadline identified above, this resolution to annex shall not become effective, will be null and void, and shall not be filed with the Yellowstone County Clerk and Recorder.

4. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 12th day of July, 2021.

CITY OF BILLINGS:

BY: _____

William A. Cole, Mayor

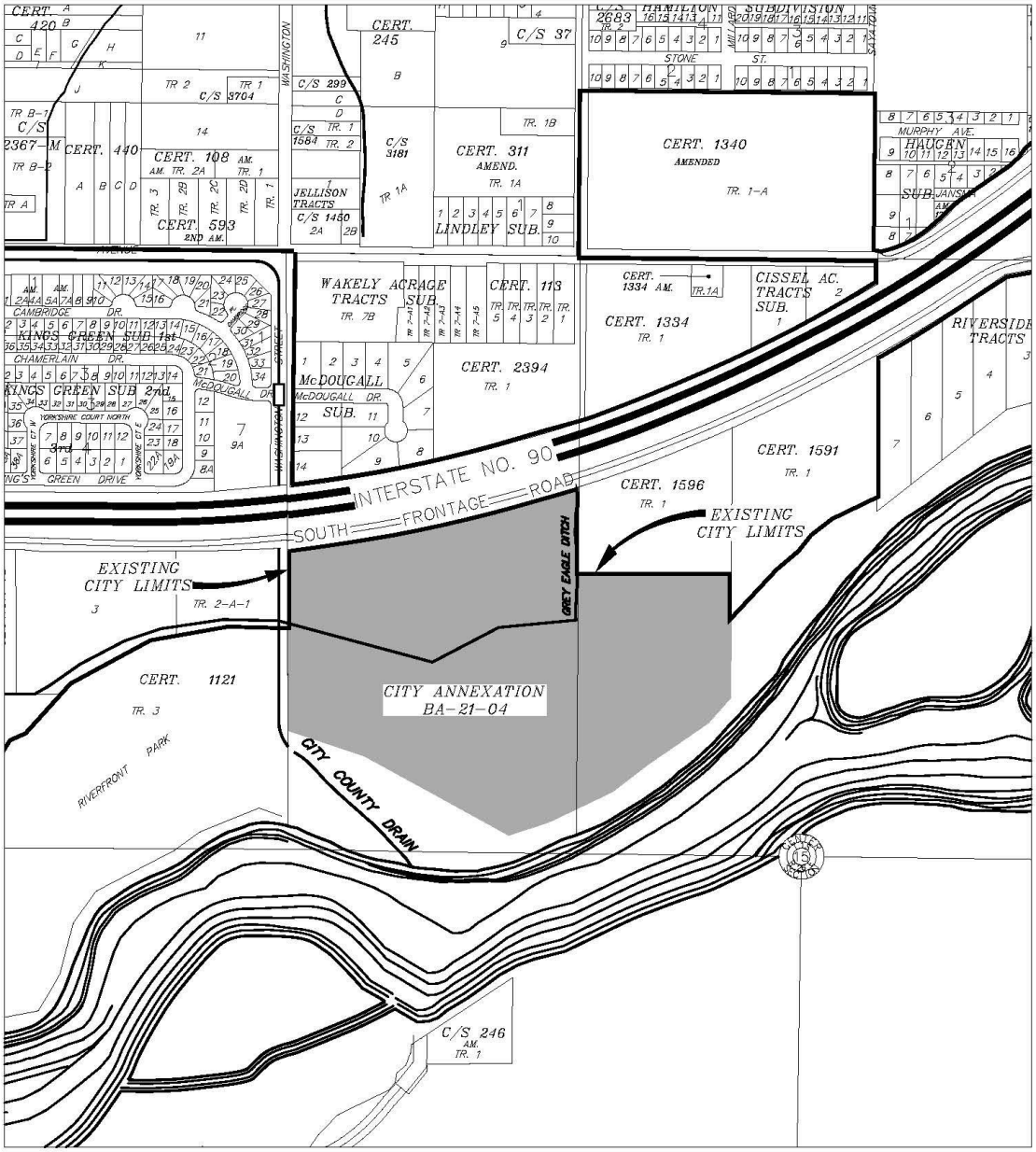
ATTEST:

BY: _____

Denise R. Bohlman, City Clerk

(# 21-04)

EXHIBIT BA-21-04



City Council Regular

Date:	07/12/2021
Title:	Development Agreement with Torgerson's Real Estate Holdings, LLC for Certificate of Survey 2394, Lots 2 & 3
Presented by:	Debi Meling
Department:	Public Works
Presentation:	Yes

RECOMMENDATION

Staff recommends that the City Council approve the development agreement with Torgerson's Real Estate Holdings, LLC.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

At the July 12, 2021, meeting, City Council will consider annexation of Lots 2 & 3, Certificate of Survey 2394. The property is located along the South Frontage Road east of the City County Drain. Torgerson's Real Estate Holdings, LLC. has purchased these parcels and desires to develop the property as a commercial development. Typically, as a condition of approval of the annexation, the property owner is to enter into a development agreement with the City of Billings outlining necessary public improvements.

ALTERNATIVES

City Council may:

- If the annexation is approved, then approve the development agreement with the property owner; or
- Disapprove the development agreement. If the agreement is not approved, the responsibility for infrastructure improvements would be in accordance with policies in place at the time of development.

FISCAL EFFECTS

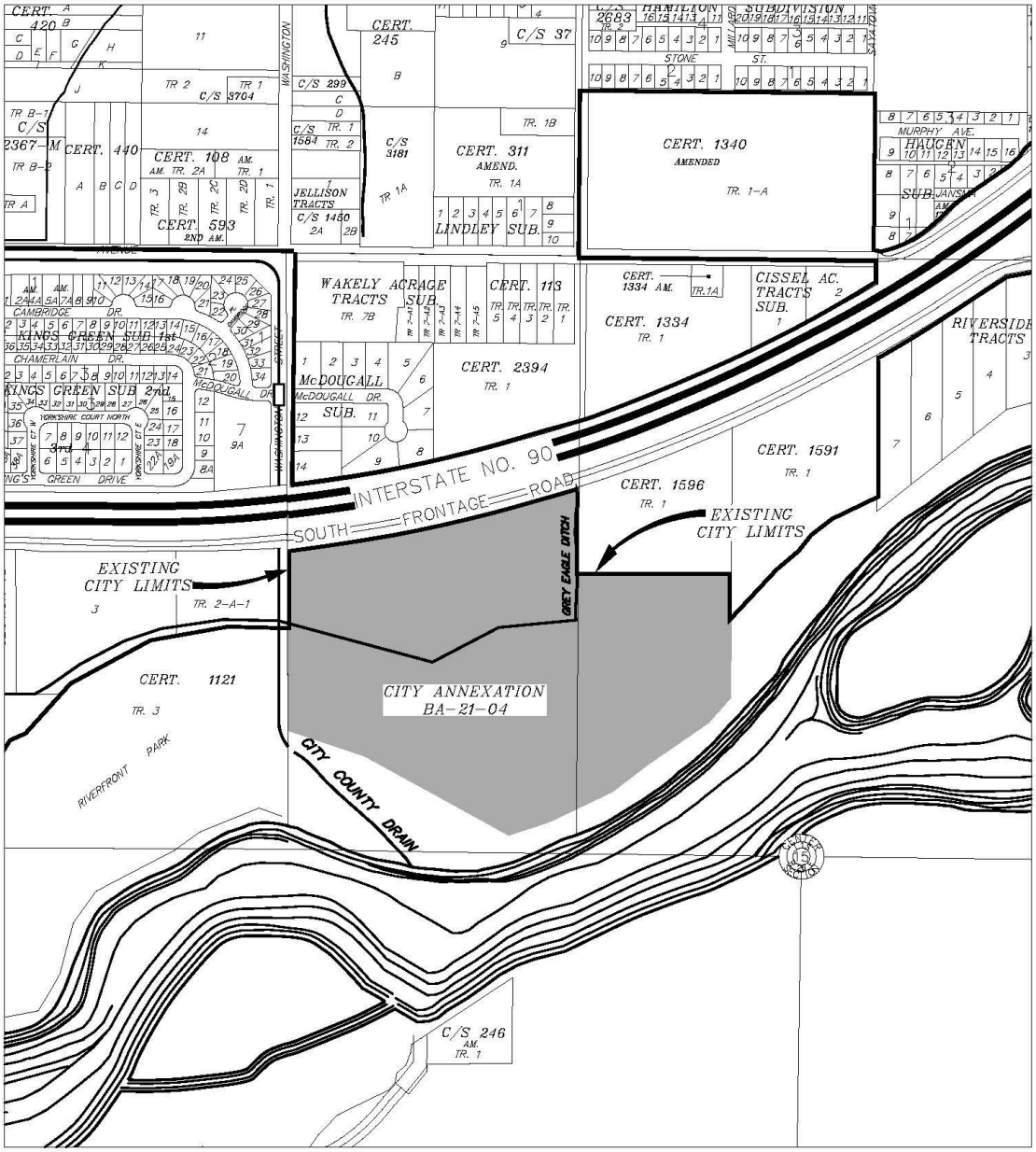
There are two requirements of the development agreement that would not be required upon site development. Section 5 requires the dedication of right-of-way. If the site develops without subdividing, the city would not be able to acquire right-of-way. Section 7 requires an easement for and construction of a multi-use trail on the south side of the Frontage Road. If the site develops without subdividing, the city would not be able to require this easement or the construction of the trail.

The financial impact of the remainder of the agreement is dependent on policy changes that may occur before development. If development occurs before any changes to the City's development policies, there would be no financial impact. If development occurs after City development policies change, the financial impact would be dependent on the changes.

Attachments

Exhibit
Development Agreement

EXHIBIT BA-21-04



Return to:
Performance Engineering, LLC
608 N. 29th Street
Billings, MT 59101

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT is made this _____ day of _____, 20____, by and between Torgerson's Real Estate Holdings, LLC, 4701 River Drive North, Great Falls, MT 59405 hereinafter referred to as "DEVELOPER," and THE CITY OF BILLINGS, MONTANA, a municipal corporation, c/o City Hall, 210 North 27th Street, Billings, Montana, 59101, hereinafter referred to as the "CITY." DEVELOPER and CITY are sometimes referred to in this Agreement individually as "Party" and collectively as the "Parties."

WHEREAS, DEVELOPER is the owner of certain real property situated in Yellowstone County, Montana, more particularly described as follows:

> Lots 2 & 3 of Certificate of Survey No. 2394, of which plats are on file and recorded at the Yellowstone County Clerk and Recorder's Office. Above referenced properties are hereinafter referred to as "Developer Tracts"

WHEREAS, DEVELOPER has submitted to the City a Petition for Annexation to the City for Developer Tracts; and

WHEREAS, DEVELOPER desires to annex Developer Tracts to the City; and

WHEREAS, DEVELOPER is proposing to develop the Developer Tracts in phases over time; and

WHEREAS, CITY has approved the Petition for Annexation by Resolution No. _____ for the Developer Tracts contingent upon a Development Agreement being executed between CITY and DEVELOPER to identify required off-site infrastructure improvements and guarantees of those improvements.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the Parties do hereby agree as follows:

1. *Roads and Access.* The Developer Tracts will be accessed by way of approaches along South Frontage Road. Said approaches must be reviewed and approved by the Montana Department of Transportation (MDT) and City of Billings, who will require a traffic impact study at the time of development. The traffic study shall be prepared and paid for by DEVELOPER. The approaches must meet current MDT and City codes and regulations.

2. *Sanitary Sewer.* The Developer Tracts will be served by the existing sanitary sewer main in South Frontage Road. DEVELOPER will be responsible for connecting sewer services to the sanitary sewer main in South Frontage Road. DEVELOPER shall be responsible for payment of the City wastewater system development fee prior to the issuance of any building permits. Improvement plans must be submitted to the City of Billings and Montana Department of Transportation for approval.

3. *Water.* The Developer Tracts will be served by a proposed water line extension connecting to the existing 12-inch distribution line owned by the City of Billings on located in the northeast and northwest corners of the Developer Tracts. The proposed water line extension will be 12-inch distribution line across the frontage of the Developer Tracts in South Frontage Road. Improvement plans must be submitted to the City of Billings and Montana Department of Transportation for approval.

4. *Storm Drain.* The DEVELOPER will manage storm drainage within the Developer Tracts in accordance with the City of Billings Stormwater Management Manual (2018). Stormwater services will be connected to the City-County Storm Drain located in South Frontage Road. Improvement plans must be submitted to the City of Billings and Montana Department of Transportation for approval.

5. *Right-of-Way.* Right-of-Way will be dedicated to the City of Billings per the 2018 Billings Urban Area Long Range Transportation Plan and in accordance with the City of Billings Subdivision Regulations.

6. *Street Construction and Widening.* DEVELOPER will be required to complete a traffic impact study at the time of development that will determine required improvements to South Frontage Road. Traffic impact study will be submitted for review and approval by the City of Billings and Montana Department of Transportation. The traffic study shall be prepared and paid for by DEVELOPER.

7. *Multi-use Trail.* DEVELOPER will be required to construct a 10-foot wide multi-use trail along the Frontage Road. This can be located within or outside of the Frontage Road right of way. The path shall be constructed at the time of lot development. The development shall be responsible for the maintenance of the sidewalk/trail after construction. DEVELOPER will be required to grant the City of Billings a 20-foot wide easement along the western portion of the property for a future multi-use trail. DEVELOPER will be required to grant the City of Billings a 30-foot wide easement along the southern portion of the property that is buildable for a future multi-use trail. The easement would allow the construction of a multi-use trail along with amenities associated with the trail.

8. *Future Intersection Contributions*. A traffic impact study will be performed at the time of development to determine DEVELOPER contributions to future intersection improvements.

9. *Other Public Improvements.* For any other improvements not specifically listed in this Agreement, the CITY shall rely on the attached Waiver filed concurrently herewith, to ensure the installation of any or all remaining public improvements. Said improvements shall include, but not be limited to, street construction and paving, curb, gutter, sidewalks, driveways, storm drainage, and street lighting. The attached Waiver, waiving the right to protest the creation of one or more Special Improvement Districts, by this reference is expressly incorporated herein and part hereof.

10. *Building Code Compliance.* Where lot lines conflict with code compliance a Certificate of Occupancy shall not be issued until the permitted building meets all code requirements which may necessitate a Boundary Line Relocation which shall be filed with the Yellowstone County Clerk and Recorder.

11. *Compliance.* Nothing herein shall be deemed to exempt the Developer Tracts from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.

12. *Runs with Land.* The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.

13. *Attorney's Fees.* In the event it becomes necessary for either Party to this Agreement to retain an attorney to enforce any of the terms or conditions of

this Agreement or to give any notice required herein, then the prevailing Party or the Party giving notice shall be entitled to reasonable attorney fees and costs, including those fees and costs of in-house counsel.

14. *Amendments and Modifications.* Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first above written.

"DEVELOPER" Torgerson's Real Estate Holdings, LLC

By: _____

Title: _____

STATE OF MONTANA)
:ss
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as the_____ of Torgerson's Real Estate Holdings, LLC, and who acknowledged to me that said DEVELOPER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

This Agreement is hereby approved and accepted by City of Billings, this ___ day of _____, 20___.

"CITY" CITY OF BILLINGS, MONTANA

By:_____
Mayor

Attest:_____
City Clerk

STATE OF MONTANA)
:ss
County of Yellowstone)

On this _____ day of_____, 20___, before me, a Notary Public for the State of Montana, personally appeared _____, and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

Approved as to Form:

_____
City Attorney

WAIVER OF RIGHT TO PROTEST

FOR VALUABLE CONSIDERATION, the undersigned, Owner of the hereinafter described real property, does hereby waive the right to protest the formation of one or more Special Improvement Districts (SID) for the construction, reconstruction or maintenance of streets, curbs, gutter, concrete ribbons, sidewalks, driveways, survey monuments, street name signs, street lights, street light energy and maintenance, traffic control devices on-site and off-site inclusive as determined by an overall traffic accessibility study, specific realignments or relocation of sanitary sewer lines and water lines, valley gutters, culverts, storm sewer lines, if any, either within or without the area and other improvements which the City of Billings may require.

The Waiver and Agreement shall run with the land and shall be binding upon the undersigned, its successors and assigns, and shall be recorded in the office of County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Tracts 2 & 3 of Certificate of Survey No. 2394, of which plats are on file and recorded at the Yellowstone County Clerk and Recorder's Office.

"DEVELOPER" Torgerson's Real Estate Holdings, LLC

By: _____
Title:_____

STATE OF MONTANA)
:ss.
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as the _____of Torgerson's Real Estate Holdings, LLC, and who acknowledged to me that said DEVELOPER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

City Council Regular

Date:	07/12/2021
Title:	Public Hearing - Ward Boundary Expansion Ordinance First Reading - Annexation 21-04
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends the City Council hold a public hearing and approve this ordinance on first reading, adding recently annexed property to Ward III.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Torgerson's Real Estate Holdings, LLC. submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located south of the South Frontage Road and north of the City-County Drain. The property is legally described as Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted. Said tract of land containing an area of 35.94 acres more or less.

Upon Council approval, this annexation requires a change in the boundaries of Ward III. Two readings are required for this action. The first reading of the ordinance is tonight at this Council meeting, along with a public hearing, and the second reading is scheduled for July 26, 2021.

ALTERNATIVES

City Council may:

- Approve adding the subject property to Ward III, or;
- Disapprove adding the subject property to Ward III.

Disapproval will not modify the boundary of Ward III and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

This item has no impact on the Planning Division Budget.

Attachments

Ord Annex 2104

ORDINANCE NO. 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD III PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward III the following described real property:

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 (Washington Street Right-Of-Way) of Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County, on the North by Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County, and South Frontage Road Right-Of-Way.

Said tract of land containing an area of 35.94 acres more or less. (#21-04)

See Exhibit "A" Attached

CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 12th day of July, 2021.

PASSED by the City Council on the second reading this 26th day of July, 2021.

THE CITY OF BILLINGS:

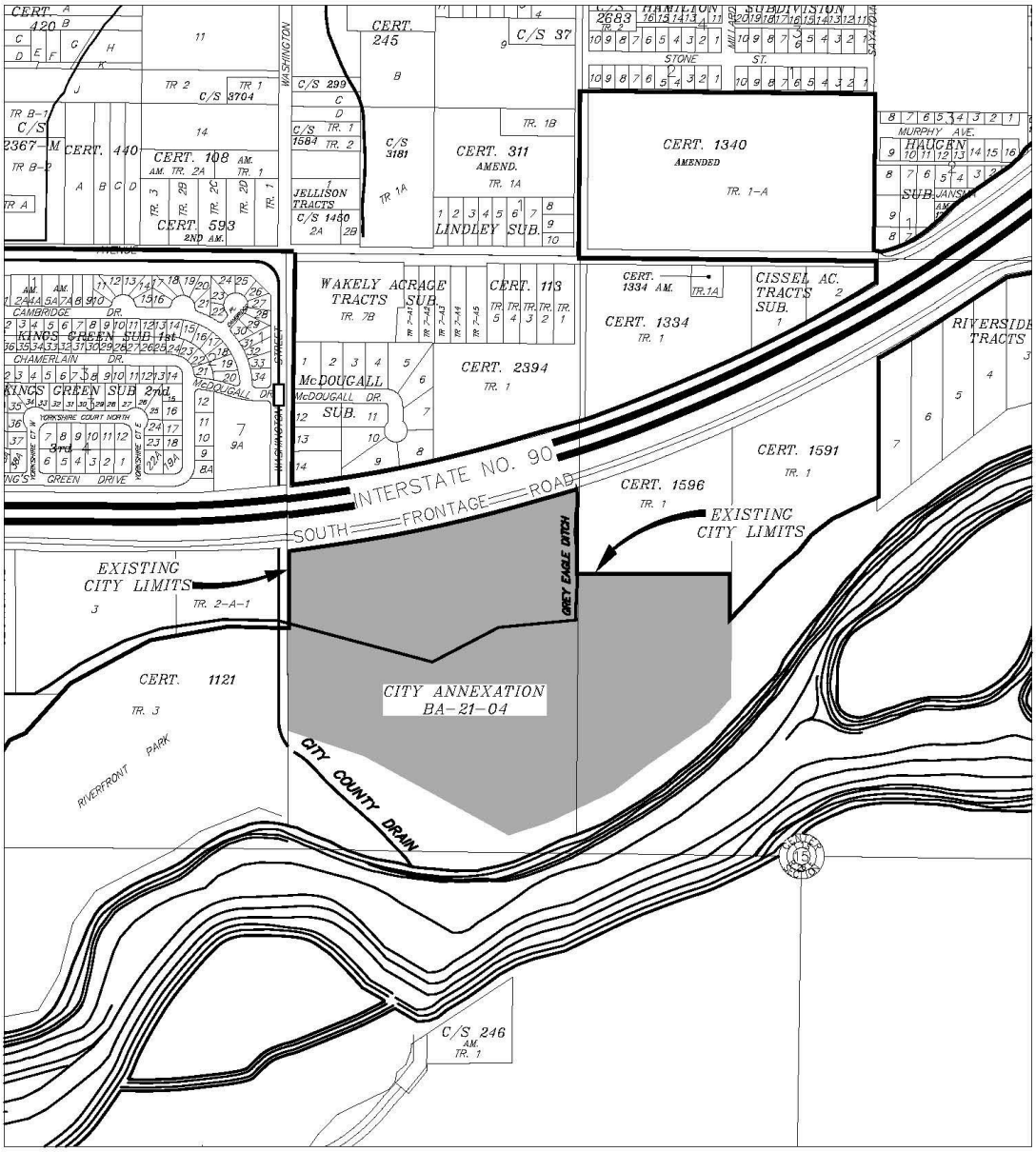
_____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(#21-04)

EXHIBIT BA-21-04



City Council Regular

Date:	07/12/2021
Title:	Public Hearing and Resolution - Annexation 21-05
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	Yes

RECOMMENDATION

Staff recommends the City Council hold a public hearing and annex the petitioned property with the staff recommended conditions of approval.

Note: This Annexation is for property to be included in the South Billings Boulevard Urban Renewal District (SBBURD). Property must be annexed into the City before it may be included in the SBBURD. The City Council must act on this annexation as one of the steps at the meeting tonight so it can then take action to expand the SBBURD to include this and other properties.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On May 10th the City Council was asked to begin the process to annex City owned property to enable future access to municipal services as the property is master planned for City operations expansion and to bring the property into the South Billings Urban Renewal District (SBBURD). State Law under 7-2-43 MCA provides municipalities the authority to annex contiguous land. The subject property is 22.90 gross acres of land owned by the City of Billings and located at 6014 South Billings Boulevard, directly south of the current Billings Operation Center, and contiguous to the City Limits. The property is legally described as a tract of land situated in the SE 1/4 of Section 17, and the NW1/4 and the SW 1/4 of Section 16, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana.Including all adjacent rights-of-way of Montana State Highway No. 416.

There are adequate ways to serve the property for city needs across all departments. At this time there are only short term plans for a Public Works Solid Waste building. The City will, in the future, master plan the property so that it can function together with the existing BOC to the north and support new and expanded City service operations. Other immediate activities include demolition of the existing house and out buildings on the property this summer.

Montana Code Annotated does not require the City to prepare a provision of public services plan for Annexation of Contiguous Land (Section 7-2-43, MCA). Planning Division staff consulted with all city departments but given this is City-owned property that will be used to serve city needs and there was limited feedback with no concerns there is not an in depth summary of departmental responses.

The proposed annexation complies with the adopted City Annexation Policy criteria as follows:
1. The area is located within the City's Annexation Petition Area on its Limits of Annexation Map.
2. The City is able to provide adequate city services within a time period mutually agreed to by the property owners requesting annexation and the City.
3. Existing or proposed public improvements within the area to be annexed will meet City standards.
4. All property owners within the area to be annexed must sign a Waiver of Right to Protest future Special Improvement Districts.
5. If annexed, any proposed land use will comply with the zoning.

Conditions of approval are usually recommended with annexations. Given this is city-owned property and the development is controlled by the city, a development agreement is not required nor needed. Following a public hearing, staff recommends approval of Annexation 20-05.

STAKEHOLDERS

Annexation of Contiguous Land requires a 20-day protest period be noticed to the public. Three notices of the protest period and public hearing were published and the property was posted on June 22, 2021.

ALTERNATIVES

On May 10th, the City Council passed a Resolution of Intent to annex the property.

On July 12th, the City Council will conduct the public hearing, consider protests for the annexation, and may take action on the annexation request

Section 7-2-43, Montana Code Annotated (MCA) provides to process for local governments to annex contiguous properties. To comply with Section 7-2-4314, MCA, the City must hold a public hearing prior to taking action on the Resolution of Annexation.

The Council may:

- Hold a Public Hearing and approve the Resolution of Annexation of the contiguous property,
- Hold a Public Hearing and disapprove the Resolution of Annexation. Not annexing the property will result in the property remaining outside the City Limits and the application of City Ordinances would not be possible on the property.

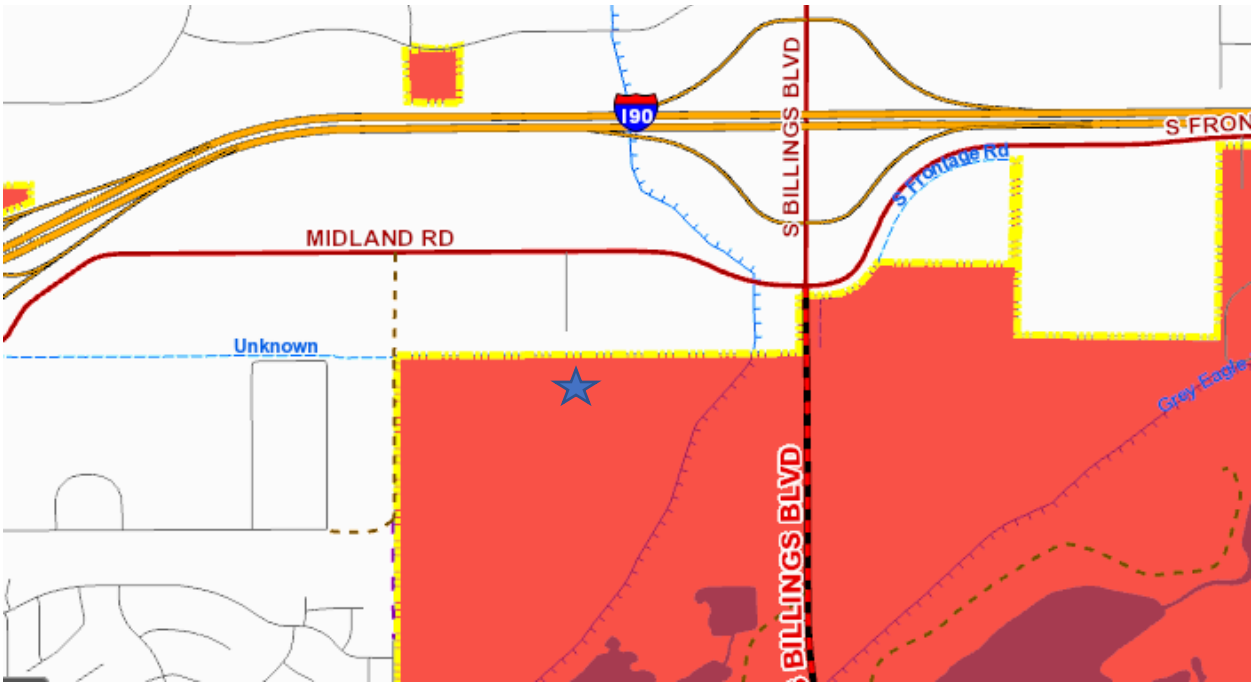
FISCAL EFFECTS

This application has no impact on the Planning Division Budget.

Attachments

Limits of Annexation Map
Resolution

Limits of Annexation Map



RESOLUTION NO. 21 -

A RESOLUTION OF THE CITY OF BILLINGS ANNEXING TERRITORY UNDER TITLE 7, CHAPTER 2, PART 43 OF THE MONTANA CODE ANNOTATED

WHEREAS, the City Council intends to annex said territory pursuant to Title 7, Chapter 2, Part 43 of the Montana Code Annotated; and

WHEREAS, the City Council of the City of Billings has determined that it is in the best interest of the City of Billings to annex the territory hereinafter described and passed a Resolution of Intent on May 10, 2021 pursuant to Title 7, Chapter 2 Part 4312; and

WHEREAS, the City of Billings provided notice and held a 20-day notice period pursuant to Title 7, Chapter 2, Part 4313 of the Montana Code Annotated; and

WHEREAS, the City of Billings provided notice and held public hearing pursuant to Title 7, Chapter 2, Part 4314 of the Montana Code Annotated; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. TERRITORY ANNEXED. Pursuant to Petition filed as provided M.C.A., Title 7, Chapter 2, Part 43, the following territory is hereby annexed to the City of Billings:

   A tract of land situated in the SE 1/4 of Section 17, and the NW1/4 and the SW 1/4 of Section 16, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

   Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana.

   Including all adjacent rights-of-way of Montana State Highway No. 416.

Said annexation containing 22.900 gross and 19.923 net acres more or less. (# 18-05) See Exhibit "A" Attached

2. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 43, have been duly and properly followed and taken.

PASSED by the City Council and APPROVED this 12th day of July, 2021.

THE CITY OF BILLINGS:

BY: _____

William A. Cole, MAYOR

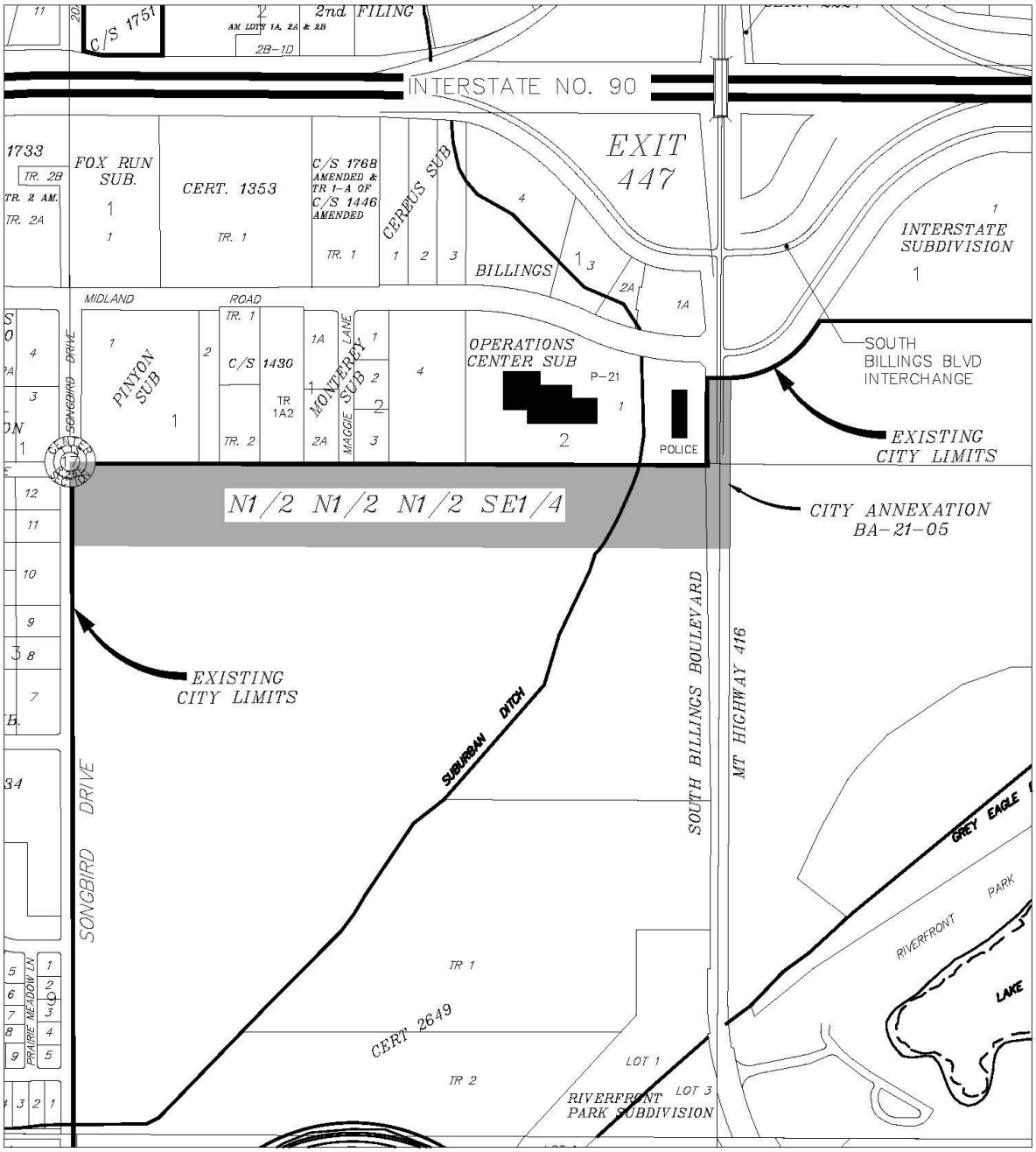
ATTEST:

BY: _____

Denise Bohlman, CITY CLERK

(AN #20-05)

EXHIBIT BA-21-05



City Council Regular

Date:	07/12/2021
Title:	Public Hearing - Ward Boundary Expansion Ordinance First Reading - Annexation 21-05
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends the City Council hold a public hearing and approve this ordinance on first reading, adding recently annexed property to Ward III.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On May 10th the City Council was asked to begin the process to annex City owned property to enable future access to municipal services as the property is master planned for City operations expansion and to bring the property into the South Billings Urban Renewal District (SBBURD). State Law under 7-2-43 MCA provides municipalities the authority to annex contiguous land. The subject property is 22.90 gross acres of land owned by the City of Billings and located at 6014 South Billings Boulevard, directly south of the current Billings Operation Center, and contiguous to the City Limits. The property is legally described as a tract of land situated in the SE 1/4 of Section 17, and the NW1/4 and the SW 1/4 of Section 16, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana.Including all adjacent rights-of-way of Montana State Highway No. 416.

Upon Council approval, this annexation requires a change in the boundaries of Ward III. Two readings are required for this action. The first reading of the ordinance is tonight at this Council meeting, along with a public hearing, and the second reading is scheduled for July 26, 2021.

ALTERNATIVES

City Council may:

- Approve adding the subject property to Ward III, or;
- Disapprove adding the subject property to Ward III.

Disapproval will not modify the boundary of Ward III and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

This item has no impact on the Planning Division Budget.

Attachments

Ward Boundary Ordinance

ORDINANCE NO. 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD III PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward III the following described real property:

A tract of land situated in the SE 1/4 of Section 17, and the NW1/4 and the SW 1/4 of Section 16, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana.

Including all adjacent rights-of-way of Montana State Highway No. 416.

Said annexation containing 22.900 gross and 19.923 net acres more or less.(#21-05) See Exhibit "A" Attached

CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the

election administrator not more than ten (10) days after the effective date of this ordinance.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 12th day of July, 2021.

PASSED by the City Council on the second reading this 26th day of July, 2021.

THE CITY OF BILLINGS:

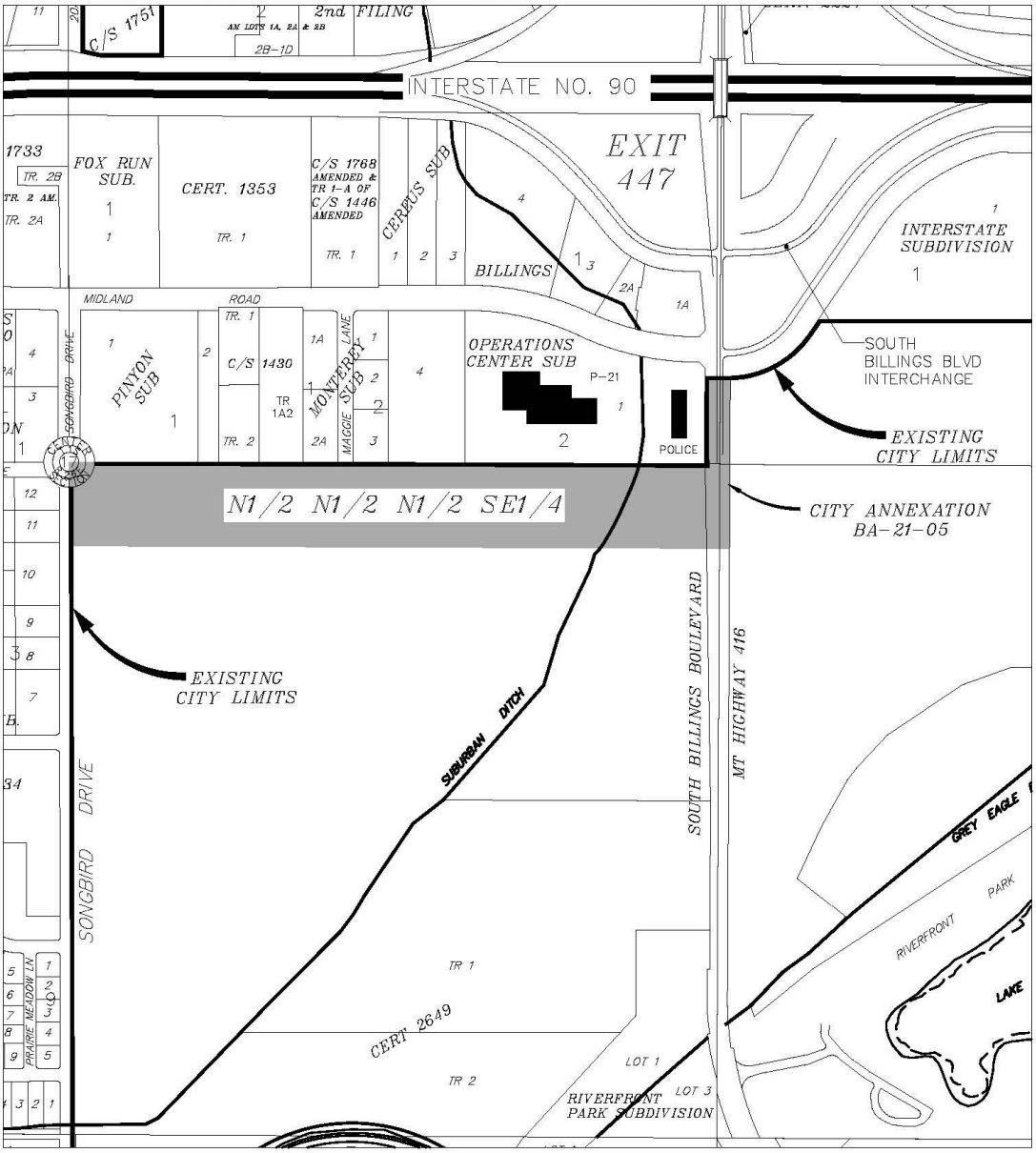
_____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(#21-05)

EXHIBIT BA-21-05



City Council Regular

Date:	07/12/2021
Title:	Zone Change 993 - South Billings Boulevard Urban Renewal District - 3508 South Frontage Road; Jackson Street; 6014 South Billings Blvd.
Presented by:	Wyeth Friday
Department:	Planning & Community Services
Presentation:	Yes

RECOMMENDATION

The City Zoning Commission recommends approval of Zone Change 993 and adoption of the findings of the 10 review criteria.

Note: This zone change is for three properties to be included in the South Billings Boulevard Urban Renewal District (SBBURD). Property must be annexed and zoned with the appropriate City zoning to be included in the SBBURD. The City Council must act on this zone change as one of the steps at the meeting tonight so it can then take action to expand the SBBURD to include this and other properties.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a zone change request to change the zoning on three properties that are being annexed into the City and are proposed to be included in the South Billings Boulevard Urban Renewal District (SBBURD). The annexation process and SBBURD expansion process are being run in coordination with these zone changes. The zone change process for these properties is following BMCC Section 27-1615 since the properties must be annexed into the City to be included in the SBBURD, they also must be rezoned to City zoning districts as they come into the City. The property owners are all in support of this process as they all want to be included in the SBBURD.

The zoning proposed for the three properties, applicant information, tax identification, and current uses are as follows:

- **3508 S Frontage Rd:** A zone change from A- Agriculture to CX -- Heavy Commercial on Section 15, Township 1 South, Range 26 East, the South Fraction of Lots 2 & 3 (LESS HWY & C/S 2394) generally located at 3508 S Frontage Road, a 35.94 acre parcel of land, Torgerson's Real Estate Holding, LLC, owner. Tax ID: D01863. Property has been used for agricultural operations but has been purchased by Torgerson's, the farm equipment dealer in Billings for development.
- **Jackson Street (vacant property at the northeast corner of the intersection of Jackson Street and King Avenue East):** A zone change from RR1 -- Rural Residential 1 to NX1 -- Mixed Residential 1 (south of 735 Jackson St) and N2 -- Mid-Century Neighborhood (east and north of 735 Jackson St) on C/S 2367M, Parcel B2 a 3.522 acre parcel of land, generally located on Jackson St, Jason Adkins, owner. Tax ID: D01711B. Property is vacant but owner plans for residential development.

The Planning Division did receive a valid protest for this property right before this memo was completed from property owners within 150 feet of the subject property. This will require the City Council to have a 2/3 majority vote to approve the zone change for this property of the present and voting members of the City Council on first and second reading of this zone change. Staff will have a separate ordinance prepared so that action may be taken on this property separately from the other two properties in this zone change.

- **6014 S Billings Blvd:** A zone change from A- Agriculture to P2 -- Public 2 on Section 17, Township 1S, Range 26 East, N2N2N2SE (Less .0774 acres -Highway) a 19.923 acre parcel of land, generally located at 6014 S Billings Blvd, City of Billings, owner. Tax ID: D01893. Property has been used for agricultural operations but was recently acquired by the City of Billings for future expansion of its service operations.

PROCEDURAL HISTORY

- On December 7, 2020, the Council heard a presentation on expansion of the SBBURD and directed staff to move the process forward in 2021.
- On April 6 the South Billings Urban Renewal Association (SBURA) affirmed its support of expansion of the SBBURD.
- On April 13, the Yellowstone County Board of Planning acted affirmatively on a recommendation to the City Council as to the SBBURD expansion's consistency with the 2016 City of Billings Growth Policy.
- On May 10, the City Council approved a Resolution of Intent to Expand the SBBURD and also a Resolution of

Intent to annex the City owned property described in this memo per state regulatory requirements for City-owned land. As part of these two actions, the City Council set public hearing dates for the Council meeting on July 12 to take action on the District expansion and the annexation.
- On July 12, the Council is scheduled to conduct public hearings on the annexations and zone changes of the three properties described in this memo.
- On July 12, the Council is also scheduled to conduct a public hearing and a first reading on an ordinance to expand the SBBURD.
- If the City Council approves the annexations, zone changes and ordinance modifying the SBBURD on first reading on July 12, the Council will conduct second readings of the zoning and Districy expansion ordinances on July 26. The ordinances will take effect 30 days after second reading.

South Billings Urban Renewal Association Coordinator Jim Tevlin, working with City staff in the past 10 months, has been in contact with property owners and agents interested in having property included in the South Billings Boulevard Urban Renewal District. Five properties in total are proposed to be brought into the SBBURD. Several of these properties face significant hurdles to development with property conditions and cleanups, and public infrastructure needs that align with the goals and purpose of urban renewal efforts in South Billings. City staff also is proposing that recently purchased City property just south of the Billings Operation Center be included in the District expansion. The total acreage of all of the property under consideration is about 80 acres. Several of the properties to be included in the District expansion must also be annexed into the City prior to the Council formally expanding the SBBURD. These properties also must be zoned as they come into the City per Section 27-1615, resulting in this zone change being brought to the City Zoning Commission for review and recommendation and now the City Council at this meeting.

Planning staff reviewed the proposal and recommended approval to the Zoning Commission based on the proposed findings of the 10 review criteria. The Zoning Commission concurred with the staff recommendation and has forwarded a recommendation of approval to the City Council. The proposed zoning is in conformance with the 2016 Billings Growth Policy Guidelines.

STAKEHOLDERS

The main stakeholders in this zoning process and the SBBURD expansion are the property owners whose property is to have the zoning changed. However, public discussion and opportunity to comment on the SBBURD expansion process and the elements of the expansion - annexation and zoning - has occurred at two City Council meetings already, at the Zoning Commission Meeting on June 1, and will also occur at this City Council Meeting. Further, surrounding property owners were notified via mail for all three of these properties subject of this zone change per the zoning process, and the three properties were posted with information about the Zoning Commission and the City Council meetings. Staff fielded several calls from property owners that received the surrounding property owner notice letters for the locations of this zone change as this memo was being prepared. They all were just curious and wanted clarification as to what was going on and if it affected their property directly. Staff also received four letters of opposition to the rezoning of the Adkins property included in this zone change at the corner of Jackson Street and King Avenue East. The concerns included allowing the pastoral, park-like property to be developed; allowing more than single family residential development because multi-family development increase crime; increased traffic; and increases in neighborhood conflicts. The four letters are attached to this memo for reference.

ALTERNATIVES

City Council may:

- Adopt the findings of the 10 criteria as recommended by the Zoning Commission and approve the application; or
- Amend the findings of the 10 criteria as recommended by the Zoning Commission and approve or deny the application; or
- Delay action up to 30 days.

Not approving the zone change will create a conflict where properties just approved for annexation into the City do not have City zoning applied to them.

FISCAL EFFECTS

The approval or denial of the requested zone change should have no effect on the Planning Division budget.

SUMMARY

Before making a decision on the proposed zone change, the City Council shall consider the following findings as recommended by the City Zoning Commission:

1. Is the new zoning designed in accordance with the City of Billings 2016 Growth Policy?
The proposed zoning does conform to the following City of Billings 2016 Growth Policy and guidelines:

Prosperity (promoting equal opportunity and economic advancement)

- A diversity of available jobs can ensure a strong Billings' economy·
- Successful businesses that provide local jobs benefit the community·
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses·
- Retaining and supporting existing businesses helps sustain a healthy economy·

Essential Investments (relating public and private expenditures to public values)

- Walking Paths and Trails -- Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.
- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Infill development and development near existing City infrastructure may be the most cost-effective
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings

Home Base (healthy, safe and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important

The zoning proposed for these three properties as part of the annexation and SBBURD expansion process includes CX (Heavy Commercial) for the Torgerson property; Residential zoning of NX1 and N2 for the Adkins property; and P-2 zoning for the City Owned property. Overall, infrastructure improvements that will occur at all three of these properties match the Growth Policy goals in Essential Investments listed above - pedestrian facility additions, development near existing utilities and services, and protection of the environmental quality of the Yellowstone River.

Torgerson Property - The CX zoning on the Torgerson property along the south frontage road fits in with the surrounding zoning and uses in the area. Property on the east and west of the subject property are zoned CX and are both already in the City Limits. Commercial development in this area fits with the major transportation access and frontage along the I-90 corridor, development in the City in this area is important to avoid septic systems and wells in proximity to the Yellowstone River, and the new owners of this property, Torgerson's Equipment, intend to expand their existing business in Billings to this site.

Adkins Property - NX1 and N2 zoning in the Adkins property provide housing choices per the goal of the Home Base element of the Growth Policy in this area of Billings and match well with the residential and commercial zoning at the corners of Jackson Street and King Avenue East, as well as north along Jackson Street. The NX1 zoning allows up to four housing unit structures at the corner, while N2 allows for single and two-unit housing structures on the majority of the property north along Jackson Street.

City Owned Property on South Billings Boulevard - P2 zoning for the City property correctly aligns the nature of the future development of this property as additional City service facilities just south of the City's current Operation Center. Development of this property also will begin to extend pedestrian facilities and public infrastructure south along South Billings Boulevard in an area that still has a rural road cross-section.

These zone changes also align with the goals of the SBBURD Urban Renewal Plan and South Billings Master Plan:

SBBURD Urban Renewal Plan - These zone changes and future development of these properties supports multiple goals of the Urban Renewal Plan:

Conservation and Support of Housing (pg 19) - Providing the District with housing opportunities is vital to the sustainability of the District. With housing opportunities, individuals and families can live and work within the District. This provides a dual benefit; first, the commute to work for individuals will be reduced and second, the businesses within the District will have a local work force to draw from. The Adkins property rezoning will address additional housing choices in the area.

Transportation and Pedestrian Circulation (pg 20) - The transportation and circulation situation in the TIF

District should be a major focus during redevelopment of the area. Traffic patterns and access issues can affect the function and livability of a community or neighborhood. All three of these zone changes will facilitate development and pedestrian and street improvements in this area of Billings.

Infrastructure and Utilities (pg 21) - The District has infrastructure and utilities deficiencies that need to be addressed prior to any large influx of redevelopment or new building construction. Water and sewer conditions need to be addressed due to out of date installations, inadequate lines, or increases in impacts to existing structures. All three of these zone changes will result in development that includes new public infrastructure to help serve new development and existing businesses and residents of the area.

South Billings Master Plan - These and future development of these properties supports multiple goals of the Master Plan:

Goals (pg 12) - Make SBBURD a desirable destination for reinvestment; Provide better streets and more diverse housing choices; Ensure the availability of City sewer and water, and complete streets with integrated stormwater and expanded transportation choices; Reduce blight and encourage reinvestment.

2. Is the new zoning designed to secure from fire and other dangers?
The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations to provide security from fire and other dangers. Buildings developed within the city limits will comply with building and fire safety codes.

3. Whether the new zoning will promote public health, public safety and general welfare?
The proposed zoning may promote the health and general welfare. The proposed CX zoning will allow compatible uses adjacent to the CX zoning to the east and west. The proposed NX1 and N2 zoning will fit well with the neighborhoods around the intersection of Jackson Street and King Avenue East. The P2 zoning will enable the City to add to its service facilities adjacent to its existing Operation Center.

4. Will the new zoning facilitate the provision of transportation, water, sewerage, schools, parks and other public requirements?

Transportation: The proposed zoning will have a measurable effect on traffic generation. However, all of these properties are adjacent to Principle or Minor Arterial Streets, that can handle additional traffic volumes generated by both commercial and residential development. Future development of these properties also will involve traffic impact analysis to determine if any traffic improvements are needed based on the uses and traffic volumes generated from the development.

Water and Sewerage: The properties will all be served by public water and sewer systems when annexed to the City. Further, inclusion in the SBBURD will enable consideration of added infrastructure investment adjacent to these properties that will enhance the experience and safety of pedestrians and the traveling public.

Schools and Parks: The proposed zoning of CX and P2 for two of the properties should not impact the student population. Residential development on the Adkins property will have some affect on schools in the area. Schools are in proximity to the property, enabling students to walk or bicycle to school.

Fire and Police: The subject properties are all currently serviced by BUFSA and the Yellowstone County Sheriff's Department. Once annexed, fire protection and building plan review will be done at the time of building permit application through the Billings Building Division and Fire Department. Public safety services will be provided by the City Police Department.

5. Whether the new zoning will provide adequate light and air.
The proposed zoning would require minimum setbacks, maximum building heights and maximum lot coverage. These requirements should allow adequate light and air to reach the subject property and adjacent properties.

6. Whether the new zoning will effect motorized and non-motorized transportation.
The proposed zoning itself will not generate more traffic on any of the adjacent streets. When development is proposed, impacts to transportation systems will be evaluated. Pedestrian traffic in the area is limited due to the lack of sidewalks and trails or gaps in pedestrian facilities. However, with these zone changes and inclusion of the properties in the City, development of the properties will include pedestrian infrastructure as well as other street improvements to enhance both non-motorized and motorized transportation.

7. Whether the new zoning will promote compatible urban growth.
The proposed zoning is compatible with the adjacent zoning and existing urban growth in the vicinity. The CX zoning

on the Torgerson property will match the existing CX zoning of property already in the City to the east and west of the property. The proposed zoning is compatible with the adjacent zoning and existing land uses. The NX1 and N2 zoning of the Adkins property will fit well with the surrounding residential and neighborhood commercial zoning in the area of the intersection of Jackson Street and King Avenue East. And the P2 zoning for the City property will fit the existing Billings Operation Center property directly to the north and facilitate future City service delivery.

8. Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses.
The subject properties and the proposed zoning for each of them are designed to fit the neighborhoods and areas of Billings where they are located. The commercial uses allowed in CX will serve existing and new commercial development needs for Billings and the area. The NX1 and N2 residential districts will add to the housing choices and quantity in this area of Billings, which already has well established residential neighborhoods. The P2 zoning for the City property will accommodate expansion of City service facilities and the ability of the City to deliver services to its residents.

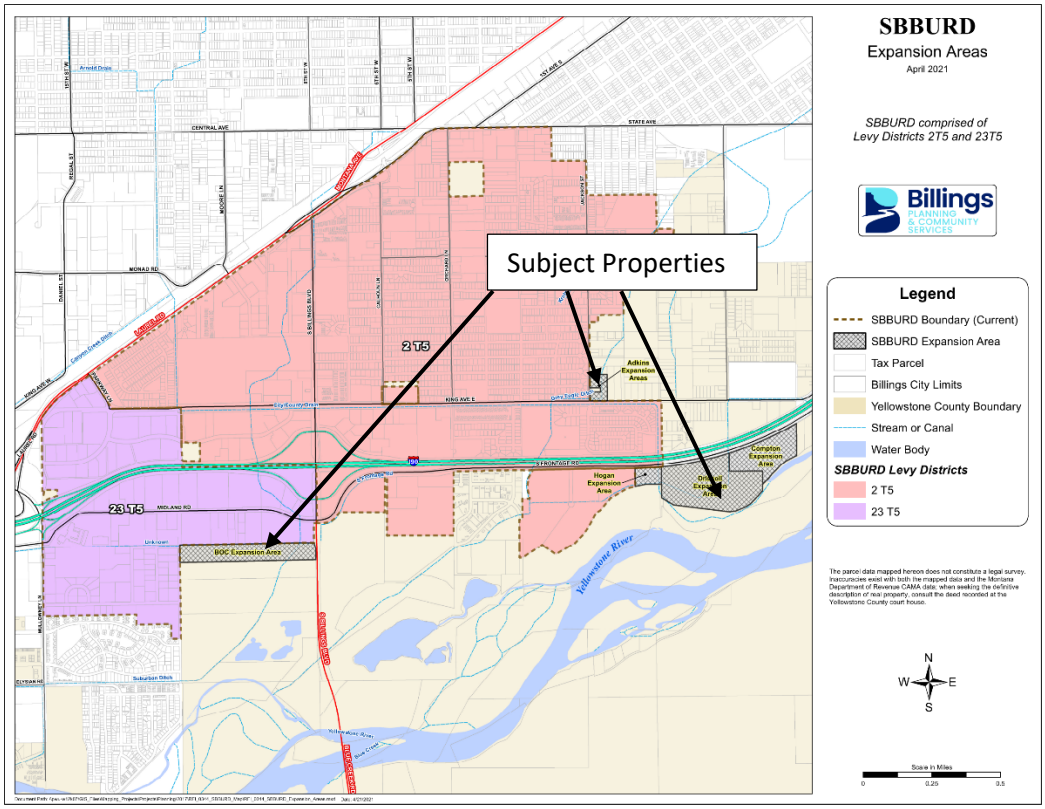
9. Whether the new zoning will conserve the value of buildings.
The new zoning is not expected to alter the value of any buildings in the area. Any development of the properties will need to meet the applicable site development requirements in the zoning code, including landscaping, screening, building heights and setbacks for the applicable commercial or residential district.

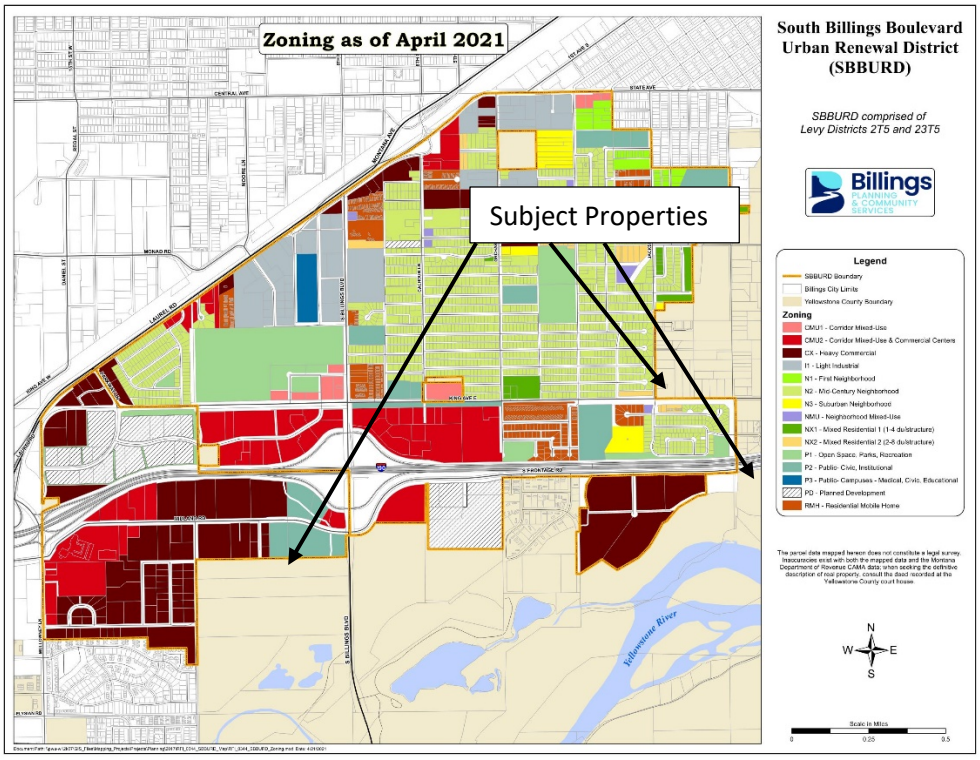
10. Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.
The proposed zoning does encourage the most appropriate use of land in these three areas of the City. The Driscoll property is an area of continued commercial development. The Adkins property is in an established residential neighborhood where added housing opportunities are an appropriate use of the land. The City property is adjacent to its existing operation center and not near any residential development, so expanded city service facilities is a good fit for that area of the City.

Attachments

Zoning Map and Site Photos
Zoning History
SBBURD Expansion Area Map
Letters of opposition ZC993
Zoning Ordinance

SBBURD and Zoning Map





Site Photos

Adkins Property



Looking East at subject property across Jackson Street.



Looking northwest toward Jackson Street from southern part of property.



Looking west across Jackson Street from subject property.



Inholding property not owned by Adkins and not part of the zone change.

Driscoll/Torgerson's Property



Subject property looking southwest from South Frontage Road.



Looking along subject property frontage to adjacent property to the west.



Looking east along the subject property frontage at property adjacent to the east.

City Property



Subject property looking west from across South Billings Blvd.



From eastern edge of subject property looking west along City's Operation Center.



Looking southwest from across South Billings Blvd. Subject property is to the right.

SUBJECT PROPERTY	Zone Change #	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
3508 S Frontage Rd	**County SR 271**	1/9/2001	250 ft wireless communication tower	Yes	Not constructed "A" zone district
711 Jackson Street	**County ZC 409**	5/10/1989	R-150 to RMH	No	RR1 zone district
6014 S Billings Blvd	**None**				"A" zone district
SURROUNDING PROPERTY	**Zone Change #**	**DATE**	**FOR**	**APPROVED (Y/N)**	**ADDITIONAL DATA**
3218 S Frontage Rd	**County SR 207**	8/12/1993	Gravel Mine	Yes	Mine completed and reclaimed Current zone = CX
3218 S Frontage Rd	County ZC 617	8/26/2008	A-1 to CI	Yes	Current zone = CX
3100 S Frontage Rd	County ZC 230	3/6/1979	R-150 to HC	Yes	Current zone = CX
3716 S Frontage Rd Intermountain St	County ZC 613	2/26/2008	A-1 to CI	Yes	Current zone = CX
Cambridge Sub	City ZC 649	7/26/1999	PD to RMH	Yes	Current Zone = RMH
4029 Kratz Lane Kosmann Cabinets	County ZC 640	5/28/2013	RMF to CC	Yes	Current Zone = C3
City Center Sub (King Ave E and Sugar Ave)	County ZC 545	3/15/2002	R-150 to CI	Yes	Current Zone = I1
Billings Operations Center	City ZC 706	12/9/2002	A-1 to Public and EGC	Yes	Current zone = P2 & CMU2
4600 S Frontage Rd I-State Truck Center	City ZC 746	12/13/2004	A-1 to EGC	Yes	Current zone = CMU2
4432 S Frontage Rd Billings Auto Auction	City ZC 689	4/22/2002	A-1 to Planned Development (CC)	Yes	Current Zone = PD-CC

SBBURD

Expansion Areas

April 2021

SBBURD comprised of
Levy Districts 2T5 and 23T5

Billings PLANNING & COMMUNITY SERVICES

Legend

- SBBURD Boundary (Current)
- SBBURD Expansion Area
- Tax Parcel
- Billings City Limits
- Yellowstone County Boundary
- Stream or Canal
- Water Body

SBBURD Levy Districts

- 2 T5
- 23 T5

The parcel data mapped hereon does not constitute a legal survey. Inaccuracies exist with both the mapped data and the Montana Department of Revenue CAMA data; when seeking the definitive description of real property, consult the deed recorded at the Yellowstone County court house.

N
W E
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Scale in Miles
0 0.25 0.5

Document Path: \\pwu-w12k07\GIS_Files\Mapping_Projects\Projects\Planning\2017\RFI_0344_SBBURD_Map\RFI_0344_SBBURD_Expansion_Areas.mxd Date: 4/21/2021

From: Kevin Mccarthy [mailto:violasgranpa@yahoo.com]
Sent: Monday, May 24, 2021 6:47 PM
To: Friday, Wyeth <FridayW@billingsmt.gov>
Subject: [EXTERNAL] CITY ZONE CHANGE 993

GREETINGS: MY NAME IS KEVIN MCCARTHY AND I LIVE AT THE END OF LEBRUN LANE. I AM WRITING THIS LETTER IN HOPES YOU DO NOT APPROVE CITY ZONE CHANGE 993. I HAVE LIVED HERE IN PEACE AND QUIET FOR 37 YEARS. I JUST WANT TO BE ABLE TO LIVE QUIETLY LIKE I ALWAYS HAVE. THIS AREA HAS ALWAYS BEEN A VERY NEIGHBORLY PART OF BILLINGS AND I WANT IT TO STAY THAT WAY. I BELIEVE THAT THE DEVELOPEMENT OF THIS AREA WOULD CAUSE A LOT OF ILL WILL, IN MANY WAYS, AND IT NEEDS TO BE AVOIDED COMPLETELY. PLEASE LEAVE THIS AREA AND ITS QUIET PEACEFUL PEOPLE ,AND THIER WAY OF LIFE, BE. IT IS ALL SOME OF US HAVE IN LIFE, AND I PRAY YOU WONT CRUSH DREAMS AND END WHAT WE HAVE WORKED SO HARD TO MAKE HERE. THANK YOU FOR YOUR CONSIDERATIONS.

SINCERELY KEVIN MCCARTHY 4027 LEBRUN LANE

From: Clark Schmidt [mailto:clarkeschmidt@gmail.com]
Sent: Friday, May 21, 2021 4:28 PM
To: Friday, Wyeth <FridayW@billingsmt.gov>
Subject: [EXTERNAL] City Zone Change 993

Roger Schmidt (3971 King Ave E) and Clark Schmidt would recommend that the City/County Planning board **does not approve** the City Zone Change for 993. The area is currently zoned as RR1 and should keep that same zoning. Many of the residents east of Jackson street to Washington street have lived in that area for many years and enjoy our current ability to raise large gardens, pasture approved animals, and space to stretch your legs. Jackson street has been the border of our zoning RR1 for many years. That zoning has been well received with the residents that live in the RR1 zone. The owner of the property, who doesn't live in the area or for that matter in Billings, wants to change our nice neighborhood. With that development there will be more traffic, people, and confrontation with landowners rights. The current property that is requesting a zone change has several easements running through it which will make it hard to develop. One concern would be the Grey Eagle ditch and how to keep individual off the easement and out of the ditch. When you travel west of Jackson Street on King Ave East there are several larger tracts that are undeveloped in the city limits witch could be used for housing. Please leave our nice neighborhood alone. Thank you for your time and consideration of keeping our neighborhood.

Roger Schmidt
3971 King Ave E

Clark Schmidt
3638 Jene Helene Ave

From: Nanci [mailto:nanjim219@charter.net]
Sent: Sunday, May 23, 2021 4:50 PM
To: Friday, Wyeth <FridayW@billingsmt.gov>
Subject: [EXTERNAL] MPO

Sent from Mail for Windows 10

Jim and Nanci Holloway (owners of 3723 and 3805 King Ave. East) request that the City/County Planning Board does not approve the city zone change 993. We purchased this property in the early 1980's and enjoy the way it is presently zoned. Nanci is a fourth generation (Jellison/Jost) on this property and would prefer to see the zoning left alone. Please leave our neighborhood as is so we can enjoy our large garden and open space as it was intended. Thank you for consideration.
Jim Holloway
Nanci Holloway
3805 King Ave East
3723 King Ave East

RE: CITY ZONE CHANGE 993

May 27,2021

To whom it may concern:

I have been a resident at 3905 King Ave East for more than 50 years. I STRONGLY recommend that the City/County Planning board **DOES NOT APPROVE** the City Zone Change for 993. This area is currently zoned as RR1 and should keep that same zoning. I as well as many others are long time residents in this area from east of Jackson Street to Washington Street and enjoy having our space and country life feel that we get with our somewhat secluded property. The current property requesting a zone change has multiple easements running through it which will make it difficult to develop. One being a pipeline, the other being the Grey Eagle Ditch which would be a huge concern keeping individuals off the easement and out of the ditch. With that development there would be more traffic, people, and confrontation with landowner rights. We already have multiple apartment complexes close to this location and are seeing increased violent crimes in recent months! Furthermore, the person who owns this property does not even live in our area OR IN BILLINGS for that matter wants to make a change that will not affect his lifestyle, but it WILL affect all of us in this corridor… Please leave our nice neighborhood alone and **DO NOT APPOVE** this zone change. Thank you for your time and consideration of keeping our wonderful neighborhood the way it is!

Sincerely,

Darlene D. Hert

3905 King Ave East

ORDINANCE 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION ON TRACT B-2, OF AMENDED TRACT B OF CERTIFICATE OF SURVEY NO. 2367 M (NORTHEAST CORNER OF THE INTERSECTION OF JACKSON STREET AND KING AVENUE EAST); FRACTIONS OF GOVERNMENT LOTS 2 AND 3, SECTION 15, T.1S., R.26E., P.M.M., YELLOWSTONE COUNTY, MONTANA, BEING UNPLATTED LAND WHOLLY SURROUNDED ON THE WEST BY TRACT 5 OF CERTIFICATE OF SURVEY 1121, ON THE SOUTH BY THE YELLOWSTONE RIVER, ON THE EAST BY THE YELLOWSTONE RIVER AND TRACT 1 OF CERTIFCIATE OF SURVEY NUMBER 1591, ON THE NORTH BY TRACT 1 OF CERTIFICATE OF SURVEY NUMBER 1596, AND SOUTH FRONTAGE ROAD RIGHT-OF-WAY (3508 SOUTH FRONTAGE ROAD); AND BEING THE N1/2, N1/2, N1/2, SE1/4 OF SECTION 17, T.1S., R.26E, P.M.M., YELLOWSTONE COUNTY. MONTANA (6014 SOUTH BILLINGS BOULEVARD); BE AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. **DESCRIPTIONS.**

Adkins Property

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M is presently zoned **Rural Residential 1 (RR1)** and is shown on the official zoning map within this zone.

Torgerson Property

Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 of Certificate of Survey 1121, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, on the North by Tract 1 of Certificate of Survey Number 1596, and South Frontage Road Right-Of-Way

is presently zoned **Agriculture (A)** and is shown on the official zoning map within this zone.

City of Billings Property
Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana is presently zoned **Agriculture (A)** and is shown on the official zoning map within this zone.

Section 3. **ZONE DISTRICT AMENDMENTS.** The official zoning map is hereby amended and the zoning for:

Adkins Property
Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, is hereby changed from **Rural Residential 1 (RR1)** to **Mixed Residential 1 (NX1)** (south of 735 Jackson St) and **Mid-Century Neighborhood (N2)** (east and north of 735 Jackson St), and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Mixed Residential 1 (NX1)** and **Mid-century Neighborhood (N2)** as set out in the Billings, Montana City Code.

Torgerson Property
Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 of Certificate of Survey 1121, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, on the North by Tract 1 of Certificate of Survey Number 1596, and South Frontage Road Right-Of-Way, is hereby changed from **Agriculture (A)** to **Heavy Commercial (CX)**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Heavy Commercial (CX)** as set out in the Billings, Montana City Code.

City of Billings Property
Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana, is hereby changed from **Agriculture (A)** to **Public 2 (P2)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Public 2 (P2)** as set out in the Billings, Montana City Code.

Section 4. **EFFECTIVE DATE**. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6**.** **SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 12th Day of July, 2021.

PASSED, ADOPTED and APPROVED on second reading this 26th day of July, 2021.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

Zone Change 993, Adkins, Torgerson, and City of Billings Properties

City Council Regular
Date: 07/12/2021
Title: SBBURD - Public Hearing and First Reading of Ordinance to Expand the District
Presented by: Wyeth Friday
Department: Planning & Community Services
Presentation: Yes

RECOMMENDATION

The South Billings Urban Renewal Association and City staff recommends the City Council conduct a public hearing and adopt on first reading an ordinance to expand the boundary of the South Billings Boulevard Urban Renewal District (SBBURD) and adopt a modified Urban Renewal Plan, including a tax increment provision. The City Council adopted a resolution of intent to expand the boundaries of the SBBURD at its meeting on May 10, 2021 and set a public hearing and first reading of the ordinance for this meeting. The SBBURD was originally created on May 12, 2008.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The existing SBBURD boundary may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. City Council at its December 7, 2020 Work Session directed staff to move forward with the process to expand the SBBURD in 2021. The SBURA Board voted at its April 6 meeting to affirm its support for expansion of the SBBURD by the City. The City Council approved a resolution of intent to expand the District at its May 10 meeting as the first formal step for the City Council to move the process forward.

South Billings Urban Renewal Association Coordinator Jim Tevlin working with City staff in the past year or so has been in contact with property owners and agents interested in having property included in the South Billings Boulevard Urban Renewal District. Several of these properties face significant hurdles to development with property conditions and cleanups, and public infrastructure needs that align with the goals and purpose of urban renewal efforts in South Billings. City staff also is proposing that recently purchased City property just south of the Billings Operation Center be included in the District expansion. The total acreage of all of the property under consideration is about 80 acres. Several of the properties to be included in the District expansion (See properties described below) must also be annexed into the City and zoned to city zoning districts prior to the Council formally expanding the SBBURD. These annexations and zone changes will be coming to the Council at the meeting on July 12 prior to the public hearing and expansion action.

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The District was formed and amended in 2008, and the Urban Renewal Plan for the District was amended in 2019. However, the District boundary has not been expanded since 2008. While expanding urban renewal districts is not common, it is a tool available to communities under the urban renewal laws, and Billings has most recently used the tool in the East Billings Urban Renewal District in 2015. The process mirrors the process to create a district, with Council taking action on a resolution of intent to expand the District, updated Urban Renewal Plan, notification of property owners that would be included in the expansion, Planning Board review of expansion, legal notice of public hearing, and final Council action to expand the District.

The following properties are proposed in the attached Ordinance to be included in the SBBURD expansion:

Adkins Property - Northeast corner of the intersection of Jackson Street and King Avenue East, about 4 acres, owned by Jason Adkins with an in-holding owned by Robert Ronshaugen. The in-holding property will not be annexed to the City or included in the District expansion at this time. The Adkins property will be annexed to the City and zoned for residential development prior to the expansion of the District. Property has some possible characteristics of blight and also would involve frontage and infrastructure improvements along King Avenue East and Jackson Street to facilitate development.

Compton Property - 3218 South Frontage Road, about 17 acres, owned by KSKC Properties, LLC (Tim Compton). Property is former Knife River gravel pit that was remediated, annexed into the City and sold to KSKC Properties, LLC in 2011. Property requires remediation work to develop due to the fill material on the site. Water and sewer infrastructure extensions and access are significant in this area, but improvements would benefit this and other properties in the area to access City services.

Torgerson (formerly Driscoll) Property - 3508 South Frontage Road, about 36 acres, owned by Driscoll Family, LP. The Torgerson property will be annexed to the City and zoned prior to the expansion of the District. Development would involve significant frontage and infrastructure improvements along the South Frontage Road.

Hogan Property - 3716 South Frontage Road, about 3.6 acres, owned by Evolution HC, LLC. Property was Annexed by the City Council in November 2020. A minor subdivision is in process for the property with further commercial development planned.

City Property - West of South Billings Boulevard and south of the Billings Operation Center on Midland Road, about 20 acres, owned by the City of Billings. The property is agricultural land and will be used to expand City services in connection with the Operations Center and other city services needs in the future. No master plan for future facilities has been developed at this time. The property will be annexed to the City and zoned prior to the expansion of the District.

City staff find that several of these properties have qualifying conditions per MCA 7-15-4202 and 7-15-4206 (2), that all of them require public infrastructure improvements as identified in the 2008 and 2019 project and program recommendations of the adopted SBBURD Urban Renewal Plan, and that including some, or all, of these properties in the District would ensure development with municipal services and building to the infrastructure, site, land use and building requirements and standards of the City of Billings.

DETERMINATION OF BLIGHT

As described above, the proposed SBBURD Expansion area contains a number of underdeveloped properties and areas lacking complete infrastructure. The Council previously determined that the property included in the SBBURD was "blighted" in its adoption of Ordinance #08-5462 and Ordinance #08-5484 that (a) created the SBBURD and (b) adopted an urban renewal plan for the district. Deficiencies in public and private properties located in the district led to a determination of blight, as defined by state statute. As cited in the current Urban Renewal Plan, the area still meets several definitions of blight. Further details of the determinations summarized below are found in Section 5 of the SBBURD Plan Amendment attached to this memo: Deficient Structures - buildings, street infrastructure, water and sewer infrastructure, stormwater infrastructure; Deficient Land Use - surface storage lots, vacant lots; Protecting Public Health and Safety- conditions of blight, reduced "social capital" and community connectedness. The City desires to improve the quality of land use, city infrastructure and economic development potential of these properties by including them in the SBBURD to construct needed public infrastructure improvements, grow the tax base, increase the inventory of residential property, stimulate commercial development, and further implement the visions of the SBBURD Master Plan.

PROCEDURAL HISTORY

- On December 7, 2020, the Council heard a presentation on expansion of the SBBURD and directed staff to move the process forward in 2021.
- On April 6 the South Billings Urban Renewal Association (SBURA) affirmed its support of expansion of the SBBURD.
- On April 13, 2021, the Yellowstone County Board of Planning acted affirmatively on a recommendation to the City Council as to the SBBURD expansion's consistency with the 2016 City of Billings Growth Policy.
- On May 10, the City Council approved the Resolution of Intent to Modify the District, Declare Blight, and set a public hearing date for July 12.
- On July 12, the Council is scheduled to annex and zone several properties to be included in the District, and conduct a public hearing and conduct a first reading on an ordinance to expand the SBBURD.
- If the City Council approves the ordinance modifying the SBBURD on first reading on July 12, the Council will conduct a second reading of the ordinance on July 26. The ordinance will take effect 30 days after second reading.

Conformance with the City of Billings 2016 Growth Policy is one requirement for expanding an urban renewal district. Growth Policy conformance is outlined in **Section 14 of the SBBURD Urban Renewal Plan Amendment** and **Section 10 SBBURD Expansion Summary Document,** both attached to this memo. Further, the Yellowstone County Board of Planning provided a recommendation to the City Council on the proposed SBBURD expansion's conformance with the 2016 Growth Policy (See attached Planning Board Letter).

STAKEHOLDERS

The owners of the properties to be included in the modified SBBURD area were contacted by the SBURA Board's representative and City staff about modifications to the District. The owners will be officially notified via letter in accordance with 7-15-4215, MCA, of the public hearing on the modified SBBURD to be held July 12. Notification of

the public hearing by the City Council on July 12, will be properly advertised in the *Yellowstone County News.*

ALTERNATIVES

City Council may:

- Approve the ordinance on first reading to expand the SBBURD; or
- Not approve the ordinance on first reading to expand the SBBURD. Staff, the SBURA Board and property owners have been working since Council provided direction in December 2020 to bring this expansion of the SBBURD back for its consideration, so it would be important if the ordinance is not approved on first reading that Council provide reasoning and direction to staff.

FISCAL EFFECTS

The exact financial impact of modifying the SBBURD is unknown. However, the 2020 taxable market value of the 4 private properties to be included in the modified SBBURD is approximately $22,500. The purpose of an urban renewal and tax increment district is for the public to invest in infrastructure and thereby encourage private investment that increases the taxable value. Without the public investment, it is assumed that the private investment would be delayed or would not occur on these properties, thus there is no "loss" of taxes from freezing the taxable value base because all taxing entities continue to collect taxes on the base value as it is today.

Attachments

SBBURD Expansion Summary Description
SBBURD Amendment Ordinance
SBBURD Urban Renewal Plan
Planning Board Growth Policy Conformance

SUMMARY DOCUMENT

2021 Expansion of the South Billings Boulevard Urban Renewal District & Amendment to the Urban Renewal Plan

South Billings Urban Renewal Association
Statement of Position

Presented to
City of Billings Planning & Community Services Department

South Billings Urban Renewal Association (SBURA)
PO Box 21271
Billings, MT 59104

Consultant: James Tevlin
Email: jtev1960@gmail.com

Section 1 – Introduction

On May 12, 2008, the City of Billings (i.e., "the City") adopted Ordinance 08-5462 creating the South Billings Boulevard Urban Renewal District (SBBURD) and established a tax increment finance district (i.e., "the District"). Concurrently, the City adopted an Urban Renewal Plan and established the boundaries of the District.

On December 8, 2008, the City adopted Ordinance 08-5484, which expanded the District to its current boundaries (see Appendix I).

On July 22, 2019, the City adopted Ordinance 19-5725, that modified the Urban Renewal Plan for purposes of identifying future projects/programs, ensuring the City has the option to bond future projects and updating the 2008 Plan to reflect the 2019 amendment process.

In summer 2020, City staff in coordination with the South Billings Urban Renewal Association and its consultant, began discussion of expanding the District Boundary to include additional properties. The proposed expansion as brought to the City Council at a December 2020 Work Session for review and discussion. The Council at that meeting directed staff to move the process to expand the District forward in 2021. The properties proposed for expansion, as discussed below, have growth opportunities, consistent with the District's Master and Urban Renewal Plans, that will result in favorable economic development, public infrastructure and amenities.

Section 2 – Background

In 2008, the Billings City Council established an urban renewal area (subsequently known as the South Billings Boulevard Urban Renewal District) by resolution declaring the area contains structures and property that are:

- in a state of substantial deterioration,
- are obsolete or defective,
- pose unsanitary or unsafe conditions,
- are vacant and unused,
- have inappropriate uses.

Additionally, the Council believed the condition of the area:

- substantially impairs the sound functioning of the South Billings Boulevard area and its environs,
- is conducive to juvenile delinquency and crime,
- poses the threat of vandalism or mischief and fire and loss,

- constitutes an economic and social liability,
- and is a menace to the public health, safety and welfare of the residents of the City.

The Council also considered urban renewal opportunities in the District consisting of:

- the acquisition of certain vacant or blighted properties,
- demolishing the blighted structures thereon,
- improving such properties with landscaping, utilities and other similar improvements,
- assembling and making such properties so improved available for private redevelopment in accordance with Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended.

The Council currently has a Memorandum of Understanding between the City of Billings and the South Billings Urban Renewal Association (SBURA) that designates the SBURA as the advisory group tasked with managing the District's redevelopment efforts.

Section 3 – Summary of Urban Renewal Efforts

Since the District's inception, the Council has invested the incremental growth in tax revenues over and above the base year value in over $20 million in redevelopment projects. Listed below are the most noteworthy investments from January 1, 2013 to December 31, 2020 (in thousands):

1. Newman Lane	$ 207
2. Midland Rd	3,109
3. TIF Master Plan	276
4. Sewer Phase I&II	2,470
5. Calhoun Lane	2,222
6. Amend Park Land	943
7. Optimist Park Improvements	380
8. Orchard Lane	3,897
9. Elementary school/ Boys & Girls Club	201
10. King Ave East	2,394
11. Amend Park Field Turf	1,565
12. Business development	766
13. Police Evidence Center	919
	$19,349

The base year taxable value of $7,046,472 has increased approximately 35% to $12,284,446 (as of 2020). The annual tax increment has grown to approximately $3.6 million as of 2020. When the District sunsets in 2040, its taxable value will increase

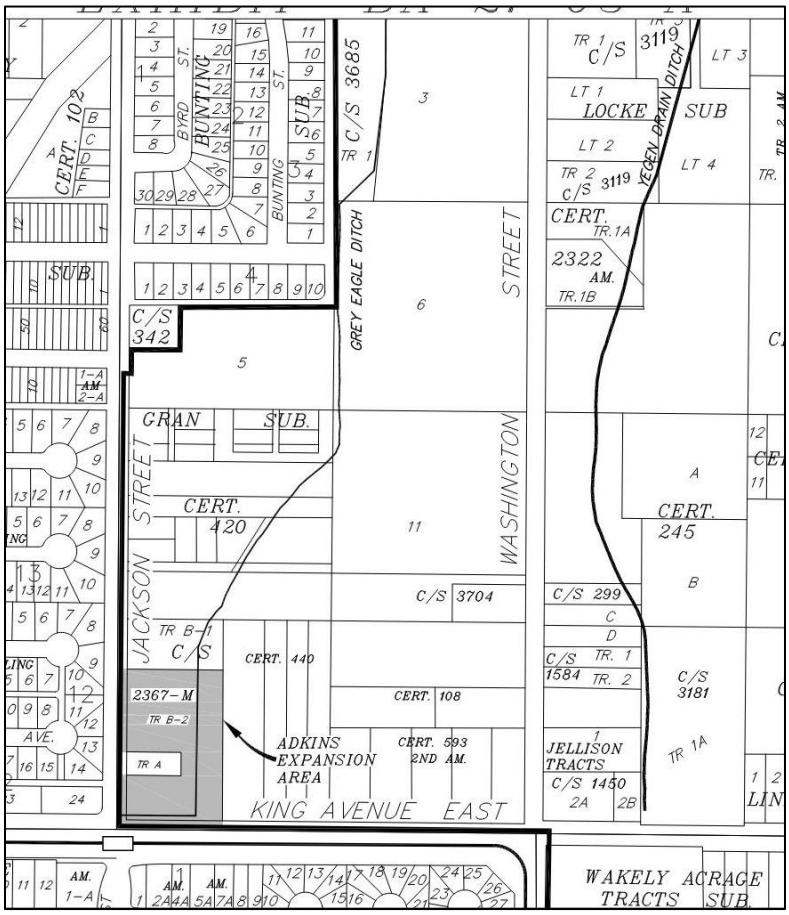
(assuming a 2% annual growth rate) to approximately $17.9 million, thus returning to the City about $7.5 million annually in deferred tax revenue.

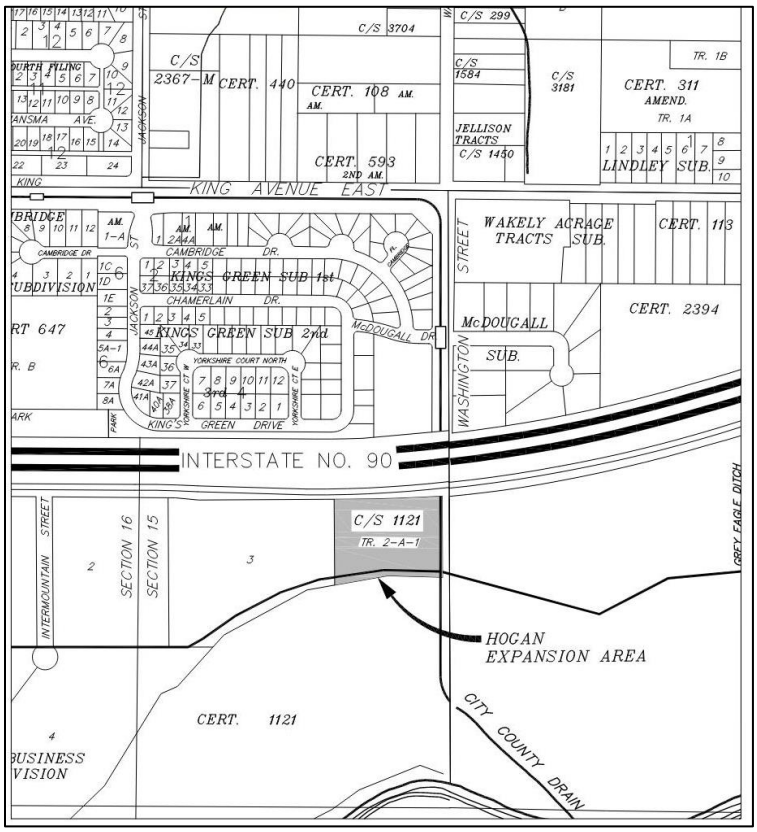
Most of the infrastructure projects (i.e., roads & sewers) identified in the District's Urban Renewal and Master Plans have been accomplished or will likely be accomplished in the next few years. The afore-mentioned master plans also emphasize the establishment and/or redevelopment of neighborhoods. Consequently, the SBURA seeks to invest tax increment funds to help facilitate the creation of attractive neighborhoods through the elimination of blight and the development of affordable housing opportunities across a wide range of socio-economic groups. The SBURA also recognizes that there are promising opportunities for commercial investment along the I-90 corridor. Lastly, the Amend Park area has the potential to become the focal point for athletics in the greater Billings area through the development of recreational facilities and team sports venues.

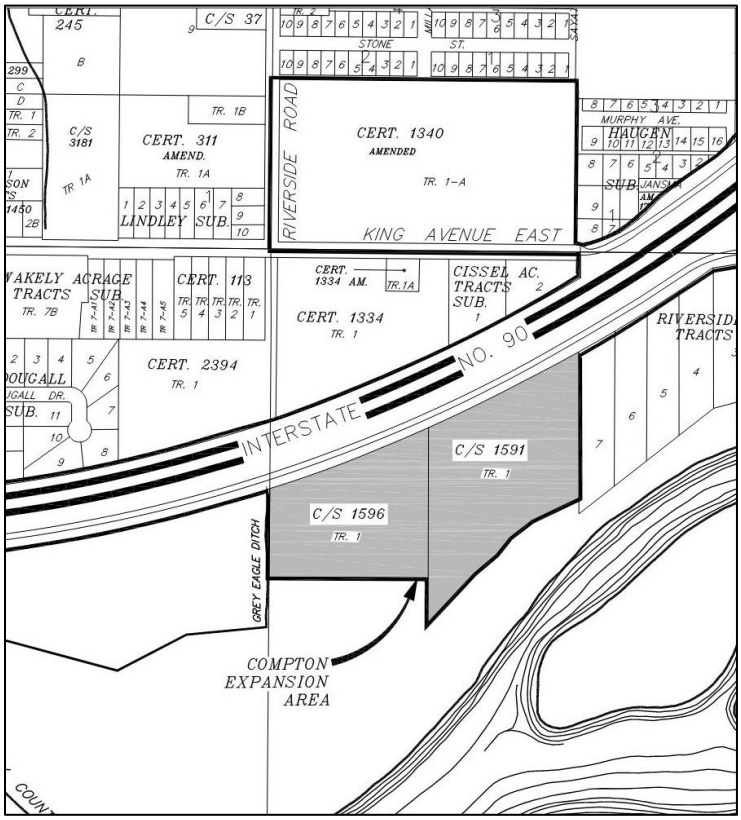
Section 4 - Properties to be Annexed to the SBBURD

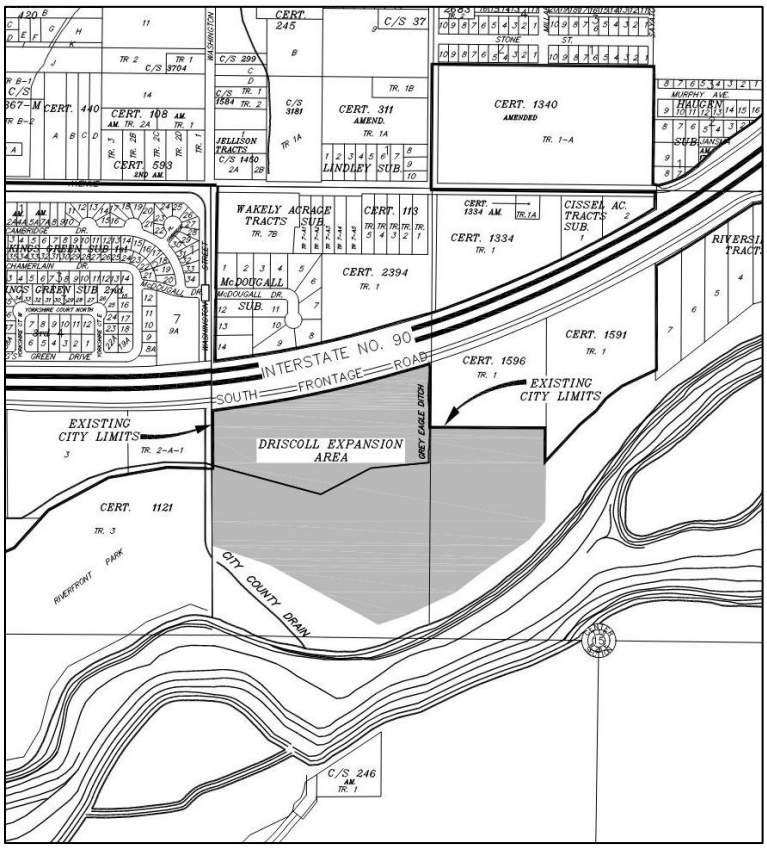
There are five properties identified for inclusion in the District. Four of these properties are privately owned. The City of Billings owns the other property.

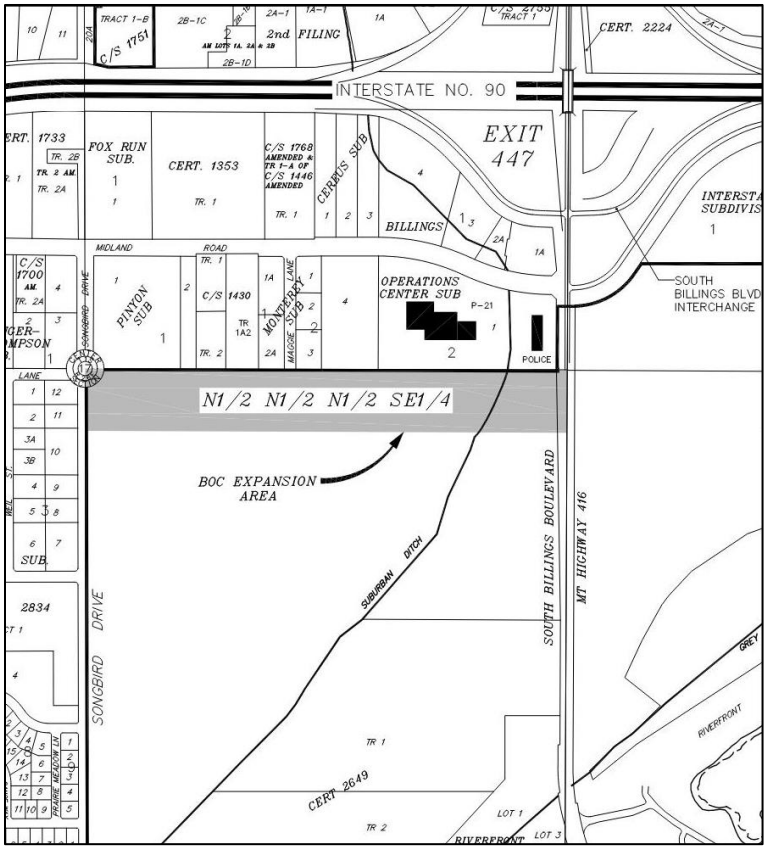
The Exhibits below identify the location of the five properties.




C/S 2367-M
CERT. 440
C/S 3704
CERT. 108 AM.
AM.
C/S 299
C/S 1584
C/S 3181
TR. 1B
CERT. 311
AMEND.
TR. 1A
JELLISON TRACTS
C/S 1450
LINDLEY SUB.
CERT. 593
2ND AM.
KING AVENUE EAST
WAKELY ACRAGE TRACTS SUB.
CERT. 113
CAMBRIDGE DR.
KINGS GREEN SUB 1st
CHAMERLAIN DR.
KINGS GREEN SUB 2nd
McDOUGALL DR.
McDOUGALL SUB.
CERT. 2394
YORKSHIRE COURT NORTH
KING'S GREEN DRIVE
WASHINGTON STREET
INTERSTATE NO. 90
INTERMOUNTAIN STREET
SECTION 16
SECTION 15
C/S 1121
TR. 2-A-1
GREY EAGLE DITCH
HOGAN EXPANSION AREA
CERT. 1121
CITY COUNTY DRAIN


CERT. 245
C/S 37
STONE ST.
RIVERSIDE ROAD
CERT. 1340
AMENDED
TR. 1-A
HAUGEN SUB.
MURPHY AVE.
C/S 3181
CERT. 311
AMEND.
TR. 1A
LINDLEY SUB.
KING AVENUE EAST
WAKELY ACRAGE TRACTS SUB.
TR. 7B
CERT. 113
CERT. 1334 AM.
CERT. 1334
TR. 1
CISSEL AC. TRACTS SUB.
CERT. 2394
TR. 1
INTERSTATE NO. 90
C/S 1591
TR. 1
C/S 1596
TR. 1
GREY EAGLE DITCH
COMPTON EXPANSION AREA


INTERSTATE NO. 90
SOUTH FRONTAGE ROAD
EXISTING CITY LIMITS
DRISCOLL EXPANSION AREA
EXISTING CITY LIMITS
GREY EAGLE DITCH
CITY COUNTY DRAIN
RIVERFRONT PARK
CERT. 1121
CERT. 1596
CERT. 1591
CERT. 1334
CERT. 1340 AMENDED
CERT. 311 AMEND.
CERT. 2394
CERT. 113
CERT. 108 AM.
CERT. 593 2ND AM.
CERT. 440
CERT. 245
WAKELY ACRAGE TRACTS
McDOUGALL SUB.
LINDLEY SUB
CISSEL AC. TRACTS SUB.
HALIGEN
C/S 246 AM.



Section 5 – Defining the District's Boundaries

The current District contains blight as defined in Montana Code Annotated Title 7, Chapter 15, Parts 42 & 43 and as recognized by Council in Ordinances 08-5462 and 08-5484. While not every property in the District contains blight, a District may not be formed in a "checkerboard" pattern and be defined only on a parcel-by-parcel basis. Revitalization is best achieved when a continuity of properties allows for a seamless investment in infrastructure. Accordingly, the District contains properties within the City of Billings that, when viewed as a whole, logically define an urban renewal area.

The annexation into the City of Billings of the properties located along South Frontage Rd creates an opportunity to add three contiguous properties to the District. The property on the northeast intersection of King Ave East and Jackson St. is likely the first in a series of developments spurred by the improvements to King Ave East. What makes the inclusion of these properties into the District compelling is that, given a measure of public assistance, they have very promising opportunities for development.

The City-owned property south of the City's Operation Center is a logical extension to the current District in that area.

Section 6 Summary of Blight Findings

Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43 provides the authority to declare the existence of blighted areas and to target them for improvements. "Blighted are" is defined in Section 7-15-4206(2) MCA as follows:

> *[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use by reason of:*
>
> *a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or non-residential;*
>
> *b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of examination of the building standards of the municipality;*
>
> *c) inappropriate or mixed uses of land or buildings;*
>
> *d) high density of population and overcrowding;*
>
> *e) defective or inadequate street layout;*
>
> *f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
>
> *g) excessive land coverage;*
>
> *h) unsanitary or unsafe conditions;*
>
> *i) deterioration of site;*
>
> *j) diversity of ownership;*
>
> *k) tax or special assessment delinquency exceeding the fair value of the land;*
>
> *l) defective or unusual conditions of title;*
>
> *m) improper subdivision or obsolete platting;*
>
> *n) the existence of conditions that endanger life or property by fire or other causes; or*
>
> *o) any combination of the factors listed in the subsection (2).*

As discussed earlier, not every parcel in the District is blighted, making it essential to view the District as a whole to achieve the revitalization described in its Urban Renewal and Master Plans. Notwithstanding, the parcels of land proposed for addition to the District have characteristics of blight that conform to Montana code.

Note the following issues present on the three parcels on South Frontage Rd:

- City water services are incomplete. Billings Public Works would need to install a trunk line to provide water for a large portion of these properties.

- One of the parcels contains a former gravel mine. While the former mine owners backfilled the property in accordance with the Montana Department of Environmental Quality standards, the resulting soil is not compact enough to support buildings and roadways. Consequently, a costly procedure known as "geomeshing" would be necessary as part of building and road construction.

- There are abandoned vehicles and concrete riprap that would require removal. Additionally, the areas adjacent to the Yellowstone River would require stabilization.

- Inclusion of all of these properties on the Frontage Road would provide continuity should the City add infrastructure in the form of utility extensions, curb, gutter, sidewalks, trails etc.

Note the following issues present on the property on the northeast intersection of Jackson St. and King Ave East:

- There is a concrete ditch running along the subject property that is unsightly and tends to collect trash. The ditch also accumulates water that is a safety hazard to the children that play on or near it.

- The property surrounds a small inholding. The owner is deceased. The current occupant's residence is dilapidated with junked cars being stored onsite.

Taken as a whole, the subject properties would be commonsense additions to the District. Had these properties been within the City limits at the District's inception, it is likely they would have been included within the District's original boundaries. These properties already have drawn interest from developers who are attracted by the possibility of receiving tax increment finance assistance to help mitigate development challenges and to install public improvements.

Section 7 – The Site and Its Relationship to the City

The District is in the south-center region of the City of Billings. Bordered by Interstate I-90, the main railroad line and principal transportation routes, it is an area where economic development opportunities are numerous. In addition, numerous service,

commercial, industrial, parks and recreation and housing choices are located within the District.

Section 8- Description of the District Boundary

ADKINS EXPANSION AREA TRACT B-2 ONLY

Legal Description of Property

A tract of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County.

Said tract of land containing an area of 3.522 acres more or less.

HOGAN EXPANSION AREA

Legal Description of Property

Tract of land situated in the NW1/4 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:
Being Tract 2-A-1 of Amended Tracts 2-A And 2-B, of Amended Tract 2 Certificate of Survey No. 1121, Recorded January 14th, 2008, under Document Number 3451343, on file and of record in the office of the Yellowstone County Clerk & Recorder.

Said tract of land containing an area of 3.673 acres more or less.

TORGERSON EXPANSION AREA

Legal Description of Property

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 (Washington Street Right-Of-Way) of Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County, on the North by Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County, and South Frontage Road Right-Of-Way.

Said tract of land containing an area of 35.94 acres more or less.

COMPTON EXPANSION AREA

Legal Description of Property

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County;

Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County.

Said tracts of land containing an area of 16.937 acres more or less.

BOC EXPANSION AREA

Legal Description of Property

A tract of land situated in the SE 1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana.

Said tract of land containing an area of 20.000 acres more or less.

Section 9 – Property Developers

Private investment and public-private partnerships through the implementation of the Urban Renewal and Master Plans will help spur new development and revitalization. Improvements in infrastructure will complete and connect City utilities in the area, spur investments in commercial businesses, workforce housing and public recreational facilities.

Section 10 – Conformance to the City's Growth Policy

The City's 2016 Growth Policy Statement is as follows:

> *In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.*

The City's growth policy, in large part, focuses on the notion of return on investment. Given a limited budget, the City seeks to invest in projects and infrastructure that generate a positive return in terms of tax revenue and/or public satisfaction and community pride. On April 13, 2021, the Yellowstone County Board of Planning acted affirmatively on a recommendation to the City Council as to the SBBURD expansion's consistency with the 2016 City of Billings Growth Policy.

Since its inception, the District has been successful in accomplishing the primary purpose of an urban renewal district: eliminate blight and/or promote economic development. As detailed above, the City has invested over $20 million in projects and infrastructure that have resulted in a 35% growth in taxable values. Over the next few years, the District plans to invest an additional $2 million to complete improvements to its collector streets, $4 million to improve gravel and unmaintained streets with paving,

curb, sidewalks, and lighting and over $500,000 for parking lots and improvements in Optimist Park. Additionally, the SBURA will seek ways to make the District's Interstate I-90 gateway more attractive.

The properties identified for inclusion in the District represent a natural growth of the District as prompted by annexation into the City. Their inclusion will attract investment and provide funding for necessary public infrastructure and amenities.

Section 11 – Conformance with Montana Code

Section 7-15-4217, M.C.A. Criteria for approval of urban renewal project. Following the hearing required in 7-15-4214, the local governing body may, by ordinance, approve an urban renewal project if it finds that:

1) A workable and feasible plan exists for making available housing for the persons who may be displaced by the project;

   There are no housing units in the expansion area, so no displacement plan is necessary.

2) The urban renewal plan conforms to the comprehensive plan or parts thereof for the municipality as a whole;

   The Urban Renewal Plan for the South Billings Boulevard Urban Renewal Plan as amended for inclusion of the subject properties, conforms to the City of Billings Growth Policy and the SBBURD Master Plan.

3) The urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

   It is unreasonable to expect the District will be redeveloped or revitalized solely with public support. At present, there are areas containing blight and/or deficient infrastructure that would ordinarily attract private investment. Consequently, it is essential to promote public-private partnerships as a means for securing investment capital.

4) A sound and adequate financial program exists for the financing of said project.

   The District receives approximately $3.9 million of funding annually of which approximately $800k is dedicated to debt service. The expected growth in annual tax increment is expected to increase until the District sunsets in 2040.

Section 12 – Tax Increment

As of 2020, the four privately held properties collectively pay the following property taxes:

Code	District	
	BILLINGS OUTSIDE (Levy District)	$ 8,095.12
	BILLINGS (Levy District)	9,892.04
BACF	BLGS ARTERIAL CONST FEE	1,260.00
BLSW	BILLINGS STORM SEWER	1,110.00
BS#2	BLGS STREET MAINT #2	1,545.00
BUFC	BLGS URBAN FIRE SERV-COM	147.80
BUFR	BLGS URBAN FIRE SERV-RES	293.12
CRED	COUNTY REFUSE DISTRICT	20.00
PD01	BILLINGS PARK DISTRICT	190.42
SOIL	SOIL CONSERVATION	11.35
		$22,565.54

Assuming the City Council approves the inclusion of these properties in the District, the Montana Department of Revenue would set a separate base year calculation for these properties. Consequently, the annual tax increment would essentially consist of the District's current revenues, approximately $3.6 million, plus the incremental increase attributable to the subject properties.

Hypothetical Increment Example:

1. A developer invests $1,000,000 in one of the subject properties.

2. Assuming a dollar-for-dollar increase in taxable value, the property will create approximately $13,000 in annual tax increment.

   $1,000,000 taxable value x 1.89% commercial tax rate = $18,900
   $18,900 x 69 mills = $13,041

3. The Council could award up to $247,779 in tax increment assistance and achieve a payback concurrent with the District's 2040 sunset date.

   $13,041 x 19 years = $247,779

4. Considering the Council's preferred $5 private investment for $1 of tax increment assistance, the payback period in this example would be:

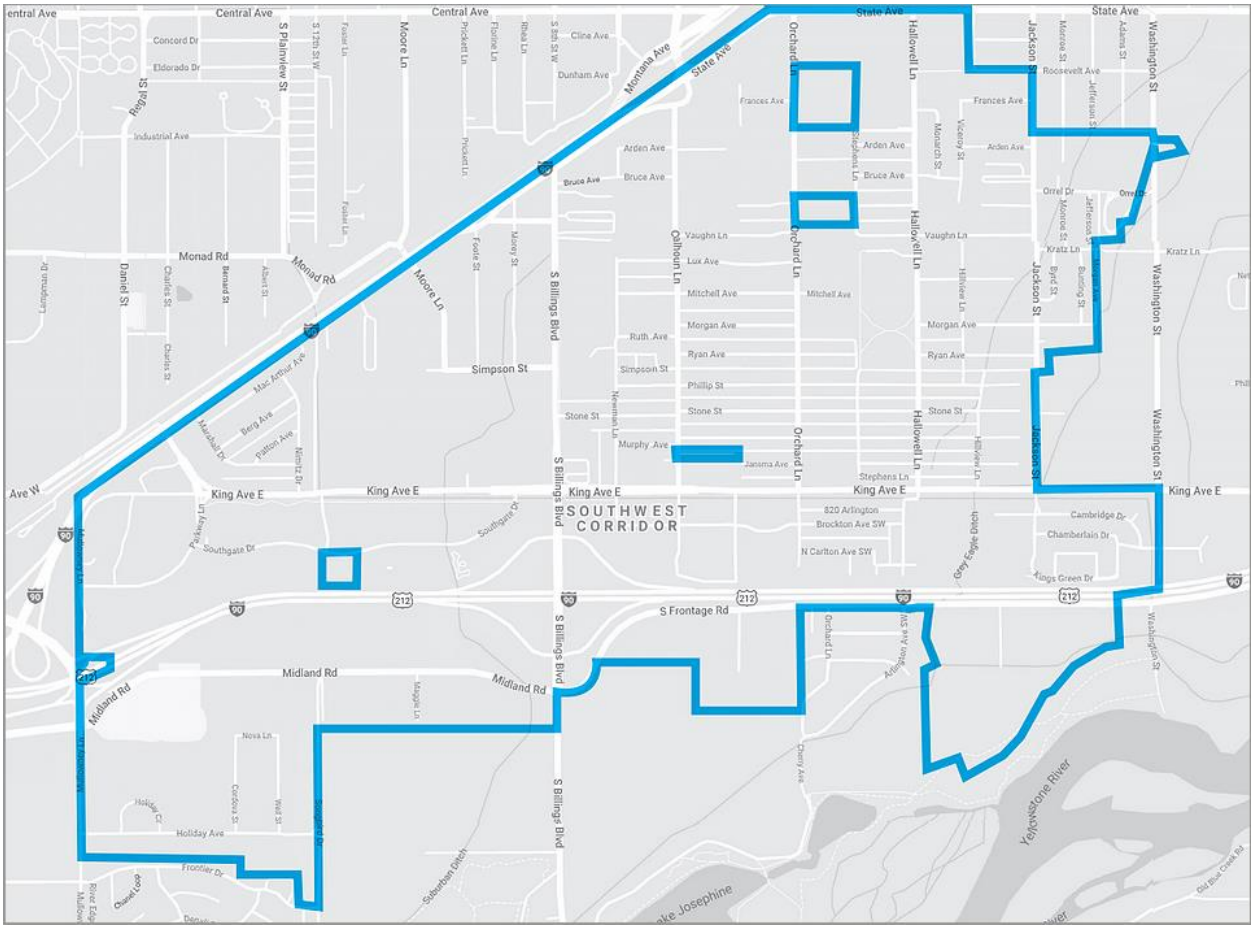
   $1,000,000 x 16.67% = $166,700
   Payback period = $166,700/$13,041 = 12.78 years

Section 13 – Conclusion

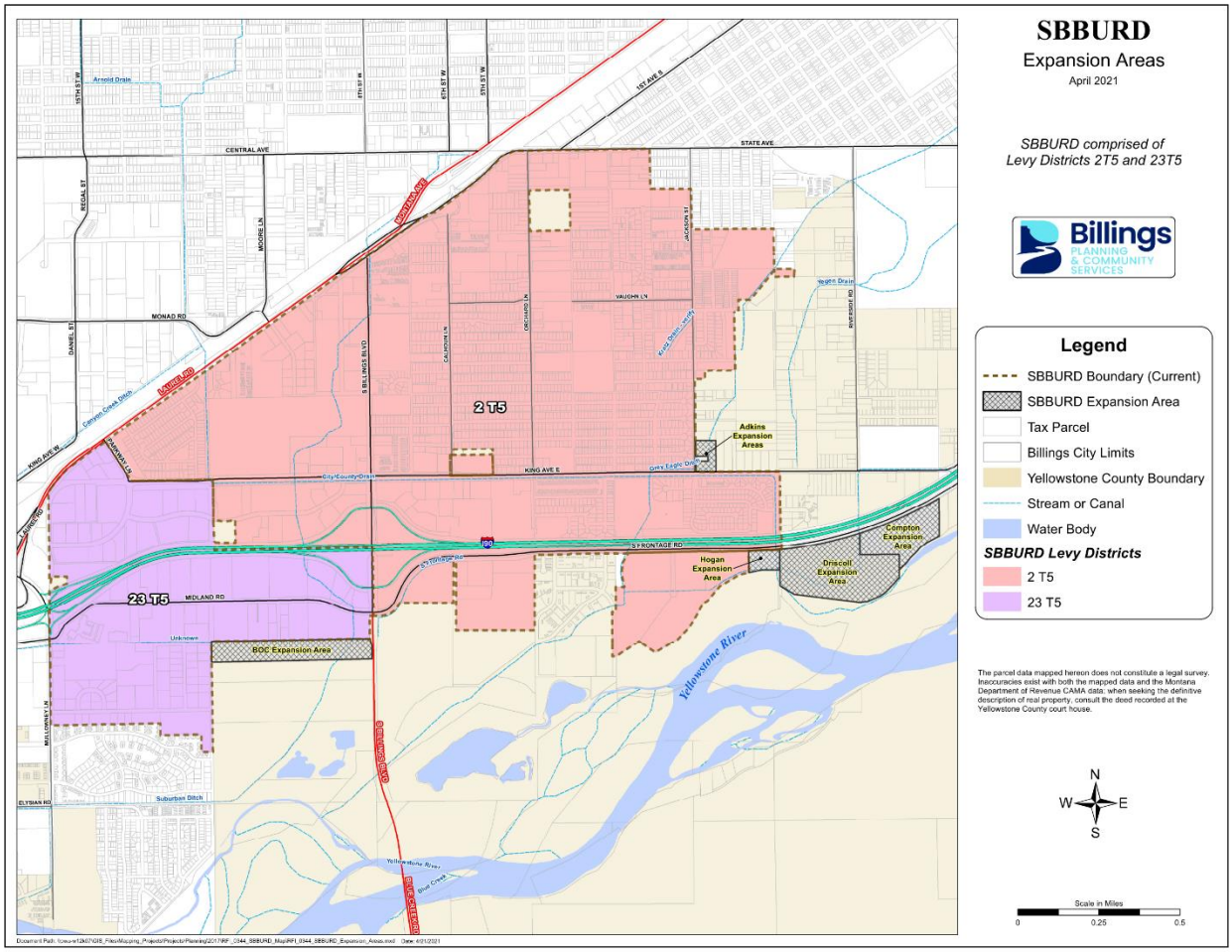
In 2008, the City voted to create the District. The resulting investment capital in the form of tax increment has been invested in infrastructure and other economic development ventures. The increase in the District's tax base is evidence of how tax increment finance districts are supposed to operate.

The proposed expansion of the South Billings Boulevard Urban Renewal District represents a logical extension of the District's current footprint. The City's annexation of the subject properties provides the impetus to expand the District. Given the tax increment funding available for investment, these properties have significant potential for long-term economic and civic development.

Appendix I: Current South Billings Boulevard Urban Renewal District


Central Ave
State Ave
Monad Rd
Moore Ln
Simpson St
King Ave E
S Billings Blvd
SOUTHWEST
CORRIDOR
S Frontage Rd
Midland Rd
Orchard Ln
Hallowell Ln
Jackson St
Washington St
Yellowstone River

Appendix II: South Billings Boulevard Urban Renewal District Showing Expansion Areas



ORDINANCE 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, RELATING TO THE MODIFICATION OF THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL DISTRICT; AND ADOPTING A MODIFIED URBAN RENEWAL PLAN, INCLUDING A TAX INCREMENT PROVISION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. **RECITALS.**

WHEREAS, the City Council on July 12, 2021, conducted a public hearing on a proposal to modify an urban renewal area on specified property (as hereinafter defined, the "Property") to be designated "The South Billings Boulevard Urban Renewal District", and to adopt a modified urban renewal plan, as authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act").

WHEREAS, the Property is depicted on the attached Exhibit A and legally described on the attached Exhibit B (each of which is hereby incorporated herein and made a part hereof).

WHEREAS, opportunities have been presented to the City that make it desirable for the City to consider an urban renewal project within the District consisting of the acquisition of certain vacant or blighted properties, demolishing the blighted structures thereon, improving such properties with, landscaping, utilities, and other similar improvements, assembling such properties, and making the properties so improved available for private redevelopment in accordance with the Act.

WHEREAS, an urban renewal plan entitled the South Billings Boulevard Urban Renewal Plan is attached hereto as Exhibit C (which is hereby incorporated herein and made a part hereof) (the "Plan"). The Plan contains a tax increment provision and will govern the operation and administration of the District.

WHEREAS, the amendment to the Plan has been reviewed by the Yellowstone County Board of Planning and found to be in conformance with the Billings 2016 Growth Policy, as evidenced by the Board letter from its meeting on April 13, 2021.

Section 2. **ORDINANCE.**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana, as follows:

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:

a. Some of property to be included in the District with this amendment and property already in the District presently contains structures and property that are in a state of substantial deterioration, are obsolete or defective, pose unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses, the present condition of the property substantially impairs the sound functioning of the area of the City and its environs, is conducive to juvenile delinquency and crime, poses the threat of vandalism or mischief and fire or loss, constitutes an economic and social liability, and is a menace to the public health, safety, and welfare of the residents of the City. Accordingly, the Council finds that property in the District is blighted within the meaning of Section 7-15-4210 of the Act. This Council finds that the rehabilitation, redevelopment or a combination thereof of the property is necessary in the interest of the public, health, safety, morals or welfare of the residents of the City. This Council finds that undertaking measures to eradicate or diminish the blight will help to foster a more dynamic, livable, and vibrant area.

b. No housing element or structure is disturbed by this District making no relocation necessary;

c. The modified Plan conforms to the Growth Policy or parts thereof of the City for the municipality as a whole;

d. The modified Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise;

Section 3. **PLAN ADOPTION.** The modified Plan is hereby adopted and approved in all respects, including without limitation, the segregation and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein.

Section 4. **EFFECTIVE DATE**. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6**. SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 12th Day of July, 2021.

PASSED, ADOPTED and APPROVED on second reading this 26th day of July, 2021.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

SBBURD Expansion 2021

EXHIBIT A

MAP OF THE MODIFIED URBAN RENWAL AREA

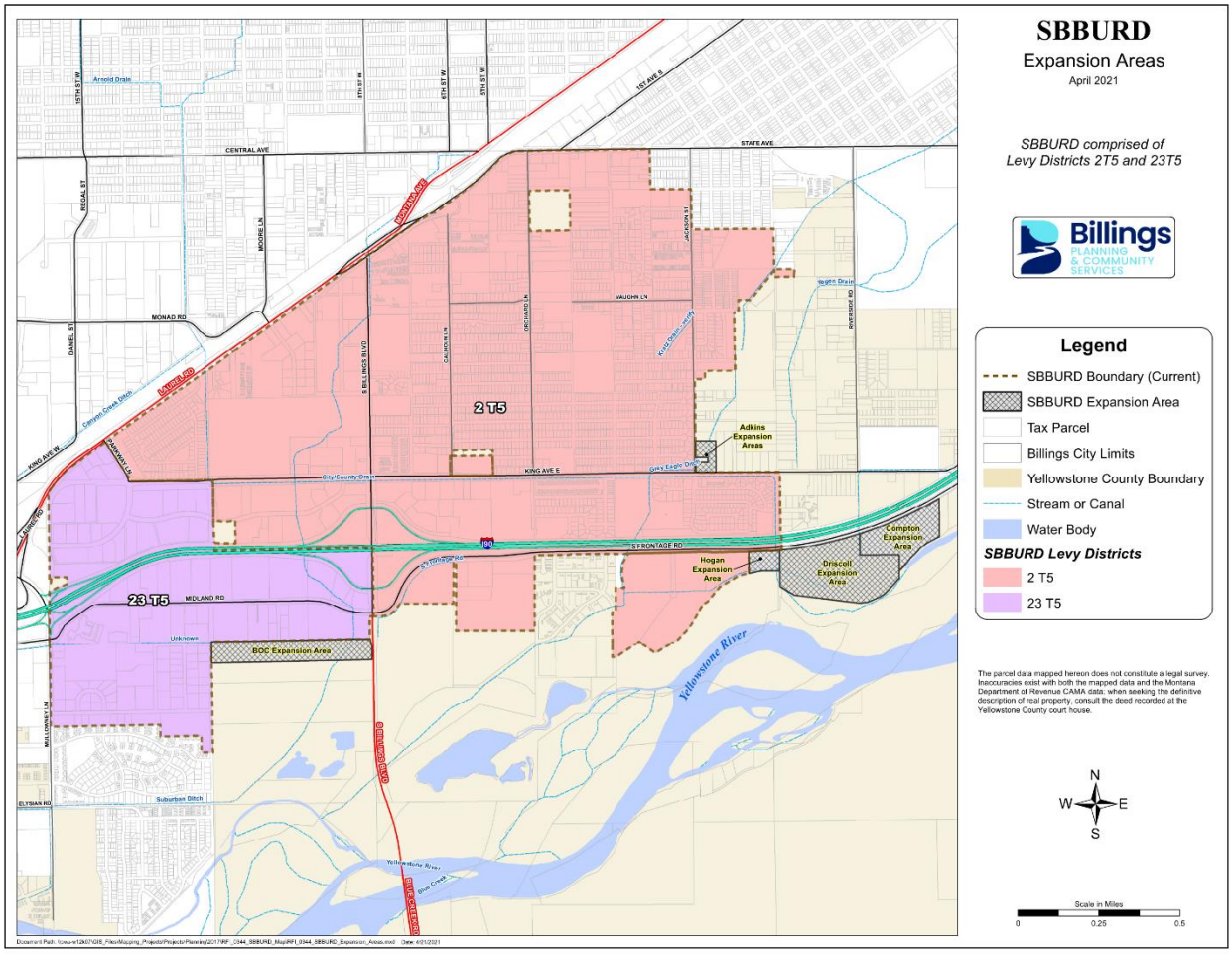


EXHIBIT B

LEGAL DESCRIPTION OF MODIFIED URBAN RENEWAL AREA

Description of Proposed Modified District. The areas being considered for inclusion in the proposed modified urban renewal area are described as:

Adkins Property
A tract of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Tracts of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County. Said tract of land containing 3.574 gross and 3.522 net acres more or less.

Hogan Property
Tract of land situated in the NW1/4 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Being Tract 2-A-1 of Amended Tracts 2-A And 2-B, of Amended Tract 2 Certificate of Survey No. 1121, Recorded January 14th, 2008, under Document Number 3451343, on file and of record in the office of the Yellowstone County Clerk & Recorder. Said tract of land containing an area of 3.673 acres more or less.

Compton Property
Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County; Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County. Said tracts of land containing an area of 16.937 acres more or less.

Torgerson Property
Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 (Washington Street Right-Of-Way) of Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County, on the North by Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099,

Records of Yellowstone County, and South Frontage Road Right-Of-Way. Said tract of land containing an area of 35.94 acres more or less.

City of Billings Property

A tract of land situated in the SE 1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana. Said tract of land containing an area of 20.000 acres more or less.

EXHIBIT C

South Billings Boulevard Urban Renewal Plan

Urban Renewal Plan for the South Billings Boulevard Urban Renewal District



Prepared by the Planning & Community Services Department
Adopted by the Billings City Council on December 8, 2008
Amended by the Billings City Council on July 22, 2019
Amended by the Billings City Council on July 26, 2021

Table of Contents

Section 1 – Introduction 6

Section 2 – Definitions 6

Section 3 – Background 8

Section 4 - Description of Blight 12

Section 5 - Summary of Blight 12

Section 6 - The Site and Its Relationship to the City 15

Section 7 - Description of the District Boundary 15

Section 8 - Planning Process 17

Section 9 - Housing (Conservation of existing affordable housing) 19

Section 10 - Transportation and Pedestrian Circulation 20

Section 11 - Public Services and Facilities 20

Section 12 - Infrastructure and Utilities 20

Section 13 - Urban Renewal Projects and Programs 21

Section 14 - Goals and Objectives Respective to the City Growth Policy 24

Section 15 - Neighborhood Planning 26

Section 16 – Conclusion 26

List of Maps:

Map 1 - Proposed Boundaries of the District 9

Map 2 - Existing Land Uses 10

Map 3 - Current Zoning 11

Map 4- Water Distribution System 13

Map 5 - Sanitary Sewer System 14

Map 6 - Tax Increment Finance District in Relationship to City 16

Appendix I 27

Acknowledgements

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- Richard (Dick) Clark
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- Peggie Denney Gaghen
- Jim Ronquillo
- Vince Ruegamer
- Chris "Shoots" Veis
- Ed Ulledalen
- Jani McCall
- Denis Pitman
- Larry Brewster

Planning and Community Services Department

Southwest Corridor Task Force Officers

- Tom Ruschkewicz, Chair
- Floyd Martin, Vice Chair
- Alan Pomick, Treasurer
- Debbie Rowe, Secretary

Big Sky Economic Development Authority

Downtown Billings Partnership

Stakeholders

Alene Malloy	Casey Ryan	Edyth Davis
Allen Krenz	Charles Deunow	Elanor Aukshun
Alta Dean	Cindy Linse	Elissa Linse
Arlene Bierwagen	Cindy Reid	Elsie Arntzen
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Kathy Wilkinson
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Shanna Fredrickson
Ed Gabbo
Kevin Nelson
Lany Estill
Leonard Bierwagen
Linda Furlong
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Linda Pettengill
Linda Vansky
Loren Bice
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- Denise Joy
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Section 1 – Introduction

On May 12, 2008, the City of Billings adopted an ordinance creating the South Billings Boulevard Urban Renewal District (SBBURD) and established a Tax Increment Finance District. As part of this ordinance, an urban renewal plan and the boundaries of the tax increment finance district were adopted. Public participation for preparing the urban renewal plan involved public meetings and participation with the City of Billings, the Southwest Corridor Neighborhood Task Force, residents and property owners, Downtown Billings Partnership, and Big Sky Economic Development Authority.

In October of 2008, the City began a modification of the SBBURD to include three additional properties. Two of these properties were recently annexed and contiguous to the existing SBBURD; therefore, the properties are now eligible to be included within the SBBURD. The third property is contiguous and requested an expansion of the district boundary. The modification of the urban renewal plan will reflect the addition of those properties.

The December 2008 modification of the urban renewal plan:

- Served as a framework for the official urban renewal plan.
- Fulfilled Montana state law.
- Updated and define district boundaries.
- Classified blight
- Set forth the protocol for its authorization, execution, and management.
- Illustrated the development opportunities.
- Documented baseline taxable property values and potential areas for redevelopment

The July 2019 amendment of the urban renewal plan:

- Identified future projects and programs.
- Ensured the City has the option to bond future projects.
- Updated the 2008 Plan to reflect the 2019 amendment process.

The July 2021 amendment of the urban renewal plan expands the boundary of the SBBURD to add five new properties to the District (see Appendix I).

Section 2 - Definitions

The following terms have the following meanings unless a different meaning is clearly indicated by the context:

1. "Agency" or "urban renewal agency" means a public agency created by Section 7-15-4232 of the Montana Code Annotated.
2. "Blighted area" means an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

a. The substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;
b. Inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
c. Inappropriate or mixed uses of land or buildings;
d. High density of population and overcrowding;
e. Defective or inadequate street layout;
f. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
g. Excessive landcoverage;
h. Unsanitary or unsafe conditions;
1. Deterioration of site;
J. Diversity of ownership;
k. Tax or special assessment delinquency exceeding the fair value of the land;
I. Defective or unusual conditions of title;
m. Improper subdivision or obsolete platting;
n. The existence of conditions that endanger life or property by fire or other causes; or
o. Any combination of the factors listed in the subsection (2).

3. "Bonds" means any bonds, notes, or debentures (including refunding obligations) authorized to be issued pursuant to Section 7-15-4300 MCA.
4. "Clerk" means the clerk or other official of the municipality who is the custodian of the official records of the municipality.
5. "Local governing body" means the council or other legislative body charged with governing the municipality.
6. "Mayor" means the chief executive of a city or town.
7. "Municipality" means any incorporated city or town in the state.
8. "Redevelopment" may include:
   a. acquisition of a blighted area or portion of the area;
   b. demolition and removal of buildings and improvements;
   c. installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban renewal provisions in accordance with the urban renewal plan; and
   d. making the land available for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality itself, at its fair value for uses in accordance with the urban renewal plan. If the property is condemned pursuant to Title 70, chapter 30, the private enterprise or public agencies may not develop the condemned area in a way that is not for a public use.
9. "Urban renewal area" means a blighted area that the local governing body designates as appropriate for an urban renewal project or projects.
10. "Urban renewal plan" means a plan for one or more urban renewal areas or for an urban renewal project. The plan:
    a. must conform to the growth policy if one has been adopted pursuant to Title 76, chapter 1; and;
    b. must be sufficiently complete to indicate, on a yearly basis or otherwise:
       i. any land acquisition, demolition, and removal of structures; redevelopment;

improvements; and rehabilitation that is proposed to be carried out in the urban renewal area;

ii. zoning and planning changes, if any, including changes to the growth policy if one has been adopted pursuant to Title 76, Chapter 1;

iii. land uses, maximum densities, building requirements; and

iv. the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

Section 3 – Background

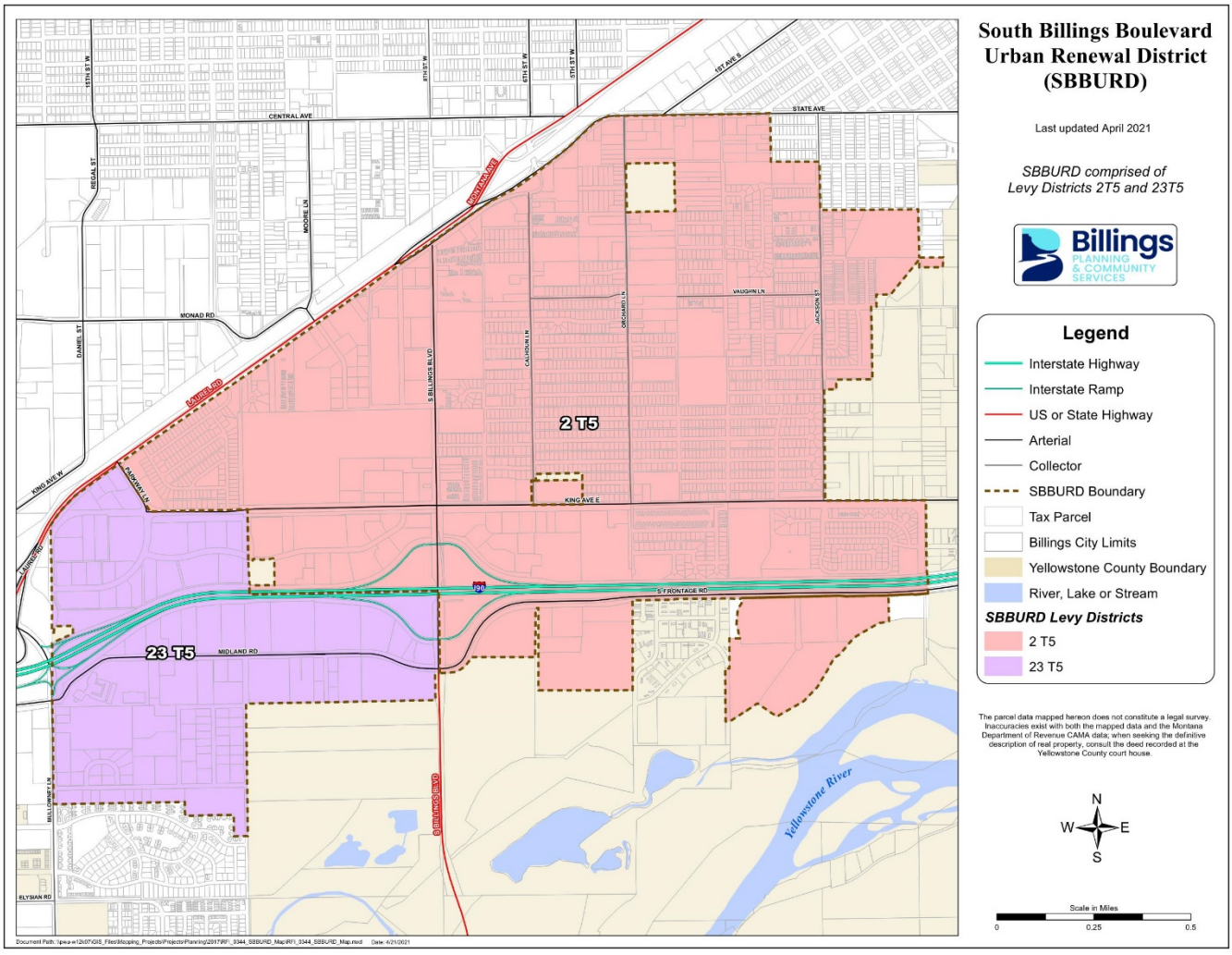
The South Billings Boulevard Urban Renewal District (the "District") lies within the City of Billings (the "City'), is situated between major transportation routes, and stretches from the east side of the King Avenue Overpass east to Washington Street and from State Avenue South to the city limit boundaries. Located within the district is Interstate Highway 90 and the major railway line through the city. Map 1 shows the boundary of the SBBURD.

The District lies within the Southwest Corridor Neighborhood Task Force. The task force was created in the early 1990's in response to the growing problem with the roadway interchanges and associated issues. For a while, the Task Force was a more diverse body that handled many issues for the Southwest Billings community. The Task Force has not been active for the past several years (2019-2021). Existing land uses and current zoning are shown on Maps 2 and 3.

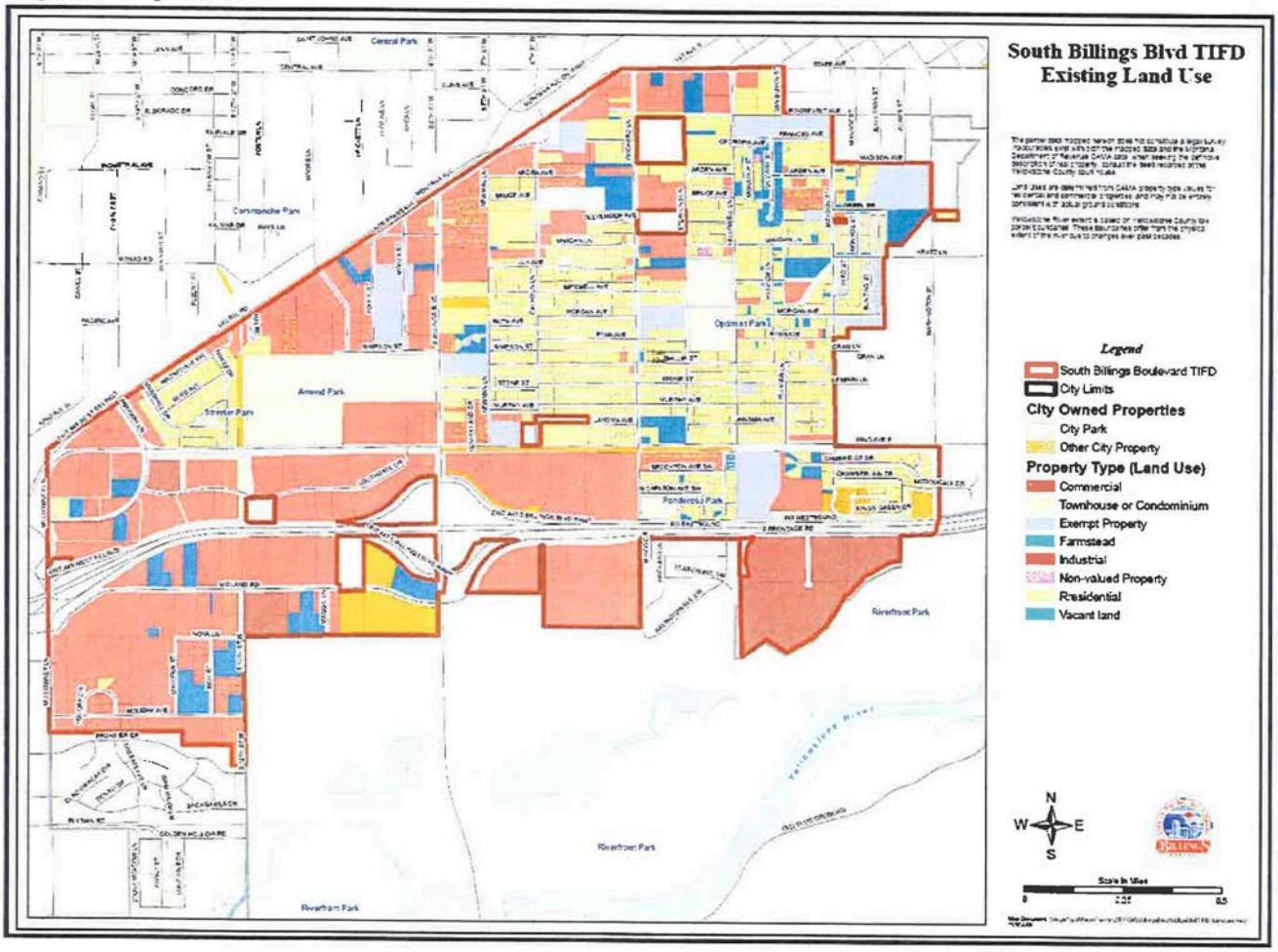
A closer look at this neighborhood shows an established area of mixed residential and commercial uses. This area also includes three elementary schools and one middle school. Some areas include unimproved streets with no sidewalk, curb, or gutter. In addition, many areas were not served by municipal water and sewer or there was old, inadequate water and sewer infrastructure. Many of the concerns raised by residents within the district center around routes for children to get to school, including bus routes that run on unimproved streets and children walking down the street instead of sidewalks to get to school. Many of these infrastructure deficits have been addressed as evidenced by the project list updates in Section 13 of this Plan.

Due to the location, the South Billings Boulevard Urban Renewal District has a tremendous amount of potential to become a major economic force. With the interstate corridor located in this district, the potential exists for this area to become a major destination place for retail, goods and services, manufacturing, and entertainment.

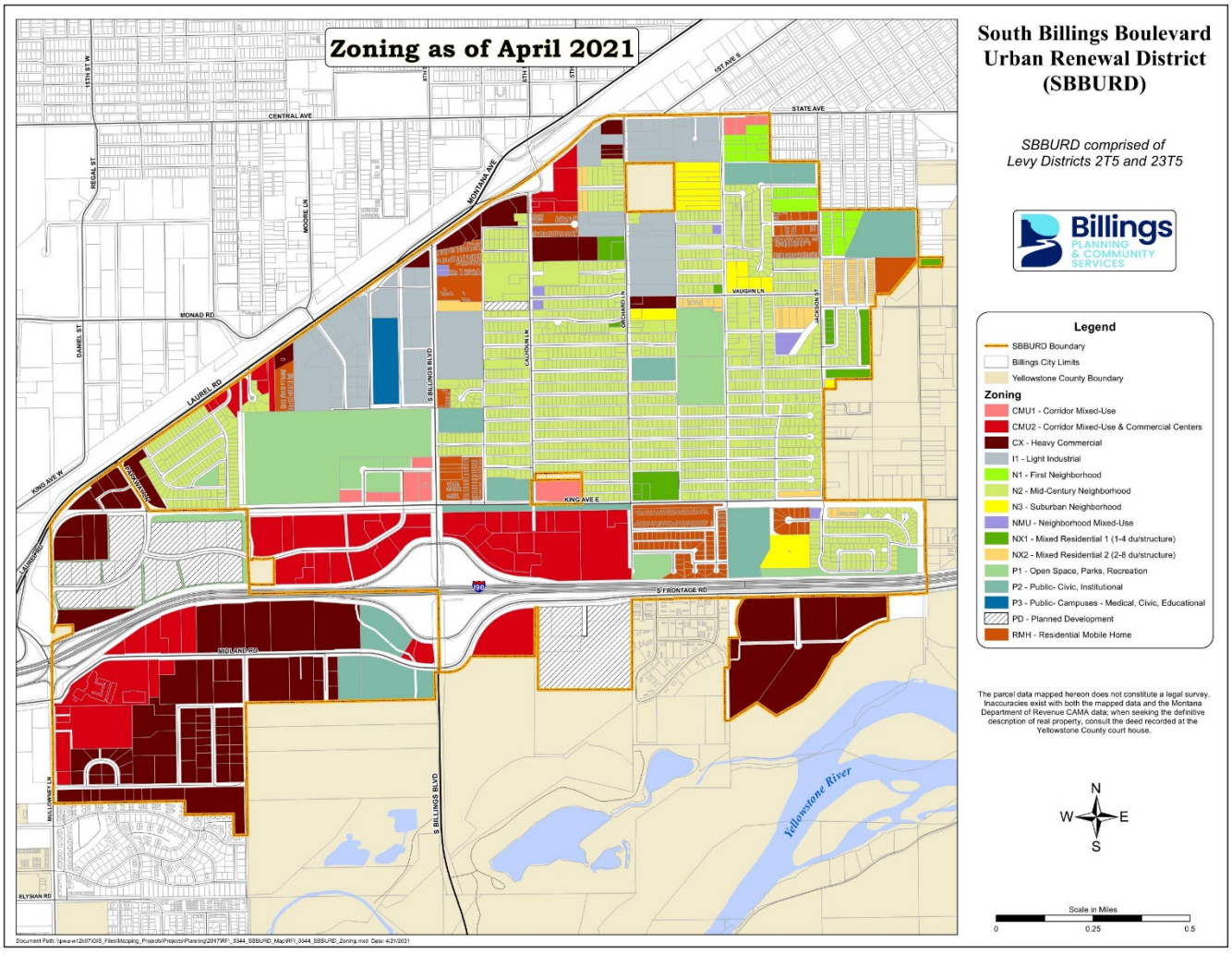
Map 1. South Billings Boulevard Urban Renewal District



Map 2 – Existing Land Uses



Map 3. South Billings Boulevard Urban Renewal District Existing Zoning



Section 4 - Description of Blight

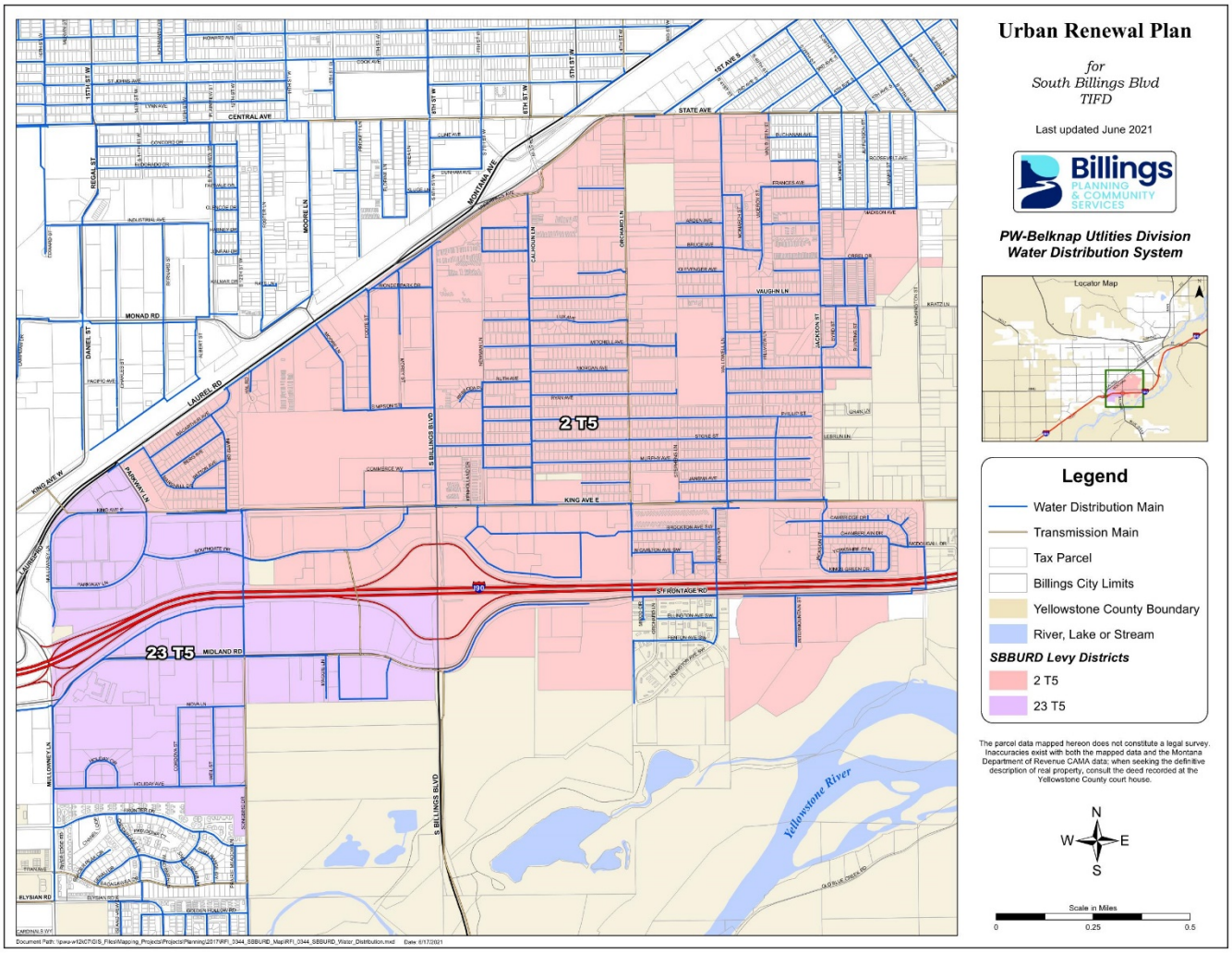
A requirement of Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, is to justify an urban renewal plan supported through a tax increment finance district through the determination of blight. Blight is defined as an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs the sound growth of the city or its environs; retards the provision of housing accommodation; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;
- inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
- inappropriate or mixed uses of land or buildings;
- high density of population and overcrowding;
- defective or inadequate street layout;
- faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- excessive land coverage;
- unsanitary or unsafe conditions;
- deterioration of site;
- diversity of ownership
- tax or special assessment delinquency exceeding the fair value of the land;
- defective or unusual conditions of title;
- improper subdivision or obsolete platting;
- the existence of conditions that endanger life or property by fire or other causes;
- any combination of the factors listed

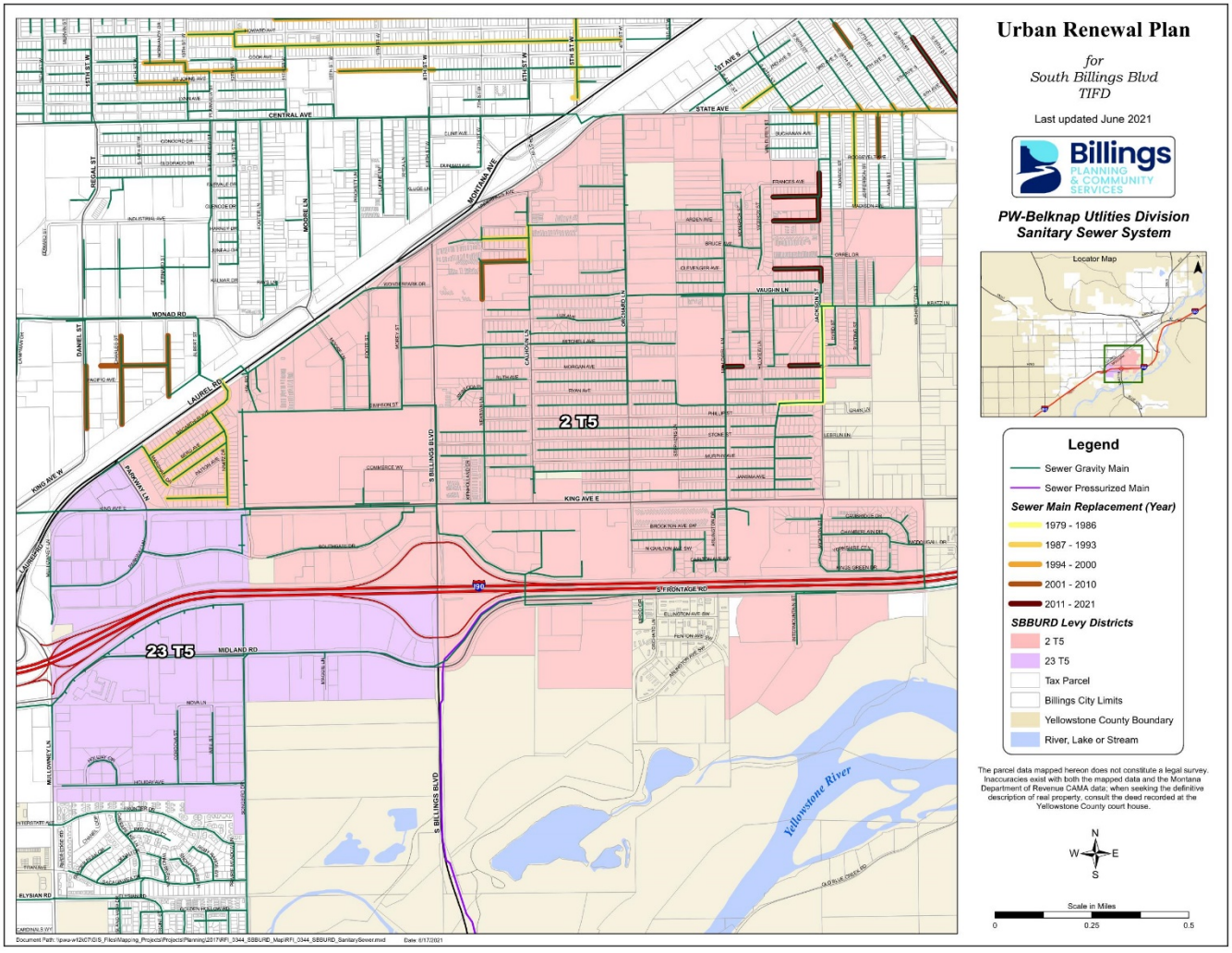
Section 5 - Summary of Blight

The area in the proposed district contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, and significant infrastructure needs. Several of the commercial buildings in the district are vacant or deteriorated and need demolition. Many of the sidewalks are cracked or nonexistent, alleys are deteriorated, and, in general, much of the area is below City standards. In contrast to the above, there are certain properties within the District in good repair but included in the District to allow for a contiguous block of land within the district; and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without continued managed urban renewal, even these success stories will once again decline in taxable value. Portions of the District fall into the blighted, neglected, and under-utilized categories. Maps 4 and 5 show the past infrastructure conditions within the district.

Map 4. Water Distribution System.



Map 5. Sewer System



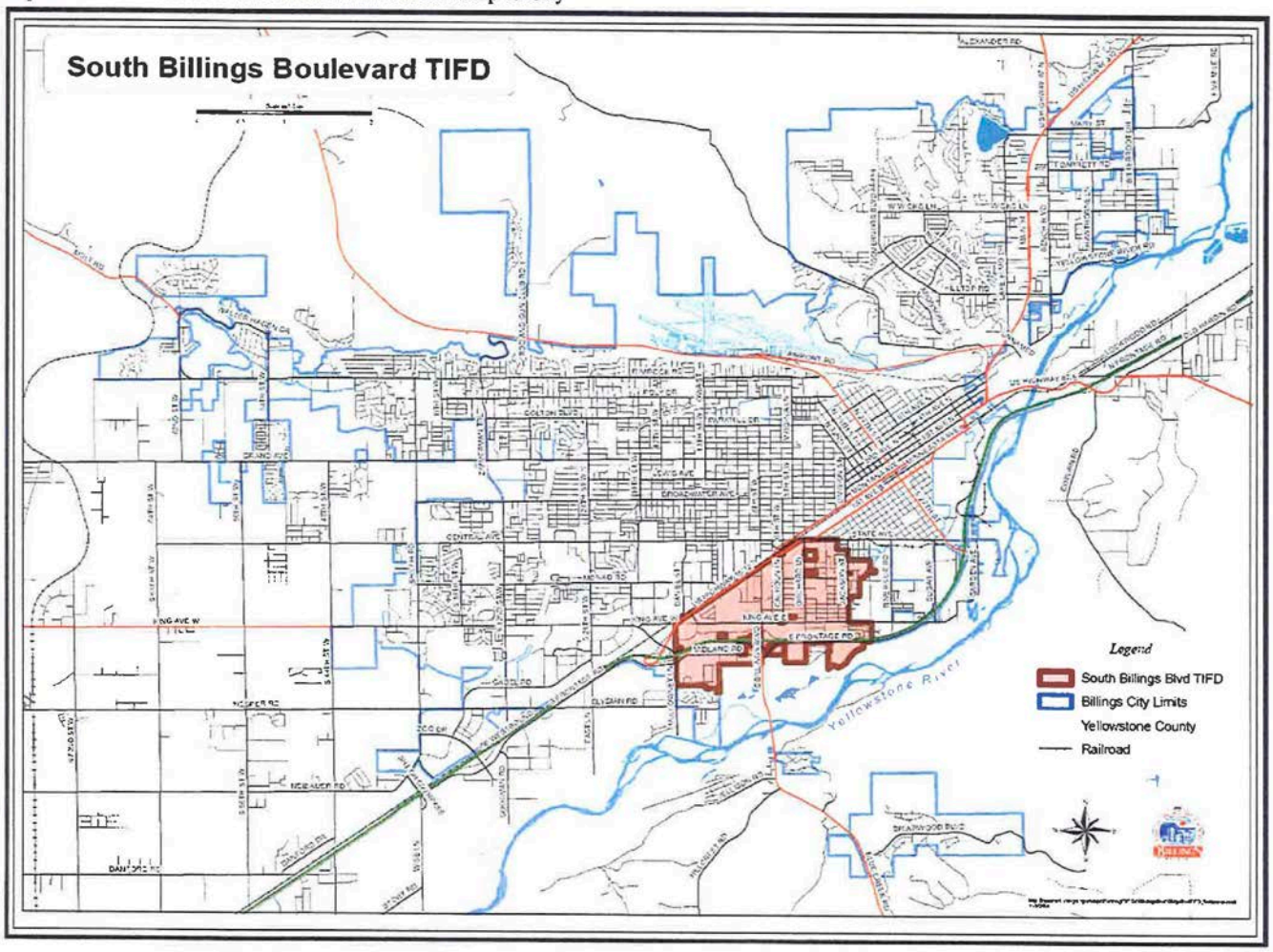
Section 6 - The Site and Its Relationship to the City

The South Billings Boulevard Tax Increment Finance District ("TIFD') and Urban Renewal District is located in the south-center region of the City of Billings. Bordered by the Interstate corridor, the main railroad line and principal transportation routes, it is an area where economic development opportunities are numerous. In addition, numerous service-related, commercial, industrial, parks and recreation and housing choices are located within the District. Map 6 shows the TIFD boundary in relationship to the rest of the city.

Section 7 - Description of the District Boundary *(To be updated after Council action to add new properties to the District)*

Starting at the intersection of State Avenue and Van Buren Street, extending south down the centerline of Van Buren Street to the intersection of Van Buren Street and Roosevelt Avenue, extending east down the centerline of Roosevelt Avenue to the intersection of Roosevelt Avenue and Jackson Street, extending south down the centerline of Jackson Street to the intersection of Jackson Street and Madison Avenue, extending east down the centerline of Madison Avenue to the intersection of Madison Avenue and Washington Street, extending south down the centerline of Washington Street to the intersection of the centerline of Washington Street and the extension of the northern boundary of Lot 7, Willis Subdivision, extending east along said boundary to the eastern boundary of said lot, extending south along said boundary to the southern boundary of said lot, extending westerly along said boundary and its extension to the centerline of Washington Street, extending north to the existing City of Billings city limit boundary, extending southerly and westerly along the existing city limit boundary to the intersection of Jackson Street and King Avenue East, extending east along the centerline of King Avenue East to the intersection of King Avenue East and Washington Street, extending south along the centerline of Washington Street and its projection across the Interstate 90 right-of-way, to its intersection with South Frontage Road, thence in a westerly direction following the south right-of-way boundary of the South Frontage Road to the intersection of an extension of the east boundary of Riverfront Business Park Subdivision, extending south along eastern boundary of said subdivision to the south boundary of said subdivision, extending southerly and westerly along said boundary to the west boundary of said subdivision, extending northerly and easterly along said boundary and its extension to the south right-of-way boundary of South Frontage Road, extending westerly to the northeast corner of Lot 1, Block 1, Willowbrook Subdivision, thence in a southerly and westerly direction following the existing city limit boundary to a point which intersects with the extension of the southern boundary of Tract 1, C/S 2834, then west along said southern boundary of Tract 1, C/S 2834 and southern boundary of Block 4 of Weil Subdivision to the intersection with the centerline of Mullowney Lane, extending north along the centerline of Mullowney Lane and its projection to the centerline of Laurel Road, extending northeast along the centerline of Laurel Road to its intersection with State Avenue, extending northeast and east along the centerline of State Avenue to the ending point at the intersection of State Avenue and Van Buren Street. Excluding all unincorporated land within the boundary.

Map 6 – Tax Increment Finance District in Relationship to City



15

Section 8 - Planning Process

Stakeholder and Community Participation

The initial concept of developing a Tax Increment Finance District and an Urban Renewal Plan in the South Billings Boulevard area was brought forward by the City of Billings, Big Sky Economic Development Authority, and the Downtown Billings Partnership. After discussions and meetings with the Southwest Corridor Task Force, it was determined that a steering committee would be established to move forward with the development of an Urban Renewal Plan for the creation of the South Billings Boulevard TIF District. After discussions with the participating members, it was apparent that direct communication with business owners, landowners and public participation was critical for the project to be a success. Two public meetings were scheduled to open dialogue on the proposed Urban Renewal Plan and TIF District process, and to set goals and objectives of the project. It also became clear that a grass-roots effort conducted and led by the property owners themselves was needed.

In October of 2008, the City began an urban renewal plan modification process to include three additional properties to the district pursuant to Montana Code section 7-15-4221. All property owners affected by the urban renewal plan modification were notified by mail of the public hearing on the Urban Renewal Plan held November 24, 2008.

In May 2019, the City, in coordination with the South Billings Urban Renewal Association, began the process to amend the South Billings Urban Renewal Plan. All property owners affected by the urban renewal plan amendment were notified by mail of a public meeting to discuss and receive public comment on the Plan amendment on May 30, 2019. All property owners affected by the urban renewal plan amendment were also notified of the public hearing on the Urban Renewal Plan held July 8, 2019.

In summer 2020, City staff in coordination with the South Billings Urban Renewal Association and its consultant, began discussion of expanding the District Boundary to include additional properties. The proposed expansion as brought to the City Council at a December 2020 Work Session for review and discussion. The Council at that meeting directed staff to move the process to expand the District forward in 2021. All property owners who property was proposed to be included in the District expansion were notified of the public hearing on the Urban Renewal Plan held July 12, 2021.

Urban Renewal Plan

The Urban Renewal Plan is the tool that governs what public improvements are needed and desired within the District. Through public meetings and meetings at the Southwest Corridor Task Force, neighborhood needs, and projects were identified.

With input from property owners and the identification of goals and objectives, the City of Billings moved forward with the completion of the Urban Renewal Plan. A draft was reviewed with the property owners and the Southwest Corridor Task Force prior to review by the City of Billings City Council.

The high level of transparency and frequency of meetings has ensured that a large local constituency

has been involved, and as many stakeholders as possible participate and approve of the plan.

Eminent Domain

In no case shall eminent domain be used as a tool in the redevelopment of the South Billings Boulevard Urban Renewal District except as a last resort in the case of needed public infrastructure improvements and/or rights-of way.

Residential Relocation Plan

If a residential structure requires relocation as a result of right-of-way acquisition and/or a public infrastructure construction project, that is partially or fully funded with federal assistance (Housing and Urban Development, Federal Highway, etc.), the City of Billings shall abide by the Uniform Relocation Assistance Act.

Planning, City Administration and Legal Review

During the many meetings with the local property owners and the Southwest Neighborhood Task Force, it was decided to begin the process of finalizing the urban renewal plan and take it to the City Council before the end of 2007. The Urban Renewal Plan was sent to the City Legal Department and City Administration for review and comments. Comments and recommendations from both City Legal and City Administration were taken into account and incorporated into this Plan.

The Plan was also sent to the Yellowstone County Board of Planning for its review and recommendations regarding the plan's conformity to the City's 2003 Growth Policy Plan. A recommendation of approval was passed by the Planning Board on October 23, 2007. The plan was then presented at a City Council Work Session on November 5, 2007. The public hearing and first reading of the Ordinance was held by the City Council on November 26, 2007 with the second reading and final adoption on December 10, 2007.

A modification to the SBBURD plan began in October of 2008. On November 10, 2008, the Billings City Council passed a Resolution Declaring Blight, Intent to Modify the District, and Setting a Public Hearing Date. The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council regarding the Plan's conformity with the 2003 Growth Policy on November 12, 2008. The affected property owners were notified of the Plan's modification and public hearing notices were published on November 6, 2008 and November 13, 2008 for the first reading and public hearing on the modification of the Plan.

The City initiated an amendment to the Plan in May 2019 to ensure future projects contemplated by the City and via public comments and recommendations would be possible if funded by bonding or directly through tax increment funds generated by the SBBURD. The process to amend the Plan has followed the process described in Montana Code as follows: The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council regarding the Plan's conformity with the 2016 Growth Policy on June 25, 2019. The

affected property owners were notified by mailed postcard of the Plan's modification, and public hearing notices were published on June 28, 2019 and July 5, 2019 for the first reading and public hearing on the Plan amendment.

The City initiated an expansion to the SBBURD boundary in December 2020 to include additional properties in the District. The process to expand the District has followed the process described in Montana Code as follows: The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council regarding the Plan's conformity with the 2016 Growth Policy on April 13, 2021. The City Council acted upon a Resolution of Intent to expand the boundaries of the District on May 10, 2021 and set a public hearing date to act on an ordinance to expand the District in July 12, 2021. The affected property owners were notified by mailed letter of the District expansion, and public hearing notices were published for the first reading and public hearing set for July 12, 2021.

Financial Programming

The City of Billings, to ensure a sound and adequate financial program to fund projects, has concluded the following: For every $1 million dollars of increased market value, assuming Class 4 (commercial) property @ 3.01 % taxable rate and a mill levy of $0.55, it is anticipated that an increment value of approximately $14,500 will be generated yearly.

Modification of SBBURD Plan

The SBBURD may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this Plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may only be mailed to those owners whose properties are situated within the area of expansion or contraction of the Urban Renewal District boundaries. In cases where the boundaries are not modified, but the contents of the urban renewal plan are substantially modified, notification shall be mailed to all owners of property within the District area.

Section 9 - Housing (Conservation of Existing Affordable H ousing)

Housing is an important element to the District. Providing the District with housing opportunities is vital to the sustainability of the District. With housing opportunities, individuals and families can live and work within the District. This provides a dual benefit; first, the commute to work for individuals will be reduced and second, the businesses within the District will have a local work force to draw from.

Current housing in the area consists of single-family, duplex, and multi-family units and include rental units and owner-occupied. Also, manufactured home parks are located within the District. The main concentration of housing is in the central and eastern portion of the District. During the summer of 2007, the Planning Division developed a map of existing housing conditions within the City of

Billings. The information was generated through the Yellowstone County CAMA (Computer Assisted Mass Appraisal) detail system. Properties were queried that were labeled as either unsound, poor, fair, or incomplete. This resulted in approximately 2,390 properties within the city limits that met this query. Out of the 2,390 city properties, 562 or 24% were located in the SBBURD. Of the 562 residential structures, seven were rated as unsound, 184 as poor and 371 as fair.

Future housing for the District is encouraged to be developed for the goal of ownership. When rental housing occurs, such facilities shall be developed in connection with mixed-uses and managed by a company that will provide active policy measures to eliminate crime and blight. Approval of multi-family housing will require either a Zone Change or Special Review request that requires approval by the City Council.

Housing in the area shall also be designed to cater to a variety of income demographics as well. All current affordable housing needs in the District shall be accounted for through the development of owned and rental housing that remain within the District. Housing for mid- and higher-level income groups shall also be encouraged. To avoid creation of substandard housing or encourage future blight, mixed-use housing developments shall incorporate all income demographics within the same project in a safe and positive way.

Section 10 - Transportation and Pedestrian Circulation

The transportation and circulation situation in the TIF District should be a major focus during redevelopment of the area. Traffic patterns and access issues can affect the function and livability of a community or neighborhood.

During discussions and public meetings, it was apparent the current street conditions and lack of adequate transportation and pedestrian facilities was a high priority for property owners. The majority of traffic that comes into the District is either pass-through or destination traffic to the major transportation routes located within the District. In addition, the lack of sidewalk and pedestrian routes is a concern with the number of schools and parks located in the District. Safe and attractive pedestrian amenities, such as sidewalks, boulevards, crosswalks, improved signage and shelters or benches would greatly enhance pedestrian experiences.

Section 11 - Public Services and Facilities

Currently there are four public schools located within the District; three elementary schools and one middle school. A concern mentioned many times by residents was the lack of sidewalks for school children to get to school. It was observed that many students are walking directly in the street due to a lack of sidewalks. The creation of a Safe Routes to School Plan should be created to address this concern. In addition to schools, there are several developed parks located in the District. Amend Park provides a multi-use facility for soccer and rugby as well as picnic sites and shelters. Optimist Park has a variety of amenities that include basketball courts, jogging trails, playground, softball and baseball fields and picnic areas. Ponderosa Park provides horseshoe courts, playground, softball and baseball fields and soccer and rugby fields. The City of Billings also provides services to the District with MET Transit and the Southgate Cop Shop. Currently two MET routes serve the neighborhood; the Central and the Southside Loop. Both of these routes travel to and from the Stewart Park and Downtown Transfer Centers. The Southgate Cop Shop was reopened in May of 2007 and operates on

Monday, Wednesday and Friday from 4 - 7 p.m. The station is a neighborhood police contact center currently staffed by volunteers. Residents are encouraged to use the Cop Shop to report crimes, suspicious activities or obtain information and assistance.

Section 12 - Infrastructure and Utilities

The District has infrastructure and utilities deficiencies that need to be addressed prior to any large influx of redevelopment or new building construction. Water and sewer conditions need to be addressed due to out of date installations, inadequate lines, or increases in impacts to existing structures.

The storm water drainage situation is particularly troublesome as many areas either have inadequate storm water facilities or none at all.

By upgrading infrastructure and utilities, therein lies the opportunity for more attractive development opportunities.

Section 13 - Urban Renewal Projects and Programs

The Urban Renewal Projects were identified by property owners within the District during the public meetings at the time the Plan was first adopted in 2008 and also during the amendment process in 2019. Information for the 2008 Plan adoption process utilized the Southwest Corridor Task Force meetings and delivery through comments mailed to the Planning Division. For the 2019 amendment process, a public meeting was held at Orchard Elementary School on May 30, 2019 where projects ideas and comments were collected, as well as at the South Billings Urban Renewal Association meeting on June 4, 2019. It is the City's intent to use tax increment to finance public improvement projects. In addition to TIF financing, the City may also use Special Improvement District financing as well as grant funding through, but not limited to, the Community Development Block Grant Program. By combining funding opportunities, more projects will be able to be completed.

The project and program list below encompasses both items included in the 2008 Plan as well as the new project recommendations for the 2019 Plan amendment. The items are identified by the year:

2008 Project and Program Recommendations:

Project: Traffic calming measures on Calhoun and Orchard Streets. (Completed)

Project: Street improvements on Newman Drive between Simpson and Stone Streets, install curb and gutter. (Completed)

Project: Pave, curb, and gutter on Simpson from Calhoun to Newman.

Project: Widen, curb and gutter (where needed) and repave Calhoun the full length. (Completed)

Project: Widen, curb and gutter (where needed) and repave Orchard the full length. (Completed)

Project: Widen, curb and gutter (where needed) and repave Hallowell the full length. (Under Construction 2021)

Project: Widen, curb and gutter and install bike path or sidewalk the full length of King Avenue East from Parkway to Riverside Drive. (Completed to Jackson Street)

Project: Safety to school plan. (SRTS Maps Updated, Plan Update in 2021/2022)

Project: Crosswalks within the District (where needed).(In Progress)

Project: Sidewalks within the District (where needed). (In Progress)

Project: Street lights along King Avenue East. (In Progress)

Project: Street widening at Optimist Park. (Addressed with Hallowell Lane Project)

Project: 4100 Block of Vaughn Street - sidewalk. (Included in FY22 CIP – Jackson to Hallowell)

Project: 4100 Block of Vaughn - public sewer needed, drain fields failing. (Included in FY22 CIP – Jackson to Hallowell)

Project: Bike/pedestrian routes along King Avenue. (Mostly Completed, section east of Jackson Street)

Project: Sewer improvements on South Billings Boulevard from Mitchell north to Underpass Road. Sewer line currently runs east under adjoining residential development. (Completed)

Project: Repave Morgan Avenue between Hallowell Lane and Jackson Street include sidewalks, streetlights. (Included in FY22 CIP)

Project: Install public sewer along Morgan Avenue that includes storm water improvements. (Included in FY22 CIP)

Project: More bike trails throughout neighborhood. (In Progress)

Project: Park improvements for Little League and soccer leagues. (Amend Park and Optimist Park projects addressing this need)

Project: Community Resource Officer within the neighborhood to steer kids away from drugs and promote a safe neighborhood. (Coordination between SD#2 and City PD is ongoing)

Project: Pave Newman Lane behind Newman Elementary School. (Completed)

Project: Storm water improvement at the Northeast comer of Phillip and Hallowell. (Addressed with Hallowell Lane Project)

Project: Need school zone signage at Newman Elementary School. Completed)

Project: Installation and improvement of municipal water and sewer lines within the District. (Completed)

Project: Installation of sidewalks on Jackson Street (where needed). (In Progress)

Project: Stop light at South Billings Boulevard and Midland Road. (Completed)

Project: Neighborhood wide traffic study for traffic calming strategies. (In Progress through SRTS and Complete Streets efforts)

Project: Assess adequacy of fire hydrants throughout the neighborhood and add fire hydrants as needed. (Not Completed)

Project: Traffic light at State Avenue and Hallowell Lane. (Completed)

Project: Continuation of streetlights on Jackson to King Avenue. (Not Completed)

In addition to property owner identification of projects for the District, the City of Billings Public Works Department has several ongoing or future infrastructure projects scheduled. These projects include the following:

- **Orchard Lane** - Replacement of a water main in Orchard Lane from just south of King Avenue East to Underpass Avenue. (Completed)

- **Calhoun Lane** – Replacement of water main in Calhoun Lane from King Avenue East to Underpass Avenue. (Completed)

- **Jackson Street** - Jackson Street is split into two phases. The first phase will provide sidewalk and drive approaches on the west side of Jackson Street from King Avenue East to Ryan Avenue. The second phase will provide drive approaches, sidewalk, curb and gutter, and ADA ramps along both sides of Jackson Street from State Avenue to Kratz Lane. (Completed)

- **Newman Lane and Bruce Avenue** - Sanitary sewer rehabilitation work was completed in the TIF District in 2007 at Newman Lane and Bruce Avenue.

2021 SBBURD Gravel Street Inventory – Programming in Current or Future CIP

Branch Name	To	From
ARDEN AVE	JACKSON STREET	VICEROWY STREET
BRUCE Ave	HALLOWELL	STEPHENS
CLEVENGER AVENUE	600' W OF JACKSON ST	JACKSON ST
FRANCES AVENUE	ORCHARD LANE	END W. ORCHARD LANE
HILLVIEW LANE	MORGAN AVE	ALLEY N OF PHILLIP STREET
HILLVIEW LANE	VAUGHN LANE	MITCHELL AVENUE
HOLIDAY AVENUE	SONGBIRD DRIVE	WELL STREET
MCDOUGALL DRIVE	CUL-DE-SAC E OF WASHINGTON STREET	WASHINGTON STREET
MITCHELL AVENUE	HILLVIEW	HALLOWELL
MONROE STREET	MADISON AVENUE	371'S. MADISON AVE
MOREY STREET	UNDERPASS AVENUE	WONDERPARK DRIVE
MOREY STREET	END OF GRAVEL	SIMPSON STREET
MULLOWNEY LANE	320' N/O PARKWAY LN	130' S/O PARKWAY LANE
NEWMAN LANE	LUX AVENUE	RUTH LANE
NOVA LANE	SONGBIRD DRIVE	WELL STREET
RYAN AVENUE	JACKSON STREET	HALLOWELL LANE
SONGBIRD DRIVE	MIDLAND ROAD	FRONTIER DRIVE
STEPHENS LANE	ARDEN AVENUE	VAUGHN LANE
STEPHENS LANE	SIMPSON STREET	RYAN AVENUE
STEPHENS LANE	ALLEY N OF JANSMA AVENUE	ALLEY S OF JANSMA AVE
VAUGHN LANE	JACKSON	HALLOWELL

FY 2022 SBURD Project
FY 2021 City Project and SID
Proposed Future CIP Inclusion

2019 Project and Program Recommendations:

Parks & Recreational Amenities – Construct and enhance public facilities that will increase the quality or quantity of parks and recreational activities within the District. This may include, but is not limited to, a recreation center, swimming pool, ice arena, indoor and outdoor park development, and other amenities.

Public Safety – Construction of Police or Fire facilities within the District, to include necessary furnishings for such facilities.

Railroad Infrastructure – Coordinate with BNSF Railway and Montana Rail Link on safety and long-term viability of railroad crossings and corridors in the District and cooperate on projects with the railroads and City of Billings.

Walking Paths and Trails – Construct sidewalks, trails, and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.

Transportation Corridor Improvements – Construct and reconstruct transportation infrastructure in the District to include streets, sidewalks, lighting, traffic control, multi-purpose side paths, landscaping, water, sewer, stormwater, and transit access projects.

School and Community Services – Assist in funding projects and programs in the District to enhance school playgrounds and athletic fields, health and wellness programs, access to community meeting and activity spaces, and other efforts that improve access to school and community services.

Section 14 - Identified Projects and Programs in Relationship to the Goals and Objectives Respective to the 2016 City of Billings Growth Policy

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43, MCA) is that the urban renewal plan must conform to the community's growth policy. On April 13, 2021, the Yellowstone County Board of Planning acted affirmatively on a recommendation to the City Council as to the SBBURD expansion's consistency with the 2016 City of Billings Growth Policy. The 2016 City of Billings Growth Policy ("Growth Policy") refers to and promotes economic development and urban renewal in a variety of ways. The preceding list of urban renewal goals listed in Section 13 are relevant to the Growth Guidelines identified in the Growth Policy in the following areas:

Growth Guidelines

Essential Investments (relating public and private expenditures to public values)

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans.
- Public transit and commercial air service are critical to ensure access to and around the City.
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community.
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors.
- Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors.
- Infill development and development near existing City infrastructure may be the most cost effective.
- The history and heritage of Billings are cornerstones of our community.

- Neighborhoods that are safe and attractive and provide essential services are much desired.
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community.

Place Making (Enhance, maintain, preserve, and improve existing public places)

- A multi-use community recreation facility is desirable.
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community.
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings.
- Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City.

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity.
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods.
- Outdoor public spaces provide casual and relaxing gathering areas for people.
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings.
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors.

Strong Neighborhoods (livable, safe, sociable, and resilient neighborhoods)

- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools, and public gathering spaces foster health, good will and social interaction.
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale streetlights, street trees and walkable access to public spaces.
- Implementation of the Infill Policy is important to encourage development of underutilized properties.

Home Base (healthy, safe, and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important.

- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy, and safe.
- Homes that are safe and sound support a healthy community.

Mobility and Access (transportation choices in places where goods and services are accessible to all)

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses, and visitors.
- Safe and accessible transportation systems benefit everyone's quality of life.
- Affordable public transit is much desired.
- Development oriented to transit routes will provide more transportation choices and is preferred.
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation.
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.
- On-street bike facilities promote predictability for all users
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings.

Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers.
- Successful businesses that provide local jobs benefit the community.
- Community investments that attract and retain a strong, skilled, and diverse workforce also attracts businesses.
- Retaining and supporting existing businesses helps sustain a healthy economy.

Section 15 - Neighborhood Planning

Another tool that is expected to be used in the future to address current conditions within the District and the identification of neighborhood needs will be accomplished through the creation of a Neighborhood Plan. A neighborhood plan may be drafted for this area of Billings in the next three or four years based on available funding. The purpose of the neighborhood plan is to assist residents, governing agencies, planners, and developers in making the right choices when determining future growth patterns and development within the neighborhood. The plan also encourages local government, developers, and businesses to discuss future land use decisions with neighborhood residents and business owners prior to the proposed land use change. The neighborhood plan is not a regulatory document; instead, it is adopted by the City Council and the Board of County Commissioners as an implementation strategy and is part of the City of Billings and Yellowstone County Growth Policy as an advisory document. The neighborhood plan would be implemented through the City's Capital Improvement Program Planning and by the Southwest Corridor Neighborhood Task Force.

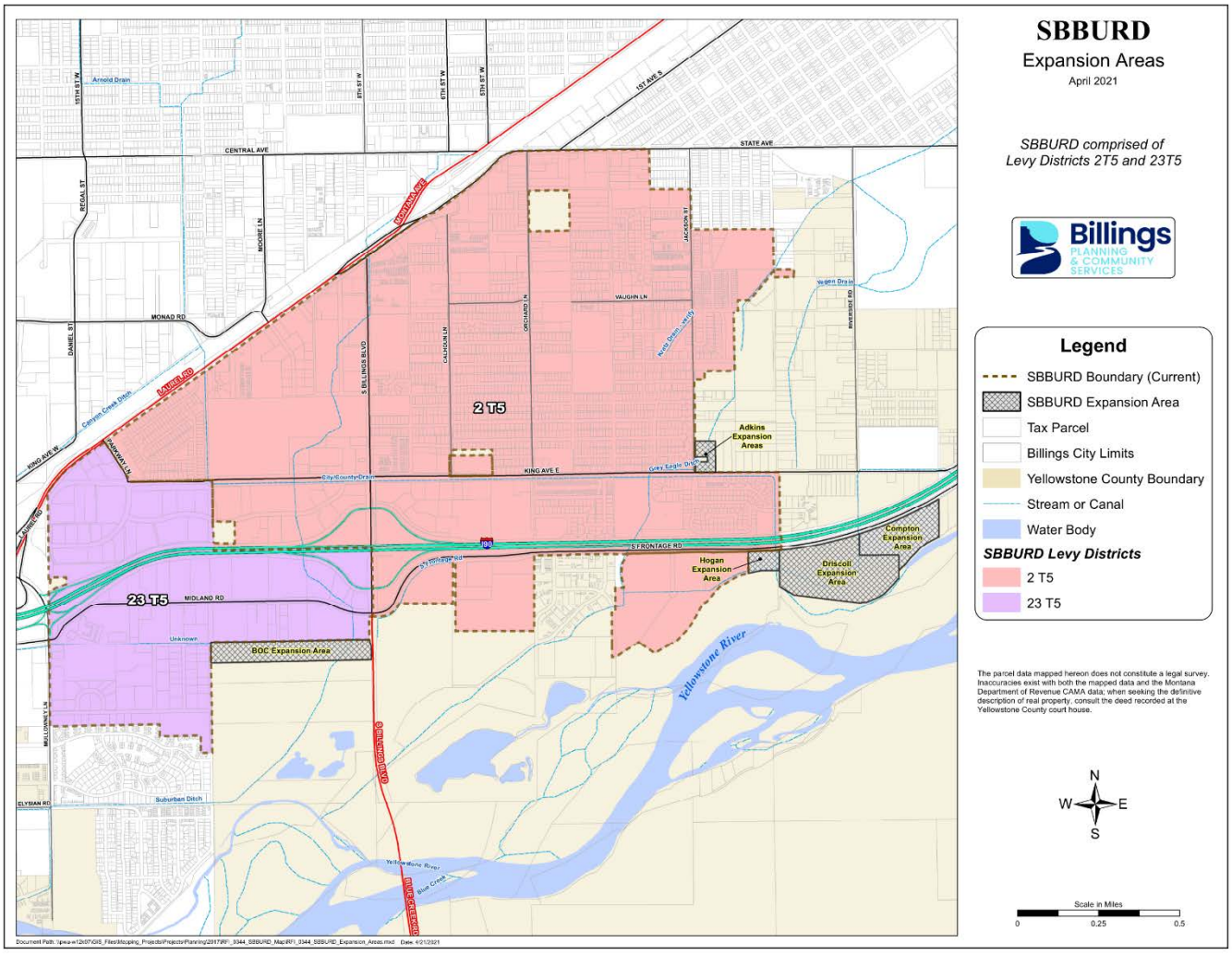
The plan would include general and specific recommendations that reflect the values of the community, encourage sound decision-making, and empower people to take action. The plan also

includes realistic implementation strategies that involve both private and public actions, as well as regulatory decisions.

Section 16- Conclusion

The South Billings Boulevard Urban Renewal District has a tremendous amount of potential to become a viable and reliable economic engine. The District has a great potential to become a destination place where Billings residents, business owners, and visitors will purposefully go to conduct business, have goods and services manufactured and enjoy recreation and leisure activities. At the end of the life of this TIFD program it is the hope of all involved that this area of Billings will be a wonderful place to live, work and play far into the future.

Appendix I – 2021 Expansion



ORDINANCE 19-5725

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL PLAN FOR THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL DISTRICT (SBBURD), FORMED BY THE CITY IN NOVEMBER 2007 AND EXPANDED IN NOVEMBER 2008, BE AMENDED BY REVISING SECTIONS 1, 8, 13 AND 14, PROVIDING FOR ADDITIONAL PROJECTS TO BE FUNDED AND CONSTRUCTED IN THE FUTURE IN THE SBBURD, AS WELL AS UPDATING THE PLAN TO REFLECT THE AMENDMENT PROCESS.

WHEREAS, this Council on May 12, 2008, established the South Billings Boulevard Urban Renewal District and adopted the South Billings Boulevard Urban Renewal Plan under Ordinance 08-5462,

WHEREAS, this Council on December 8, 2008, modified the South Billings Boulevard Urban Renewal District and modified the South Billings Boulevard Urban Renewal Plan under Ordinance 08-5484,

WHEREAS, opportunities have been presented to the City that make it desirable for the City to amend the South Billings Boulevard Urban Renewal Plan to enable further development and redevelopment of properties, demolishing blighted structures, improving such properties with, landscaping, utilities, and other similar improvements, assembling such properties, and making the properties so improved available for private redevelopment.

WHEREAS, the City Council has made amendments to the South Billings Boulevard Urban Renewal Plan as outlined in this Ordinance and as attached as Exhibit A.

WHEREAS, the South Billings Boulevard Urban Renewal Plan has been reviewed and approved by the Yellowstone County Board of Planning, as evidenced by the Board's letter provided to the City Council and the meeting minutes of June 25, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That Section 1 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

On May 12, 2008 the City of Billings adopted an ordinance creating the South Billings Boulevard Urban Renewal District (SBBURD) and established a Tax Increment Finance District. As part of this ordinance, an urban renewal plan and the boundaries of the tax increment finance district were adopted.

Public participation for preparing the urban renewal plan involved public meetings and participation with the City of Billings, the Southwest Corridor Neighborhood

Task Force, residents and property owners, Downtown Billings Partnership, and Big Sky Economic Development Authority.

In October of 2008, the City began a modification of the SBBURD to include three additional properties. Two of these properties were recently annexed and contiguous to the existing SBBURD; therefore, the properties are now eligible to be included within the SBBURD. The third property is contiguous and requested an expansion of the district boundary. The modification of the urban renewal plan will reflect the addition of those properties.

The December 2008 modification of the urban renewal plan ~~will~~:

- Served as a framework for the official urban renewal plan
- Fulfilled Montana state law
- Updated and define district boundaries
- Classifiedy blight
- Set forth the protocol for its authorization, execution, and management
- Illustrated the development opportunities
- Documented baseline taxable property values and potential areas for redevelopment

The July 2019 amendment of the urban renewal plan will:

- Identify future projects and programs
- Ensure the City has the option to bond future projects
- Update to the 2008 Plan to reflect the 2019 amendment process

Section 8. That Section 8 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

Stakeholder and Community Participation

The initial concept of developing a Tax Increment Finance District and an Urban Renewal Plan in the South Billings Boulevard area was brought forward by the City of Billings, Big Sky Economic Development Authority and the Downtown Billings Partnership. After discussions and meetings with the Southwest Corridor Task Force, it was determined that a steering committee would be established to move forward with the development of an Urban Renewal Plan for the creation of the South Billings Boulevard TIF District. After discussions with the participating members, it was apparent that direct communication with business owners, landowners and public participation was critical for the project to be a success. Two public meetings were scheduled to open dialogue on the proposed Urban Renewal Plan and TIF District

process, and to set goals and objectives of the project. It also became clear that a grass-roots effort conducted and led by the property owners themselves was needed.

In October of 2008, the city began an urban renewal plan modification process to include 3 additional properties to the district pursuant to Montana Code section 7-15-4221. All property owners affected by the urban renewal plan modification were notified by mail of the public hearing on the Urban Renewal Plan held November 24, 2008.

In May 2019 the City in coordination with the South Billings Urban Renewal Association began the process to amend the South Billings Urban Renewal Plan. All property owners affected by the urban renewal plan amendment were notified by mail of a public meeting to discuss and receive public comment on the Plan amendment on May 30, 2019. All property owners affected by the urban renewal plan amendment were also notified of the public hearing on the Urban Renewal Plan held July 8, 2019.

Planning, City Administration and Legal Review

During the many meetings with the local property owners and the Southwest Neighborhood Task Force, it was decided to begin the process of finalizing the urban renewal plan and take it to the city council before the end of 2007. The urban renewal plan was sent to the City Legal Department and City Administration for review and comments. Comments and recommendations from both City Legal and City Administration were taken into account and incorporated into this plan.

The plan was also sent to the Yellowstone County Board of Planning for its review and recommendations regarding the plan's confo1mity to the 2003 Growth Policy Plan. A recommendation of approval was passed by the Planning Board on October 23, 2007. The plan was then presented at a City Council Work Session on November 5, 2007. The public hearing and first reading of the Ordinance was held by the City Council on November 26, 2007 with the second reading and final adoption on December 10, 2007.

The modification to the SBBURD plan began in October of 2008. On November 10, 2008, the Billings City Council passed a Resolution Declaring Blight, Intent to Modify the District, and Setting a Public Hearing Date. The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council with regard to the plan's conformity with the 2003 Growth Policy on November 12, 2008. The affected property owners were notified of the plan's modification and public hearing notices were published on November 6, 2008 and November 13, 2008 for the first reading and public hearing on the modification of the plan.

The City initiated an amendment to the SBBURD plan in May 2019 to ensure future projects contemplated by the City and also provided by public comments and recommendations would be possible if funded by bonding or directly through tax

increment funds generated by the SBBURD. The process to amend the plan has followed the process described in Montana Code as follows: The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council with regard to the plan's conformity with the 2016 Growth Policy on June 25, 2019. The affected property owners were notified by mailed postcard of the plan's modification, and public hearing notices were published on June 28, 2019 and July 5, 2019 for the first reading and public hearing on the plan amendment.

Section 13. That Section 13 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

Section 13 - Urban Renewal Projects and Programs

The Urban Renewal Projects were identified by property owners within the district during the public meetings at the time the Plan was first adopted in 2008 and also during the amendment process in 2019.; Information for the 2008 Plan adoption process utilized the Southwest Corridor Task Force meetings and delivery through comments mailed to the Planning Division. For the 2019 amendment process, a public meeting was held at Orchard Elementary School on May 30, 2019 where projects ideas and comments were collected, as well as at the South Billings Urban Renewal Association meeting on June 4, 2019. It is the City's intent to use Tax Increment to finance public improvement projects. In addition to TIF financing, the City may also use Special Improvement District financing as well as grant funding through but not limited to, the Community Development Block Grant Program. By combining funding opportunities, more projects will be able to be completed.

The project and program list below encompasses both items included in the 2008 Plan as well as the new recommendations for the 2019 Plan amendment. The items are identified by the year:

2008 Project and Program Recommendations:

Project: Traffic calming measures on Calhoun and Orchard Streets.

Project: Street improvements on Newman Drive between Simpson and Stone Streets, install curb and gutter.

Project: Pave, curb and gutter on Simpson from Calhoun to Newman.

Project: Widen, curb and gutter (where needed) and repave

Calhoun the full length. Project: Widen, curb and gutter (where

needed) and repave Orchard the full length. Project: Widen, curb

and gutter (where needed) and repave Hallowell the full length.

Project: Widen, curb and gutter and install bike path or sidewalk the full length of King Avenue East from Parkway to Riverside Drive.

Project: Safety to school plan.

Project: Crosswalks within the district (where

needed). Project: Sidewalks within the district

(where needed).

Project: Street lights along King

Avenue East. Project: Street

widening at Optimist Park.

Project: 4100 Block of Vaughn Street - sidewalk.

Project: 4100 Block of Vaughn - public sewer needed,

drainfields failing. Project: Bike/pedestrian routes along

King Avenue.

Project: Sewer improvements on South Billings Boulevard from Mitchell north to Underpass Road. Sewer line currently runs east under adjoining residential development.

Project: Repave Morgan Avenue between Hallowell Lane and Jackson Street include sidewalks, street lights.

Project: Install public sewer along Morgan Avenue that includes storm

water improvements. Project: More bike trails throughout neighborhood.

Project: Park improvements for Little League and soccer leagues.

Project: Community Resource Officer within the neighborhood to steer kids away from drugs and promote a safe neighborhood.

Project: Pave Newman Lane behind Newman Elementary School.

Project: Storm water improvement at the Northeast comer of Phillip

and Hallowell. Project: Need school zone signage at Newman

Elementary School.

Project: Installation and improvement of municipal water and sewer lines

within the district. Project: Installation of sidewalks on Jackson Street

(where needed).

Project: Stop light at South Billings Boulevard and

Midland Road. Project: Neighborhood wide traffic study

for traffic calming strategies.

Project: Assess adequacy of fire hydrants throughout the neighborhood and add fire hydrants as needed.

Project: Traffic light at State Avenue and

Hallowell Lane. Project: Continuation of street

lights on Jackson to King Avenue.

In addition to property ~~1iy~~ owner identification of projects for the district, the City of Billings Public Works Department has several ongoing or future infrastructure projects scheduled. These projects include the following:

- Orchard Lane - Replacement of a water main in Orchard Lane from just south of King Avenue East to Underpass Avenue. This project is scheduled for the spring or fall of 2009.
- Calhoun Lane – Replacement of water main in Calhoun Lane from King Avenue East to Underpass Avenue. This project could be scheduled for 2010 or 2011.
- Jackson Street - Jackson Street is split into two phases. The first phase will provide sidewalk and drive approaches on the west side of Jackson Street from King Avenue East to Ryan Avenue. The second phase will provide drive approaches, sidewalk, curb and gutter, and ADA ramps along both sides

of Jackson Street from State Avenue to Kratz Lane. These phases are programmed in the FY 2009 Budget

- Newman Lane and Bruce Avenue - Sanitary sewer rehabilitation work was completed in the TIF district in 2007 at Newman Lane and Bruce Avenue.

2019 Project and Program Recommendations:

Parks & Recreational Amenities – Construct and enhance public facilities that will increase the quality or quantity of parks and recreational activities within the District. This may include, but is not limited to, a recreation center, swimming pool, ice arena, indoor and outdoor park development, and other amenities.

Public Safety – Construction of Police or Fire facilities within the District, to include necessary furnishings for such facilities.

Railroad Infrastructure – Coordinate with BNSF Railway and Montana Rail Link on safety and long-term viability of railroad crossings and corridors in the District and cooperate on projects with the railroads and City of Billings.

Walking Paths and Trails – Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.

Transportation Corridor Improvements – Construct and reconstruct transportation infrastructure in the District to include streets, sidewalks, lighting, traffic control, multi-purpose side paths, landscaping, water, sewer, stormwater, and transit access projects.

School and Community Services – Assist in funding projects and programs in the District to enhance school playgrounds and athletic fields, health and wellness programs, access to community meeting and activity spaces, and other efforts that improve access to school and community services.

Section 14. That Section 14 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

Section 14 - Identified Projects and Programs in Relationship to the Goals and Objectives Respective to the 2016 City of Billings ~~County~~ Growth Policy ~~Plan~~

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43, MCA) is that the urban renewal plan must conform to the community's growth policy. The ~~Yellowstone County and~~ 2016 City of Billings ~~2003~~ Growth Policy ~~Plan~~ ("Growth Policy") refers to and promotes economic

development and urban renewal in a variety of ways. The preceding list of urban renewal goals listed in Section 13 are relevant to the ~~goals~~ Growth Guidelines identified in the Growth Policy in the following ~~elements~~areas:

Growth Guidelines

Essential Investments (relating public and private expenditures to public values)

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Public transit and commercial air service are critical to ensure access to and around the City
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
- Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors
- Infill development and development near existing City infrastructure may be the most cost effective
- The history and heritage of Billings are cornerstones of our community
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community

Place Making (Enhance, maintain, preserve, and improve existing public places)

- A multi-use community recreation facility is desirable
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings

- Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)

- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces
- Implementation of the Infill Policy is important to encourage development of underutilized properties

Home Base (healthy, safe and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Homes that are safe and sound support a healthy community

Mobility and Access (transportation choices in places where goods and services are accessible to all)

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life
- Affordable public transit is much desired
- Development oriented to transit routes will provide more transportation choices and is preferred
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation

- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- On-street bike facilities promote predictability for all users
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings

Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy

PASSED by the City Council on first reading this 8th day of July, 2019.

PASSED, ADOPTED and APPROVED on second reading this 22nd day of July, 2019.

CITY OF BILLINGS:

CITY OF BILLINGS • SEAL • YELLOWSTONE COUNTY, MONTANA

By: William A. Cole
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman
Denise R. Bohlman, City Clerk

YELLOWSTONE COUNTY BOARD OF PLANNING

2825 3RD AVENUE NORTH, 4TH FLOOR
BILLINGS, MONTANA 59101
PHONE: (406) 247-8676 FAX: (406) 657-8327

April 13, 2021

Mayor and City Council
City of Billings, Montana

RE: South Billings Boulevard Urban Renewal District Expansion

As President of the Yellowstone County Board of Planning, I am forwarding the Board's recommendation for the proposed expansion of the South Billings Boulevard Urban Renewal District and modification of the Urban Renewal Plan. On March 23, 2021, per MCA 7-15-4213 (5)(d) the Planning Board reviewed the proposed expansion of the District and modification of the Plan as to conformity with the 2016 City of Billings Growth Policy. The Planning Board voted at its April 13 meeting to forward a recommendation to City Council of approval of the expanded District and Plan modification and their conformity with the Growth Policy.

This item was posted on the Planning Board agenda for its regular meeting held March 23 and April 13, 2021. The Yellowstone County Board of Planning reviewed the proposed expansion of the South Billings Boulevard Urban Renewal District and Plan modification and found the changes conformed with the 2016 City of Billings Growth Policy. Specifically, several Growth Policy Guidelines are addressed by potential development and redevelopment that may occur on properties to be included in the District expansion. Some examples are called out here by the Board:

Essential Investments (relating public and private expenditures to public values)

- *Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community*
- *Walking Paths and Trails – Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.*
- *The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans*
- *Infill development and development near existing City infrastructure may be the most cost-effective*

- *Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable*

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- *Planning and construction of interconnected sidewalks and trails are important to the livability of Billings*

Home Base (healthy, safe and diverse housing options)

- *A mix of housing types that meet the needs of a diverse population is important*

The Board respectfully submits this recommendation to the City of Billings Mayor and City Council for consideration.

Respectfully Yours,

Woody Woods

Woody Woods, President
Yellowstone County Board of Planning

City Council Regular

Date:	07/12/2021
Title:	Downtown Billings Partnership - Tax Increment Assistance - Monte Bar and Casino
Presented by:	Wyeth Friday
Department:	Planning & Community Services
Presentation:	Yes

RECOMMENDATION

The Downtown Billings Partnership (DBP) Board has reviewed this TIF application and recommends the City Council approve up to a maximum reimbursement of $113,997, starting in the fiscal year following the year in which the project is completed, from Downtown Urban Renewal tax increment finance district funds to the Monte Bar and Casino. Actual reimbursement will be based upon 100% of the actual costs incurred for qualified expenses for demolition and renovation of the property at 2824 1st Avenue North, subject to the following conditions:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 150 days of City Council's approval.
2. This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.
3. If funds are not available, reimbursement can be carried over to the next fiscal year

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The DBP staff received and reviewed the Monte TIF Application starting in April 2021. The applicant presented the application to the DBP Development Committee on May 13 and the Committee completed its review and made its recommendation to the DBP Board. The full DBP Board made its recommendation to City Council on June 18 (See DBP Meeting Minutes attached).

The Monte is requesting TIFD assistance in the amount of $113,997 dollars on a 5:1 matching basis. Its private investment is $784,968, which includes personal cash and two loans. The total project will cost $898,965 and a breakdown of the eligible expenses is provided in the DBP Recommendation attached to this memo. This total recommended award aligns with the City's TIF Policy recommendation of a 5:1 private to public investment. If approved, this TIF assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures such as architectural/engineering/permits/appraisals, concrete demo/removal/replacement, structural steel, removal/replacement of stucco and membrane roofing, doors/windows, HVAC, foundational framing, and electrical.

The Development Committee and Board were supportive of the project and found the application was a strong match for accessing urban renewal funds because:

- Existing businesses and the surrounding neighborhood on 1st Avenue North and North 29th will benefit from improved safety and security with better visibility inside and outside the building, the centralized entrance at the corner, added landscaping and lighting, and rehabilitating of an older building in Downtown Billings.
- The qualified expenses are related to architectural/engineering/permits, concrete demo/removal/replacement, structural steel, streetscape improvements, removal/replacement of stucco and membrane roofing, doors/windows, HVAC, foundational framing, and electrical.
- The application aligns with elements/goals of the DBA Strategic Plan (may be viewed through this link https://downtownbillings.com/about/about-the-dba/), City TIF Policy, MCA, and the North 27th Street District Urban Renewal Plan (See Table 1 below and attachments).

Table 1

Qualified Improvements	DBA Strategic Plan	City TIF Policy	Urban Renewal Plan	Montana Code Annotated
Exterior facade restoration/rehabilitation Foundational/structural	Strong Downtown Identity --P.13	Permitted uses of TIF Funds: Private infrastructure with	Business Programs &Projects --P.54	7-15-4233 (i) (m)(n) 7-15-4288 (2)

improvements & upgrades Crime Prevention Through Environmental Design (CPTED) Energy efficiency	Vibrant &Connected Downtown--P.13 Diverse Economic Engine -P.13	Public Benefit (Facades, Windows, doors, sidewalk, exterior lighting --P.2 Financial Assistance Through TIF-- P.2	Infrastructure Improvements--P.55 Crime Prevention and Public Safety -P.55	(4)(12)

The Monte Bar and Casino is one of downtown Billings' oldest bars and its largest casino. It is initiating a remodel project of its exterior to make significant improvements in terms of functionality, appearance, and interface with the public streets. The project includes complete removal of the outdated, low-hanging brown awning and the stone/deteriorating stucco cladding at the primary facades on 1st Ave N and N 29th Street. These elements will be replaced with materials to emulate the appearance of the historic building character in the 1930s and 40s. The existing storefront with dark tinted glass will also be removed and replaced with a new assembly with clear glazing that will allow greater transparency into and out of the building, all of which will improve the building's connection with the streetscapes and safety. The proposed renovation will also reintroduce the historic chamfered corner entry at N 29th Street and add new pedestrian-oriented signage and lighting elements. This reconfiguration alters circulation into the building and will allow for the removal of the dysfunctional entrance at the south end of N 29th Street facade by the addition of a new glass storefront. This new corner entry will embrace and complement the City's efforts in implementing two-way traffic at this corner and contribute to the revitalization of N 29th Street. The addition of street trees on both frontages and additional planters will make the frontages more welcoming and improve the pedestrian areas.

The secondary east facing alley wall will also be repaired and updated. A large public art mural is planned to be installed at this location after facade repairs are completed. It will be designed and painted in collaboration with local artists and it will be done in memory of a close friend and long-time patron of The Monte. This mural will be visible to west bound vehicles and pedestrians on 1st Ave N, further adding character to this overlooking part of downtown. Exterior lighting upgrades to the alley and rear parking lot area are also planned in order to improve public safety.

The DBP Development Committee and the DBP Board both support this application request, recognizing this project will make a commitment and investment in Downtown Billings, revitalize a significant corner of a busy intersection in the downtown core, and also make the area safer.

ALTERNATIVES

City Council may:

- Approve the recommendation from the DBP Board for the expenditure of these TIF funds consistent with some elements/goals of the DBA Strategic Plan, North 27th Street Urban Renewal Plan, City TIF Policy and MCA, or;
- Modify the recommendation from the DBP Board for the expenditure of these TIF funds before taking action, or;
- Disapprove the recommendation from the DBP Board for the expenditure of these TIF funds. If the Council chooses not to approve this TIF application, specific reasoning for the denial is helpful to provide further direction to the DBP Board and staff, and City staff for future applications.

FISCAL EFFECTS

The recommendation is for up to a maximum of $113,997 to be reimbursed to the Monte Bar and Casino for the identified building remodel work (See DBP Recommendation attached to this memo). The estimated total project cost is $898,965, making the private to public investment ratio for this project about 7:1. The funds are payable per the conditions of approval outlined above in the DBP recommendation and pending satisfactory submission of all paid invoices showing actual cost incurred for the project. Currently, the project is estimated for completion in late 2021 (FY22). If approved, payments will be incorporated into the FY23 budget.

Attachments

Monte Application
DBP Funding Recommendation
2008 Downtown Urban Renewal Plan
City TIF Policy
Draft Development Agreement
DBP Board Minutes

DOWNTOWN BILLINGS PARTNERSHIP
DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT

TAX INCREMENT FINANCING FUND APPLICATION

THE MONTE BAR AND CASINO

LOCATED AT:
2824 1ST AVENUE NORTH
BILLINGS, MONTANA

BY:

KOORY SALES CORPORATION
(DBA THE MONTE BAR AND CASINO)

THE LAFEVER FAMILY – DIANNE, ALISON, AND CORI LAFEVER
P.O. BOX 20711
BILLINGS, MONTANA 59101

WITH:

HIGH PLAINS ARCHITECTS, P.C.
2720 MINNESOTA AVENUE
BILLINGS, MONTANA

AND

T.W. CLARK CONSTRUCTION, LLC
609 CHARLES STREET
BILLINGS, MONTANA

DATE:

APRIL 15, 2021

DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT

N27URD

Tax Increment Financing Fund Application

APPLICANT INFORMATION			
Name:			
Address:			
City/State/Zip			
Phone:		E-mail:	
If the applicant is not an individual doing business under his/her own name, the applicant has the status indicated below and is organized or operating under the laws of:			
A corporation/LLC: ☐	A non-profit or charitable institution or corporation ☐	A partnership: Known as: ☐	Other: ☐
Date of Organization:			
PROJECT INFORMATION			
Building Address:			
City:		State:	ZIP Code:
Legal Description:			
Property Owner (if property is not owned by the Applicant, list leasehold interests and attach evidentiary materials)			
Property Owner (name or entity):			
Property Owner Contact Name:		Contact Phone:	
Lessor's Address:			
City:		State:	ZIP Code:
PROJECT ARCHITECTURAL FIRM			
Firm Name**:**			
Address:			
Representative:			
Phone:		E-mail:	
PROJECT CONTRACTOR (OR PARTY RESPONSIBLE FOR CONSTRUCTION)			
Name/Representative:			
Address:			
Phone:		E-mail:	
PROJECT FINANCIAL LENDING INSTITUTION (leave blank if not applicable)			
Name/Representative:			
Address:			
Phone:		E-mail:	

PROJECT INFORMATION

Description of Project:

Attach a narrative explanation and any other design information. Use this section to pitch your project and explain how it will eliminate blight and/or benefit the public.

Rehabilitation Plans:

Attach schematic design drawings and/or completed construction document plans - including site, landscaping, and other engineering design information.

Project Schedule:

Attach a timeline or schedule through completion.

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

Please refer to attached Pro Forma and financial analysis.

PROJECT FINANCING

Please complete Sources of Funds detail and summarize below.

Applicant Equity

Cash Invested $_____

Land & Buildings $_____ If land & building value is more than the State of Montana valuation, a current appraisal must be submitted.

Other (Specify) _____ $_____

Subtotal $_____

Lender Commitments (Attach evidence i.e. Letters of Credit or other documentation)

Lender	Loan Amount	Interest	Term	Payment/Period
_____	$_____	_____%	_____yrs	$_____/Month
_____	$_____	_____%	_____yrs	$_____/Month

Total Loan Amount $_____

TIF Request

Eligible Improvements

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

Subtotal of TIF Funds Requested $_____

Sources of Funds Summary (Post totals from above)

Applicant Equity $_____

Lender Commitments $_____

TIF Funds Request $_____

Other Funds (Specify)_____ $_____

Total Project Cost Please refer to attached Pro Forma and financial analysis.

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

CERTIFICATION

I (we), DIANNE LAFEVER AND CORI LAFEVER (please print), the APPLICANT, certify that the statements and estimates within this Application as well as any and all documentation submitted as attachments to this Application or under separate cover are true and correct to the best of my (our) knowledge and belief.

Signature Dianne LaFever

Title OWNER

Address PO Box 20711

Billings, MT 59104

Date 4-15-21

Signature Cori LaFever

Title Manager

Address PO Box 20711

Billings, MT 59104

Date 4-15-21

URD TIF GRANT PROGRAMS – Governing Body: City of Billings, City Council

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

DOWNTOWN BILLINGS PARTNERSHIP
DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT
TAX INCREMENT FINANCING FUND APPLICATION

THE MONTE RENOVATION PROJECT

2824 First Avenue North
Billings, Montana
April, 2021

PROJECT INFORMATION

Business Profile and Project Description

The Monte Bar and Casino, originally known as the Monte Carlo, is one of downtown Billings' oldest bars and its largest casino. The Monte has become known for its long curving bar top, handmade by the owner's brother, and as a place where eclectic and loyal regulars come for PBR drink specials and creative cocktails paired with fresh Wisconsin string cheese. The large and vibrant interior space features vintage carpeting from the Stardust Casino in Las Vegas as well as a game room with vintage pinball machines and arcade games. The Monte also boasts serving downtown Billings' best margaritas, which are paired with food from Guadalajara Mexican Restaurant, located next door.

Originally located around the corner on North 29th Street (where Guadalajara is now) the Monte Carlo Bar was established in the 1930's. Neal and Dianne LaFever bought the bar in its original location in 1985 and expanded into the current First Avenue corner location with an extensive interior renovation in 1991. Since Neal passed away, Dianne has continued to run the business with the help of her two daughters, Cori and Alison, and the three of them have maintained the Monte as a women-owned and operated business. In addition to the Monte and the building it occupies, The LaFevers are longtime owners of several downtown properties and have been supporters of downtown businesses and events for many years.

The Monte Bar and Casino, and a retail space currently occupied by The Glass Shop, occupy the building at the southeast corner of First Avenue North and North 29th Street. This corner has struggled to remain lively and activated and has not established a strong sense of place within the downtown core. This is in large part due to the Monte building itself, which is in need of an overhaul. The c.1970's façade alternations, comprised of heavy stone and stucco cladding and a large obtrusive metal awning, are outdated and unattractive. These elements make the building seem gloomy and uninviting. Because the building occupies a half block-long frontage along First Avenue North, the visual impact of the building's aesthetically unappealing appearance on a primary streetscape in the downtown commercial core is considerable.

The LaFevers have grown and updated the business in recent years and the bar has evolved to attract diverse patrons that include office professionals, restaurant industry workers, and musicians and artists involved in downtown's burgeoning music and cultural scene. On the interior, the bar and the gaming machines are integrated, which fosters a more social and fun environment that is unique from other casinos. However, the building's drab exterior does not match the vibrancy of the interior space. This remodel is intended to correct that so the function and appearance of the building on the exterior is as memorable, interesting, and place-centric as the experience visitors have inside.

The remodel project will include complete removal of the outdated, low-hanging brown awning and the stone and deteriorating stucco cladding at the primary facades on First Avenue North and North 29th Street. These elements will be replaced with materials to emulate the appearance of the historic building character in the 1930's and 40s. The existing storefront with dark tinted glass will also be removed and replaced with a new assembly with clear glazing that will allow greater

transparency into and out of the building, all of which will improve the building's connection with the streetscape.

In removing portions of the awning to perform investigative building probes, existing historic building features were discovered to be intact under the cladding. The proposed exterior design will preserve and highlight these elements. This will help the building fit more cohesively within the fabric of the surrounding historic building stock.

The proposed renovation will also reintroduce the historic chamfered corner entry at North 29th Street, structural elements of which remain in place, and add new pedestrian-oriented signage and lighting elements. This reconfiguration alters circulation into the building by refocusing the main entry from First Avenue North onto the corner at North 29th Street. This will allow for the removal of the dysfunctional entrance at the south end of the North 29th Street façade by the addition of a new glass storefront. This new corner entry will embrace the City's efforts to implement two-way traffic at this corner and contribute to the revitalization of the North 29th Street that has been sparked in recent years by new retail and restaurant additions north of First Avenue.

The transformation of this street corner will also include the addition of new street trees, planters, and informal seating (e.g. boulders) on North 29th Street—coordinated with the joint City-MDT streetscape improvements on First Avenue North—to further make the building more attractive and inviting. The addition of plantings at the First Avenue North sidewalk are not planned at this time, but the addition of plantings will be considered in the future depending on the City's plans for landscaping improvements on this section of the street.

The overhaul to the exterior façade presents an opportunity to also upgrade the outdated and inefficient mechanical and electrical systems that have been altered in an ad hoc manner during different remodeling campaigns over the past few decades. New rooftop mechanical units will be installed and a replacement roof with improved additional insulation will be included in the scope of work to address problematic leaks. These important building maintenance upgrades will extend the life of the building and the businesses within it and also improve energy efficiency of the building envelope.

The secondary east facing alley wall will also be repaired and updated. A large public art mural is planned to be installed at this location after façade repairs are completed. It will be designed and painted in collaboration with local artists, and it will be done in memory of a close friend and long-time patron of The Monte, Freddie Spencer, who recently passed away. This mural will be visible to west bound vehicles and pedestrians on First Avenue, further adding character to this overlooked part of downtown. Exterior lighting upgrades to the alley and rear parking lot area are also planned in order to improve public safety.

The projected budget is $777,873.00 for construction including contingency and contractor overhead and profit. Soft costs for the project are budgeted around $108,648.00 and include architectural and engineering fees (see attached 'Financial Pro Forma Analysis' for additional details).

The long-term goals for the Monte are to continue to actively engage with the greater community of people living and working downtown and to continue to diversify the Monte's customers base while maintaining the long-time regulars that are a part of the Monte family. The owners plan to continue to grow the business, which will create a need to hire more employees. The proposed project will help to achieve these goals by allowing the exterior of the building to match the charm and character

of the bar's interior. The expanded customer base along with the building improvements will also help to connect sections of activity in downtown and extend the vitality of street activity from the prime cultural artery at Broadway further west. As a whole, the proposed project intends to make the building more aesthetically interesting and inviting, but more importantly, will help to transform the corner of First Avenue North and North 29th Street from forgettable intersection to an identifiable place in the heart of the downtown Billings.

ATTACHMENTS

Project Timeline (1 page)

Rehabilitation Plans (4 pages) provided by High Plains Architects

1. Historic 2824 1st Avenue North Photos
    a. Figure 1. Postcard, First Ave North, Billings, ca. 1910
    b. Figure 2. Photograph, 1st Ave N (West), Billings, ca. 1940
    c. Figure 3. Photograph, 1st Ave N (East), Billings, ca. 1935
    d. Figure 4. Existing Building, Google Street View, 2019
2. First Floor Remodel Plan – In-process construction documents for the Monte Casino
3. Façade Design Sketches – North (1st Ave N.) and West (N. 29th St.)
4. Elevation Remodel Drawings - In-process construction documents for the Monte Casino

Project Financing (2 pages)

1. Financial Pro Forma Analysis provided by High Plains Architects
    1) Remodel Costs
    2) Sources of Cash
2. *Qualifying Expenditures (QE) Continuation Sheet, estimate provided by TW Clark Construction*

Application Scorecard (2 pages)

THE MONTE RENOVATION PROJECT

2824 First Avenue North
Billings, Montana
April, 2021

PROJECT TIMELINE

- Construction Documents: February - May, 2021
- Submit for Building Permit: May 17, 2021
- Project Bidding: May-June, 2021
- Construction Begins (tentative): June 20, 2021 (four months)
- Project Completion: October, 2021



Figure 1. Postcard, First Ave North, Billings, ca. 1910

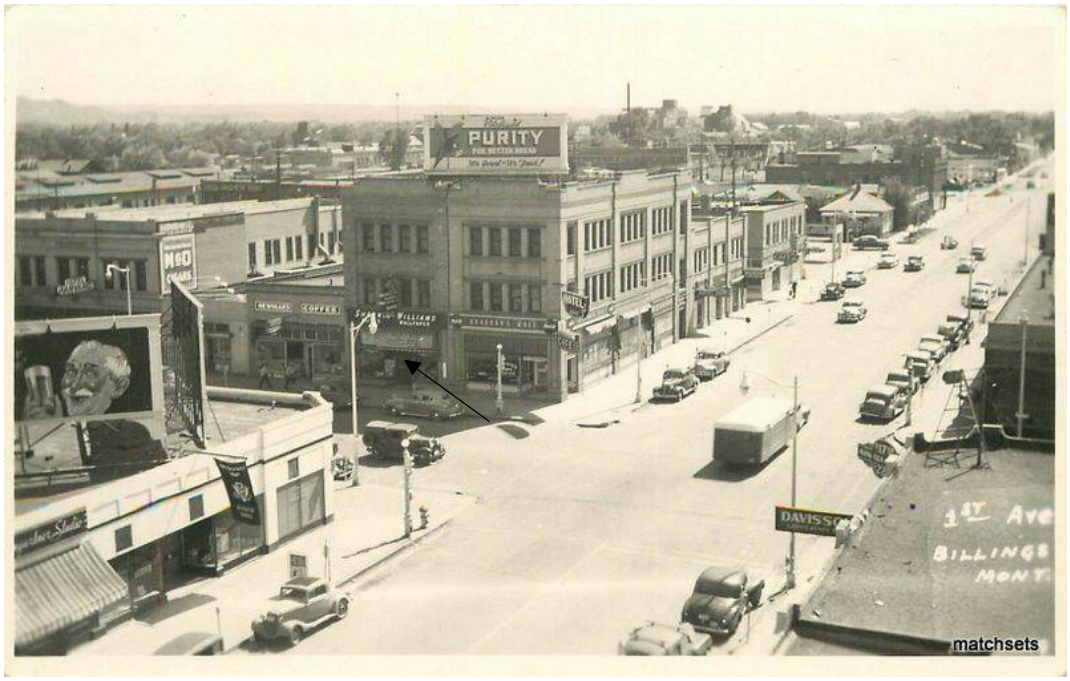


Figure 2. Photograph, 1st Ave N (West), Billings, ca. 1935



Figure 3. Photograph, 1st Ave N (East), Billings, ca. 1935

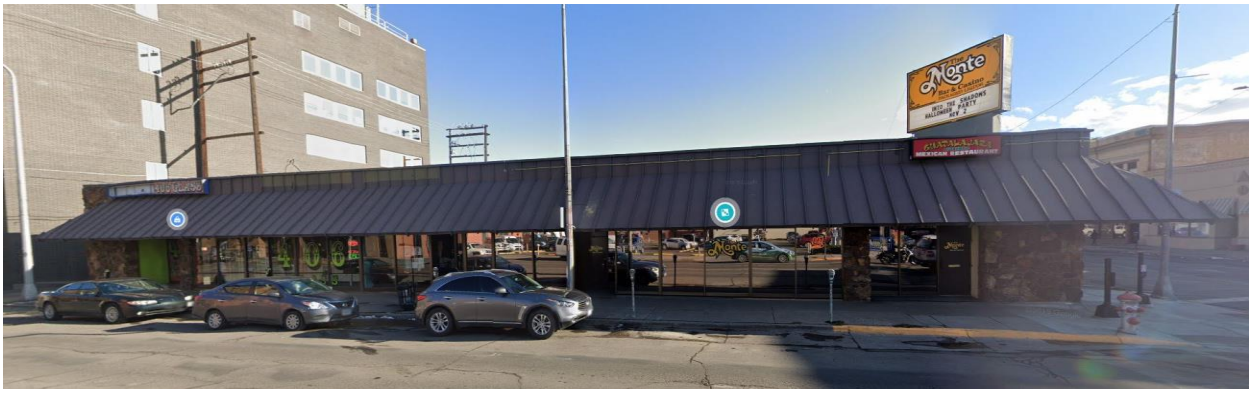


Figure 4. Existing Building, Google Street View, 2019

RELITE SCHEDULE

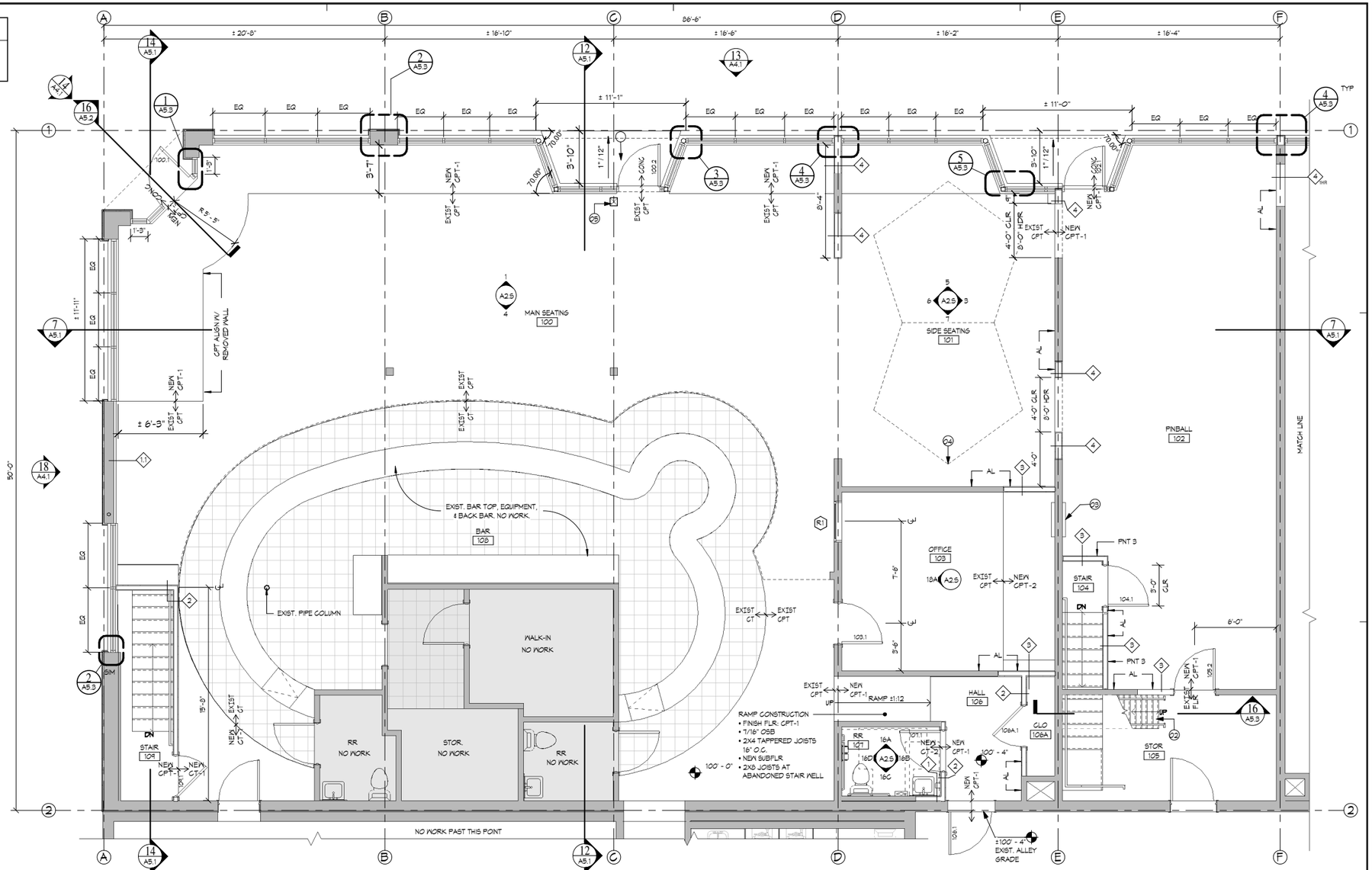
WINDOW TYPE	WINDOW SIZES ROUGH OPENING WIDTH	WINDOW SIZES ROUGH OPENING HEIGHT	GLAZING TYPE	DETAILS HEAD	DETAILS JAMB	DETAILS SILL	WINDOW NOTES

1	WALL CONSTRUCTION - 5/8" GB - 2X4 WD STUDS @ 16" O.C.
1.1	WALL CONSTRUCTION - 5/8" GB - 8" EXT. BRICK
2	WALL CONSTRUCTION - 5/8" TYPE 'X' GB BOTH SIDES - 2X4 WD STUDS @ 16" O.C.
3	WALL CONSTRUCTION - ± 3/4" GB BOTH SIDES BUILT OUT TO MAKE NEW FINISH FACE FLUSH WITH EXISTING - 2X4 WD STUDS @ 16" O.C.
4	WALL CONSTRUCTION - (2) ± 5/8" GB BOTH SIDES BUILT OUT TO MAKE NEW FINISH FACE FLUSH WITH EXISTING - 2X6 WD STUDS @ 16" O.C.

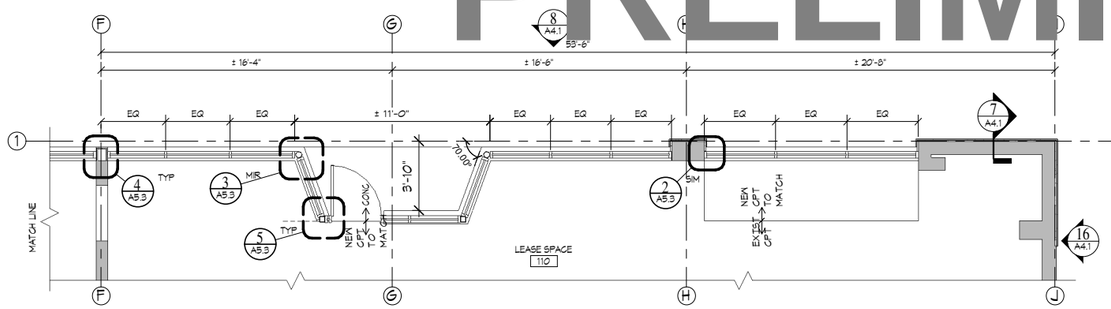
2 PARTITION LEGEND
A2.1 3/4" = 1'-0"

REMODEL NOTES

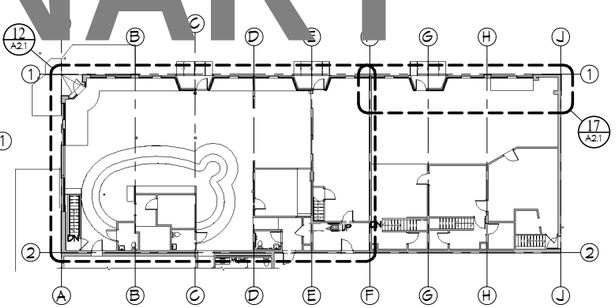
02	NEW METAL SHIPS LADER TO ROOF WITH HATCH
03	RECESSED CHANGE MACHINE, OWNER PROVIDED, GC. INSTALLED
04	RELOCATE CAROSEL, SUPSEND WITH THREADED ROD
05	VIF COLUMN LOCATION



12 FIRST FLOOR REMODEL PLAN - MONTE
A2.1 1/4" = 1'-0"



17 FIRST FLOOR REMODEL PLAN - LEASE SPACE
A2.1 1/4" = 1'-0"



19 FIRST FLOOR REMODEL KEY PLAN
A2.1 1" = 20'-0"

PRELIMINARY

NOT FOR CONSTRUCTION

FIRST FLOOR REMODEL PLAN
THE MONTE RENOVATION
50% CONSTRUCTION DOCUMENTS

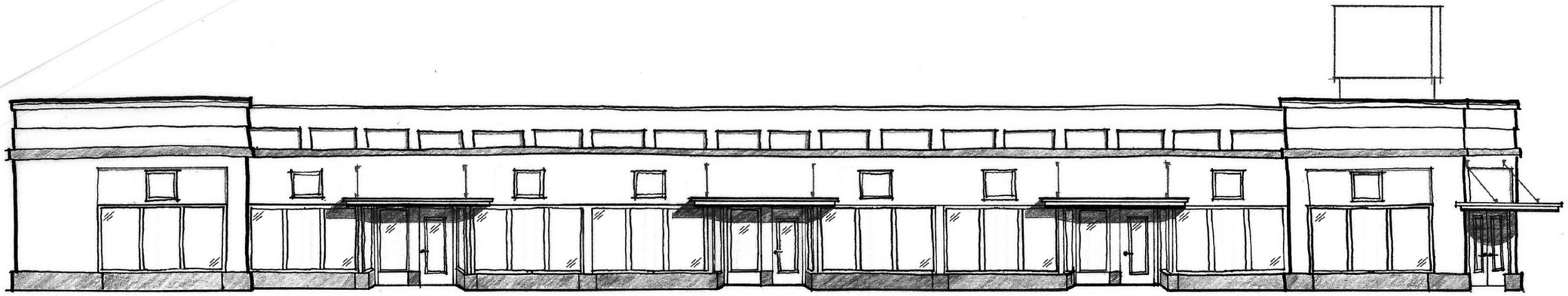
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DRAWN BY: TF
PROJECT#: 22004.01
DATE: 04/01/21

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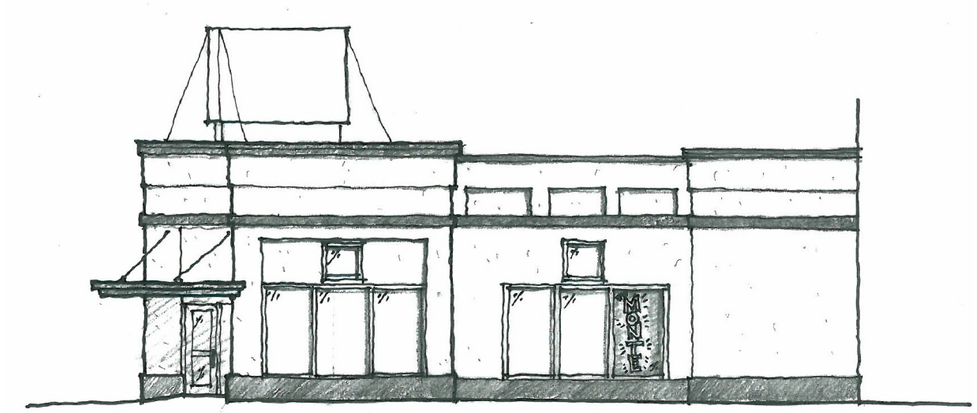
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1 NORTH ELEVATION DESIGN SKETCH

4.1 3/32" = 1'-0"



2 WEST ELEVATION DESIGN SKETCH

4.1 3/32" = 1'-0"

FACADE UPDATES - DESIGN SKETCHES
THE MONTE RENOVATION
DOWNTOWN BILLINGS TIF GRANT APPLICATION

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www.highplainsarchitects.com

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PROJECT#: 22004.01
DATE:
REVISED: 4/15/21

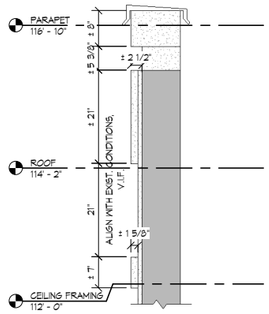
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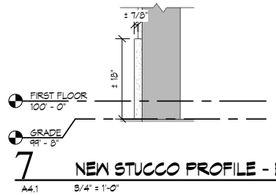
EXTERIOR FINISHES LEGEND

MATL TYPE		DESCRIPTION
	EXIST. STUCCO	• EXIST. HISTORIC STUCCO TO REMAIN. REVIEW CONDITION OF STUCCO W/ ARCHITECT AFTER DEMO TO PLAN PATCH & NEW CONTROL JOINT LOCATION. • PNT-E1
	NEW STUCCO 1 (WHITE)	• NEW CEMENTITIOUS STUCCO, 2-PARTS, ON MTL LATH SECURED TO EXIST. BRICK. • FINISH TO MATCH EXIST. STUCCO APPROVED BY ARCHITECT • PNT-E1
	NEW STUCCO 2 (BLACK)	• NEW CEMENTITIOUS STUCCO, 2-PARTS, ON MTL LATH SECURED TO EXIST. BRICK. • FINISH TO MATCH EXIST. STUCCO APPROVED BY ARCHITECT • PNT-E2
	FIBER CEMENT 1 (WHITE)	
	FIBER CEMENT 2 (BLACK)	

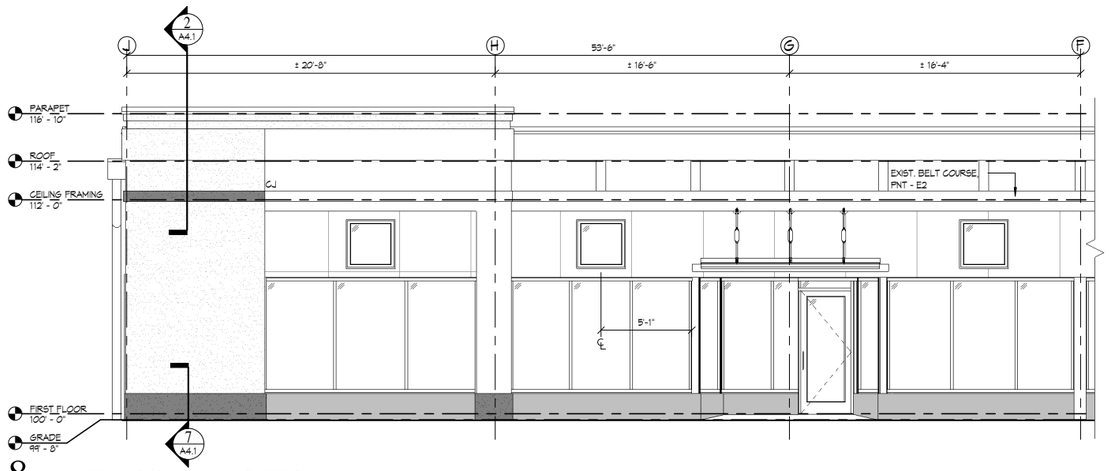
6 EXTERIOR FINIHES LEGEND
A4.1



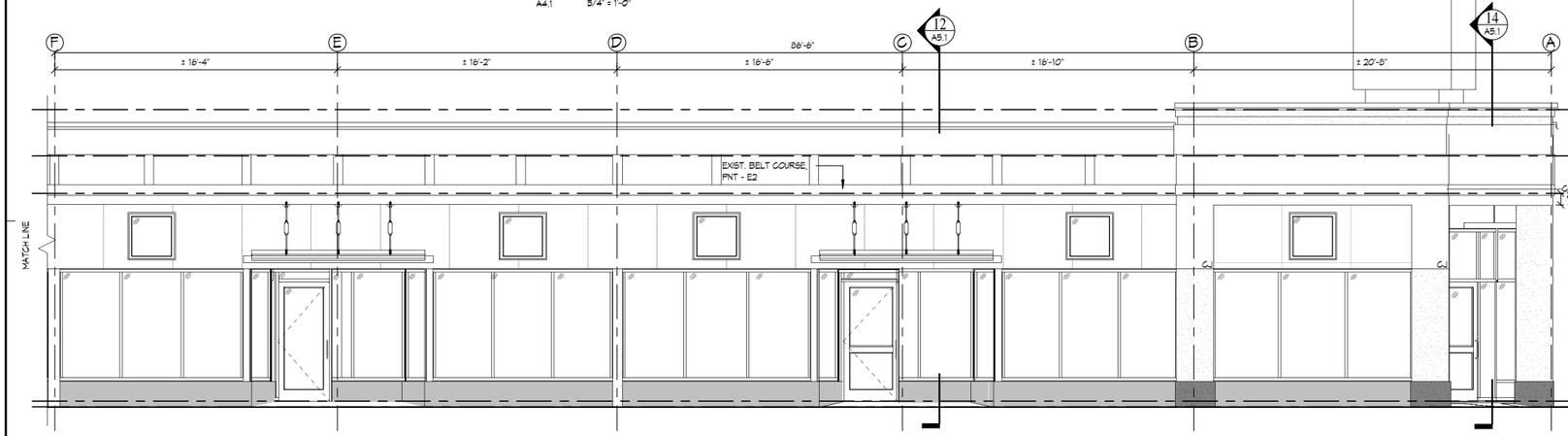
2 NEW STUCCO PROFILE - PARAPET
A4.1 3/4" = 1'-0"



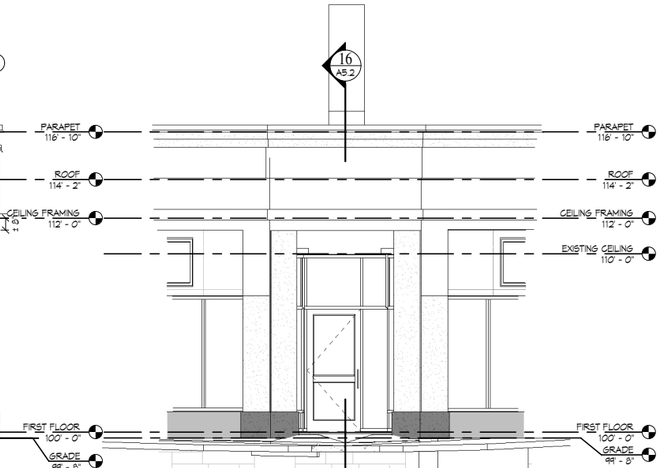
7 NEW STUCCO PROFILE - BASE
A4.1 3/4" = 1'-0"



8 NORTH ELEVATION REMODEL
A4.1 1/4" = 1'-0"

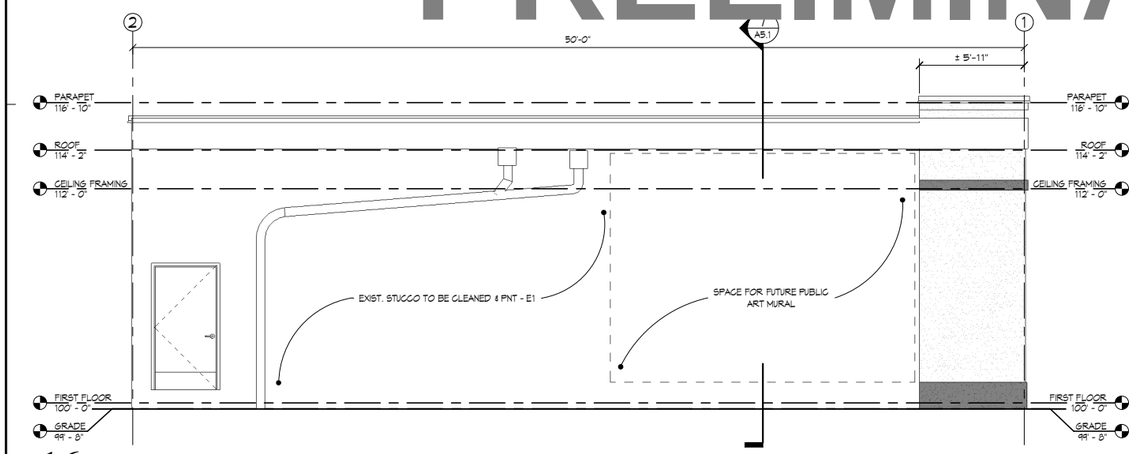


11 NORTH ELEVATION REMODEL
A4.1 1/4" = 1'-0"

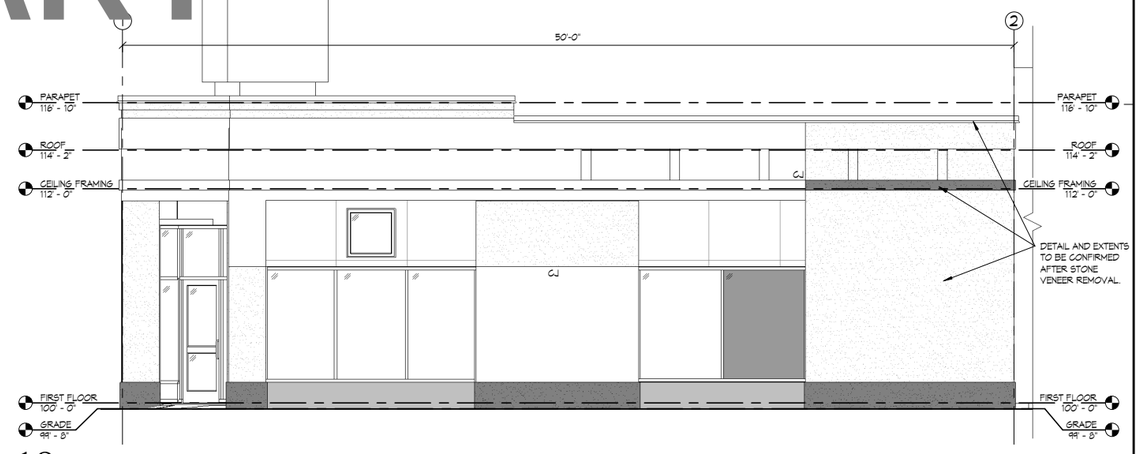


14 CHAMFERED CORNER ELEVATION REMODEL
A4.1 1/4" = 1'-0"

PRELIMINARY



16 EAST ELEVATION REMODEL
A4.1 1/4" = 1'-0"



18 WEST ELEVATION REMODEL
A4.1 1/4" = 1'-0"

NOT FOR CONSTRUCTION

BUILDING ELEVATIONS
THE MONTE RENOVATION
50% CONSTRUCTION DOCUMENTS

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DATE: 04/01/21

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THE MONTE BAR & CASINO

2824 1ST AVENUE NORTH
BILLINGS, MONTANA
April, 2021

FINANCIAL PRO FORMA ANALYSIS

1. REMODEL COSTS

	Amount	Unit	$/Unit	Subtotal	QE? (y/n)	QE Value	Notes
							QE=TIF Qualifying Expenditure
BUILDING PURCHASE	1	EA	$ -	$ -	n	$ -	
				$ -		**$ -**	
HARD COSTS							
	Amount	**Unit**	**$/Unit**	**Subtotal**			
Construction	1	EA	$ 657,821	$ 657,821	y	*	
Contractor O+P	7.5%	of	Construction	$ 49,337	y	*	
SUBTOTAL				$ *707,158*			Subtotal
Construction Contingency	10.0%	of	$ 707,158	$ 70,716	Y	*	
Const. Cost Total				**$ 777,873**		**$ 575,335**	* Approx. value from TW Clark Const. See attached Continuation Sheet
SOFT COSTS							
	Amount	**Unit**	**$/Unit**	**Subtotal**			**Notes**
Design Fee	11.8%	of	$ 777,873	$ 91,448	y	$ 91,448	Architectural + Engineering as % of Const. Cost Total
Reimbursable Expenses ±	3.0%	of	$ 91,448	$ 2,743	n	$ -	estimate
Supplementary Services	1	EA	$ 5,000	$ 5,000	y	$ 5,000	Civil Engineering
Closing Costs	1.1%	of	$ 600,000	$ 6,600	y	$ 6,600	from set aside for Commercial Loan
Insurance (bldr's risk and liability)	0	EA	$ 8,000	$ -	n	$ -	Inlcuded with cost of construction (not a TIF QE)
Property Taxes, until occupancy	1	EA	$ 5,700	$ 5,700	n	$ -	6 month estimate
Legal	1	EA	$ 5,600	$ 5,600	y	$ 5,600	Placeholder, if needed
Interest during construction	1	EA	$ 4,000	$ 4,000	n	$ -	from set aside in Sources of Cash
				$ 121,092		**$ 108,648**	
TOTAL PROJECT COSTS (PURCHASE, SOFT + HARD COSTS)				**$ 898,965**		**$ 683,983**	**Total Large Project Grant Qualifying Expenditures**

THE MONTE BAR & CASINO

2824 1ST AVENUE NORTH
BILLINGS, MONTANA
April, 2021

FINANCIAL PRO FORMA ANALYSIS

2. SOURCES OF CASH

							Notes
Cash							
Upfront Cash (Owners)	1	@	$	300,000	$	300,000	
Total Grants - DBP TIF Grant					$	113,997	1:5 Match
					$	-	
				TOTAL	$	**413,997**	
Equity (based on 2020 Tax Appraisal)							
Land Value	7,000	SF @	$	35.56	$	248,927	
Building Value	7,000	SF @	$	56.42	$	394,973	
				TOTAL	$	**643,900**	
				TOTAL CASH + EQUITY	$	**1,057,897**	
Construction Loan							
Construction Loan [Equal to Total Project Costs (Hard + Soft) minus Upfront Cash]					$	598,965	
Construction Loan Set Aside (for calc Closing Costs)					$	600,000	
Construction Loan Interest @			4.0%		$	1,997	monthly max.
Assume average of	$ 998		4	months	$	3,993	
Interest Set Aside					$	4,000	
Downtown Revolving Loan Fund							
RLF Loan					$	179,793	20% Total Project Cos
Interest rate:			2.25%				
Amoritized over:			20	years			
			240	monthly payments			
Principal + Interest (Monthly)			$931				
Principal + Interest (Annually)			$11,172				
Permanent Loan							
Total Project Cost					$	898,965	
less Cash + Cash Equivalents (Grants)					$	413,997	
less RLF Loan					$	179,793	
Total Loan Requests					$	305,175	
Commercial Loan					$	305,175	
Interest rate:			4.25%				
Amortized over:			20	years			
			240	monthly payments			
Principal + Interest (Monthly)			$1,890				
Principal + Interest (Annually)			$22,677				
Total Monthly Financing (Principal + Interest / month)						$2,821	
Total Annual Financing (Principal + Interest / year)						**$33,849**	
Capital Stack							
Upfront Cash (Owners)					$	300,000	
Total Grants - DBP TIF Grant					$	113,997	
Downtown Revolving Loan Fund					$	179,793	
Permanent Loan					$	305,175	
				Total Project Cost	$	**898,965**	

DOWNTOWN BILLINGS PARTNERSHIP
DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT
TAX INCREMENT FINANCING FUND APPLICATION

THE MONTE CASINO & BAR RENOVATION

2824 1ST AVENUE NORTH
BILLINGS, MONTANA
April, 2021

Project Financing - Qualifying Expenditures (QE) Continuation Sheet

	A	B	C	D	E
1	**The following is based on "Monte Casino DD Budget" dated 2/19/21 provided by TW**				
2	**Clark Construction (attached)**				
3	**DIVISION**	**DESCRIPTION**	**Budget Value**	**QE? (y/n)**	**QE Value**
4	**1**	**General Conditions**	$ 62,103	n	$ -
5		Final Cleaning	$ 4,500	n	$ -
6		Performance / Payment Bond	$ -	n	$ -
7		Insurance (Builders Risk / General Liability)	$ 5,042	n	$ -
8		Plan Review Fee / Permits (No system development fees)	$ 2,932	n	$ -
9	**2**	**Demolition**	$ 24,655	y	$ 24,655
10		Remove Awning			
11		Rmv Stone Veneer			
12		Demo ACT Ceiling			
13		Rmv Flooring			
14		Temp Partition walls			
15	**3**	**Concrete**	$ 4,652	y	$ 4,652
16		Footing in basement (demo, removal, replacement)			$ -
17		Leveling at entries			$ -
18	**4**	**Masonry**			
19		Tuck Point East / West / South			$ -
20	**5**	**Structural Steel**	$ 24,675	y	$ 24,675
21		Ship Ladder			$ -
22		Awnings			
23	**6**	**Rough Carpentry**	$ 18,750	y	$ 18,750
24		New Stairs			
25		New Framing			
26		Misc Framing at Floor (North Side)			
27	**7**	**Thermal / Moisture**			
28		Remove / Replace Membrane Roofing / Flashing	$ 102,950	y	$ 102,950
29		Stucco	$ 104,000	y	$ 104,000
30	**8**	**Doors / Windows**			
31		New Door / Frame / Hardware	$ 3,384	n	$ -
32		New Storefront / Doors	$ 79,100	y	$ 79,100
33		Relocate Doors / Relites	$ 1,520	n	$ -
34	**9**	**Finishes**			
35		Update Restroom	$ 9,500	n	$ -
36		Gypsum (Walls / Ceilings)	$ 9,718	n	$ -
37		Painting	$ 18,315	n	$ -
38		New Flooring	$ 7,650	n	$ -
39		Interior Soffit Work	$ 2,625	n	$ -
40	**22**	**Plumbing**	$ 7,500	n	$ -
41		Bathroom (included in bathroom update)			
42		Gas lines to RTUs			
43	**23**	**HVAC**	$ 142,000	y	$ 142,000
44		New RTU's			
45		Minimal Duct Work			
46		Controls			
47		Exhaust Fan at Restroom			
48		Test / Balance			
49	**26**	**Electrical**	$ 22,250	y	$ 22,250
50		Lighting in Casino			
51		Power to RTU's			
52		Light at Exterior (Back) of Building			
53		**Subtotal**	**$ 657,821**		
54		Profit / Overhead	$ 49,336.58	n	$ -
55		*Total without Contingency*	*$ 707,157.58*		$ 523,032
56		Contingency	$ 70,715.76	y	$ 52,303
57		**Total Budget**	**$ 777,873.34**		**$ 575,335**

Grading Criteria: THE MONTE BAR AND CASINO - APPLICATION SCORECARD

The purpose of this program is to provide financial and practical assistance to develop or redevelop buildings within the boundaries of the Expanded North 27th Street Urban Renewal District (URD) in downtown Billings. This program will: - Assist in the economic revitalization and stabilization of the URD; - Attract and retain a stable clientele population within the URD; - Stimulate private investment within the URD; - Generate additional property tax revenues within the URD; and - Encourage and facilitate in the remodeling and restoration of historically significant structures within the URD.	Out of a total of 85 points, each item to be scored 0-5: • 55 to be considered • 65 to be strongly considered • 75 to be of highest priority

Vibrancy & Connectedness		
Some of the resistance to walking from a parking facility to a destination in the downtown area can be overcome if the walk itself offers the visitor a pleasant, unique, fun, or informative experience. Promotion of upper floor housing and new housing development projects for downtown and prioritization of model housing development projects that test the market, establish a price floor, and prove viability.		
Does the project eliminate blight?	Blight may include but is not limited to conditions which represent a risk to public health, morals, safety, and welfare in its present condition. Examples range from physical dilapidation to improper or inefficient layout. For a more complete list of factors, refer to MCA 7-15-4206	0 1 2 3 4 **(5)**
Does the project add or improve housing opportunities?	Construction or rehabilitation of housing is a priority in the downtown area. Quantity, quality, and projected rental or sale rates of units are to be considered.	**(0)** 1 2 3 4 5
Does the project add, maintain, and/or enhance landscaping?	Addition of significant and sustainable landscaping where appropriate is encouraged.	0 1 2 3 4 **(5)**
Does the project activate an inactive building or space?	Vacant buildings can be considered blighted. Consideration is to be given to current AND expected duration of vacancy based on all currently available information.	**(0)** 1 2 3 4 5
Does the project connect and/or improve walkways, parks, or parking options?	Does it widen sidewalks and calm car traffic? Does it provide weather protection with trees or awnings? Are any or all improvements aesthetically pleasing (painted in interesting ways or otherwise include public art)?	0 1 2 3 4 **(5)**
Does the project add or improve green space or public space?	Examples include urban parks, micro parks, and parklets.	0 1 2 3 4 **(5)**

Strong Identity		
Creative painting of crosswalks and intersections can have dual benefits of adding to the visual appeal of downtown while also improving safety by alerting drivers to areas with heavier pedestrian traffic. Two way street networks provide lower vehicle moving capacities but can serve trips at a higher rate. Two way traffic, enhanced sidewalk spaces, and a narrower street attracts new and vibrant businesses.		
Does the project support increased visitation?	Examples include large spaces which could host concerts or other gatherings, spaces which could be occupied by destination businesses such as restaurants or boutique retail.	0 1 2 3 4 **(5)**
Does the project improve the overall design/aesthetic?	Examples include improvements to the façade, signage, historic preservation, alleyscapes.	0 1 2 3 4 **(5)**
Does the project provide an improved pedestrian/visitor experience?	Examples include seasonal décor, seasonal event opportunity, ambiance lighting, safety improvements, additional trees or landscaping, public seating, etc.	0 1 2 3 4 **(5)**
Does the project add public art?	Examples include large murals, sculptures, interactive installations.	0 1 2 3 4 **(5)**
Diverse Economy & Sustainability		
Downtown Billings has the opportunity to implement large scale development in the Downtown area. Such development should create new jobs and engage the existing workforce as well as provide meaningful economic and fiscal impacts to the city, county, and state.		
Does the project promote the creation of jobs?	Will potential tenants create new jobs? How many employees?	0 1 2 3 4 **(5)**
Does the project promote economic growth?	Current taxable value vs. projected value	0 1 2 3 4 **(5)**
Does the project include energy efficient components?	Examples include doors, windows, roofing, HVAC, plumbing, recycled products, etc.	0 1 2 3 4 **(5)**
Does the project encourage business development?	Will the project assist in business recruitment (new business), retention (expansion of existing business), diversification (add new industry/retail/etc.)	0 1 2 3 4 **(5)**
Benefit to the Public		
Project should include appropriate wayfinding signage to direct drivers to existing parking and then on foot to their destination. Where possible, the project should also delineate future employee parking on higher floors of parking garages.		
Does the project add public parking?	Underground? Ground? Higher floors?	**(0)** 1 2 3 4 5
Does the project support public safety	Will the project incorporate CPTED evaluation and standards? Will the project improve an existing public safety challenge?	0 1 2 3 4 **(5)**
Does the project reinforce safe pedestrian crossing and promote traffic calming?	Examples include installation of pedlets, widening of sidewalks	**(0)** 1 2 3 4 5
Additional/Bonus		
Convention Center		**(0)** 1 2 3 4 5
Infrastructure		**(0)** 1 2 3 4 5

TOTAL: 65

Downtown Billings Partnership Board Action Item **Agenda Item 3-a**

Meeting Date: Friday, June 18, 2021, 7:30 am

Location: Pub Station

RE: The Monte Bar and Casino TIFD Assistance

DBP Board recommends approval of this project to the City Council with the following contingencies:

1. **The Applicant shall sign a development contract with the City of Billings and DBP within 150 days of City Council's approval.**
2. **This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.**
3. **If funds are not available, reimbursement can be carried over to the next fiscal year.**

Proposal

The Monte Bar and Casino is one of downtown Billings' oldest bars and its largest casino. It is initiating a remodel project of its exterior to bring it up to speed in terms of functionality and appearance. The project includes complete removal of the outdated, low-hanging brown awning and the stone/deteriorating stucco cladding at the primary facades on 1st Ave N and N 29th Street. These elements will be replaced with materials to emulate the appearance of the historic building character in the 1930s and 40s. The existing storefront with dark tinted glass will also be removed and replaced with a new assembly with clear glazing that will allow greater transparency into and out of the building, all of which will improve the building's connection with the streetscapes.

The proposed renovation will also reintroduce the historic chamfered corner entry at N 29th Street and add new pedestrian-oriented signage and lighting elements. This reconfiguration alters circulation into the building and will allow for the removal of the dysfunctional entrance at the south end of N 29th Street facade by the addition of a new glass storefront. This new corner entry will embrace and complement the City's efforts in implementing two-way traffic at this corner and contribute to the revitalization of N 29th Street.

The transformation of this street corner will also include the addition of new street trees, planters, and informal seating (e.g. boulders) on N 29th Street - coordinated with the joint City-MDT streetscape improvements on 1st Ave N - to further make the building more attractive and inviting.

The overhaul to the exterior facade presents an opportunity to also upgrade the outdated and inefficient mechanical and electrical systems that have been altered in an ad hoc manner during different remodeling campaigns over the past few decades. New rooftop mechanical units will be installed and a replacement roof with improved additional insulation will be included in the scope of work to address problematic leaks. These important building maintenance upgrades will extend the life of the building and the businesses within it and also improve energy efficiency of the building envelope.

The secondary east facing alley wall will also be repaired and updated. A large public art mural is planned to be installed at this location after facade repairs are completed. It will be designed and painted in collaboration with local artists and it will be done in memory of a close friend and long-time patron of The Monte. This mural will be visible to west bound vehicles and pedestrians on 1st Ave N, further adding character to this overlooking part of downtown. Exterior lighting upgrades to the alley and rear parking lot area are also planned in order to improve public safety.

The long-term goals for The Monte are to continue to actively engage with the greater community of people living and working downtown and to continue to diversify the Monte's customers base while maintaining the long-time regulars that are a part of the Monte Family.

Financials

The Monte is requesting TIFD assistance in the amount of $113,997 dollars on a 5:1 matching basis. Their private investment is $784,968, which includes personal cash and two loans. The total project will cost $898,965 and below is a breakdown of TIF eligible expenses. The DBP Board recommends approval.

If approved, this TIFD assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures such as architectural/engineering/permits/appraisals, concrete demo/removal/replacement, structural steel, removal/replacement of stucco and membrane roofing, doors/windows, HVAC, foundational framing, and electrical. Below is a breakdown of expenses.

Eligible Public Improvements	**Actual**	**Percentage**	**Recommended**	**MCA Statute**
Permits	$24,655	16.7%	$4,117	7-15-4233 (m) (n)
Concrete demo	$4,652	7%	$345	7-15-4288 (2)
Structural steel	$24,675	16.7%	$4,121	7-15-4233 (i)
Foundational framing	$18,750	16.7%	$3,131	7-15-4233 (i)
Stucco/roof demo	$206,950	16.7%	$34,561	7-15-4233 (i) (m)
Exterior doors/windows	$79,100	16.7%	$13,210	7-15-4233 (i) (m)
HVAC	$142,000	16.7%	$23,714	7-15-4288 (12)
Electrical	$22,250	16.7%	$3,716	7-15-4288 (4)
Contingency	$70,716	16.7%	$11,810	7-15-4233 (m) (n)
Architectural Design	$91,448	16.7%	$15,272	7-15-4233 (m) (n)
Engineering appraisals	$17,200	0%		

Taxes, interest, & other expenses	$12,443	0%		
General Conditions	$74,577	0%		
Door hardware	$4,904	0%		
Finishes	$55,308	0%		
Profit/overhead	$49,337	0%		
Total	***$898,965***	***13%***	***$113,997***	

If approved, reimbursement funds are available for reimbursement starting in the fiscal year following the fiscal year in which the project is completed.

NOTE: SUPPORTING DOCUMENTS FOLLOW AGENDA

CITY OF BILLINGS

CITY OF BILLINGS' VISION STATEMENT:

"THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE PEOPLE FLOURISH AND BUSINESS THRIVES"

AGENDA

COUNCIL CHAMBERS December 8, 2008 6:30 P.M.

CALL TO ORDER – Mayor Tussing
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember McCall
ROLL CALL
MINUTES – November 13, 2008, Special Meeting
November 24, 2008
COURTESIES – Presentation to Al Winegardner and family in appreciation of donation in memory of Jayne Winegardner
PROCLAMATIONS
ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Item: 1 ONLY. Speaker sign-in required. (Comments offered here are limited to 1 minute per speaker. Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item.)
(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)

CONSENT AGENDA:

1. A. Change Order #3, W.O. 08-09, Waste Water Treatment Plant Primary Effluent Pipe Replacement and Sludge Drying Bed Expansion, Western Municipal, $20,468.65, and **increase** the City Administrator's change order authority by $50,000.

B. Approval of compensation agreement for Private Contract No. 599, Emmanuel Baptist Church Sanitary Sewer Extension project, $325,360.

C. **Approval** of amended Purchase and Sale Agreement with School District Two for ten acres within Cottonwood Park for $200,000, and **authorization** for the Mayor to execute associated documents to consummate the sale and transfer of ownership of the property.

D. **Approval** of grant application submittal to Safe Route to School Program for the Elementary School Traffic Plan, $50,000.

E. **Resolution** relating to financing of proposed Zone 3 Storage, Zone 4 Reservoir project and Water Rehabilitation project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing water projects prior to the availability of funds.

F. **Resolution** relating to financing of a proposed Wastewater treatment plant disinfection system project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing sewer projects prior to the availability of funds.

G. **Second/Final reading** ordinance expanding the North 27th Street Urban Renewal Area – 2008.

H. **Second/Final reading** ordinance modifying the South Billings Boulevard Urban Renewal District.

I. **Exempt Amended Plat** of Tract 1 of Certificate of Survey 1815.

J. **Bills and Payroll**
(1) November 7, 2008
(2) November 14, 2008

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR BIG SKY ECONOMIC DEVELOPMENT AUTHORITY/GENERAL ELECTRIC CAPITAL CORPORATION** for a new building at 3333 Hesper Road. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

3. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR DALCO INDUSTRIES DBA TETON STEEL** for property improvements at Gabel Road and South 29th Street. Staff

recommends approval. (**Action**: approval or disapproval of staff recommendation).

4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR REVISIONS TO BOARDS AND COMMISSIONS:** Revisions that provide consistency in procedural areas for advisory boards, commissions and committees, and reorganizes ordinances into one Article of the Code. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

5. **PUBLIC HEARING FOR EXTENSION OF INTERIM ZONING ORDINANCE:** A proposed one-year extension of the Interim Zoning Ordinance that amends Section 27-611, Sexually Oriented Businesses, and allows the interim zoning ordinance to be effective until December 23, 2009. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

6. **DOWNTOWN BILLINGS PARKING STUDY.** Delayed from 11/24/08. Staff recommends approval of contract with Rich and Associates, Inc. for $68,500. (**Action**: approval or disapproval of staff recommendation).

7. **PUBLIC COMMENT on <u>Non-Agenda</u> Items --** <u>Speaker sign-in required.</u> *(Restricted to <u>ONLY</u> items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.)*

(Action: approval or disapproval of Consent Agenda.)

ADJOURN

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

Visit our Web site at:
http://ci.billings.mt.us

ATTACMENT A

ORDINANCE NO. _____

AN ORDINANCE MODIFYING THE URBAN RENEWAL PLAN OF THE NORTH 27TH STREET DISTRICT URBAN RENEWAL AREA; MODIFYING THE BOUNDARIES OF THE DISTRICT; ADOPTING A MODIFIED URBAN RENEWAL PLAN INCLUDING A TAX INCREMENT PROVISION; APPROVING URBAN RENEWAL PROJECTS THEREIN AND AUTHORIZING THE ISSUANCE OF TAX INCREMENT URBAN RENEWAL REVENUE BONDS OF THE CITY TO FINANCE COSTS THEREOF

NOW, WHEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

WHEREAS, on July 11, 2005 the City Council adopted Ordinance No. 05-5333, which created the North 27th Street District Urban Renewal Area (hereafter "North 27th Street District") and adopted the Urban Renewal Plan of the North 27th Street District Urban Renewal Area ("N. 27th Street Plan") that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, on November 13, 2006 the City Council adopted Ordinance No. 06-5394 which expanded the boundaries and amended the N. 27th Street Plan to create the Extended N. 27th Street District that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, it has been determined that the Extended North 27th Street District and the N. 27th Street Plan should be modified to include additional property contiguous to the Extended North 27th Street District.

WHEREAS, this Council on November 24, 2008, conducted a public hearing on a proposal to modify the N. 27th Street Plan by adopting the Urban Renewal Plan of the Expanded North 27th Street District Urban Renewal Area - 2008, thereby establishing a modified urban renewal area to be formally designated as the Expanded North 27th Street District Urban Renewal Area - 2008 (the "Expanded North 27th Street District - 2008" or "the Property"), and to undertake urban renewal projects therein, all as authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act").

WHEREAS, the Expanded North 27th Street District - 2008 is depicted on Attachment 1 (depicting the relationship of the Expanded North 27th District – 2008 to the Extended N. 27th Street District) and which is hereby incorporated herein and made a part hereof. Pursuant to this Ordinance, the boundaries of the Redevelopment Area are modified to reflect the addition of the Property depicted on the map on Attachment 1. The Redevelopment Area, as modified, is depicted on Attachment 1 and legally described on Attachment 2 (the "Resulting Redevelopment Area") (each of which is hereby incorporated herein and made a part hereof). The Resulting Redevelopment Area is contiguous.

WHEREAS, opportunities have been presented to the City that makes it desirable for the City to consider urban renewal projects within the Expanded North 27th Street District - 2008 consisting of demolishing certain blighted structures within the district; improving such properties with new construction, landscaping, utilities, and other similar improvements; and making the properties so improved available for private redevelopment in accordance with the Act (the "Projects"). Development proposals to be considered for funding include mixed use projects, building renovations, services for the District and the construction or expansion of City owned parking structures within the District.

WHEREAS, the proposed modified urban renewal plan titled the Urban Renewal Plan of the Expanded North 27th Street District - 2008 is attached hereto as Attachment 3 (which is hereby incorporated herein and made a part hereof) (the "Modified Plan"). The Modified Plan contains a tax increment provision and will govern the operation and administration of the Expanded North 27th Street District - 2008.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana, as follows:

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:

a. The Property presently contains structures and improvements that are in a state of substantial deterioration, are obsolete or defective, pose unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses. The present condition of the Property substantially impairs the sound functioning of the downtown area of the City and its environs, is conducive to juvenile delinquency and crime, poses the threat of vandalism or mischief and fire or loss, constitutes an economic and social liability, and is a menace to the public health, safety, and welfare of the residents of the City. Accordingly, the Council reaffirms its previous findings that the Property is a blighted area within the meaning of Section 7-15-4210 of the Act. This Council finds that the rehabilitation, redevelopment or a combination thereof of the Property is necessary and in the interest of the health, safety, morals or welfare of the residents of the City. This Council finds that undertaking measures to eradicate or diminish the blight affecting the Property will help to foster a more dynamic, livable, and vibrant downtown.

b. If Projects require relocation of displaced persons, a detailed relocation plan is required and will be prepared.

c. The Modified Plan conforms to the 2003 Billings and Yellowstone County Growth Policy and the City's Downtown Framework Plan.

d. The Modified Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise.

e. A sound and adequate financial program is required for the financing of Projects, which program includes substantial private investment and financing and the sale and issuance by the City of Tax Increment Bonds in proportions yet to be determined, for the purpose of financing a portion of the costs of the Projects as set forth above.

f. Approved Projects will constitute urban renewal projects within the meaning of the Act and are authorized to be undertaken by the City.

2. Plan Adoption. The Modified Plan is hereby adopted and approved in all respects, including without limitation, the segregation and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein. For purposes of allocating taxes according to the Act, the "prior assessed value" of taxable property within the Expanded North 27th Street District - 2008 is that value shown on the assessment rolls as of January 1, 2008.

3. Project Approval. Authorized Projects are hereby approved.

4. Bonds. This Council approves financing the costs of Urban Renewal Projects, or a portion thereof, with proceeds of the Bonds. The City is hereby authorized and directed to undertake activities and analysis ordinarily prerequisite to the issuance of tax increment urban renewal revenue bonds in a principal amount not to exceed $10 million for financing of the costs of Urban Renewal Projects or a portion thereof.

5. Conditional Commitment. The adoption of the Plan does not constitute a guarantee or a firm commitment that the City will issue the Bonds or undertake Projects. If, based on comments or information made available to or obtained by the City, it appears that the issuance of the Bonds or Projects is not in the public interest or consistent with the purposes of the Act, the City reserves the right not to issue the Bonds or undertake the Project.

7. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

8. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

9. Effective Date. This Ordinance shall be in full force and effect from and after the date that is 30 calendar days after the date set forth below.

ADOPTED by the City Council of the City of Billings, Montana, on second reading this 8th day of December, 2008.

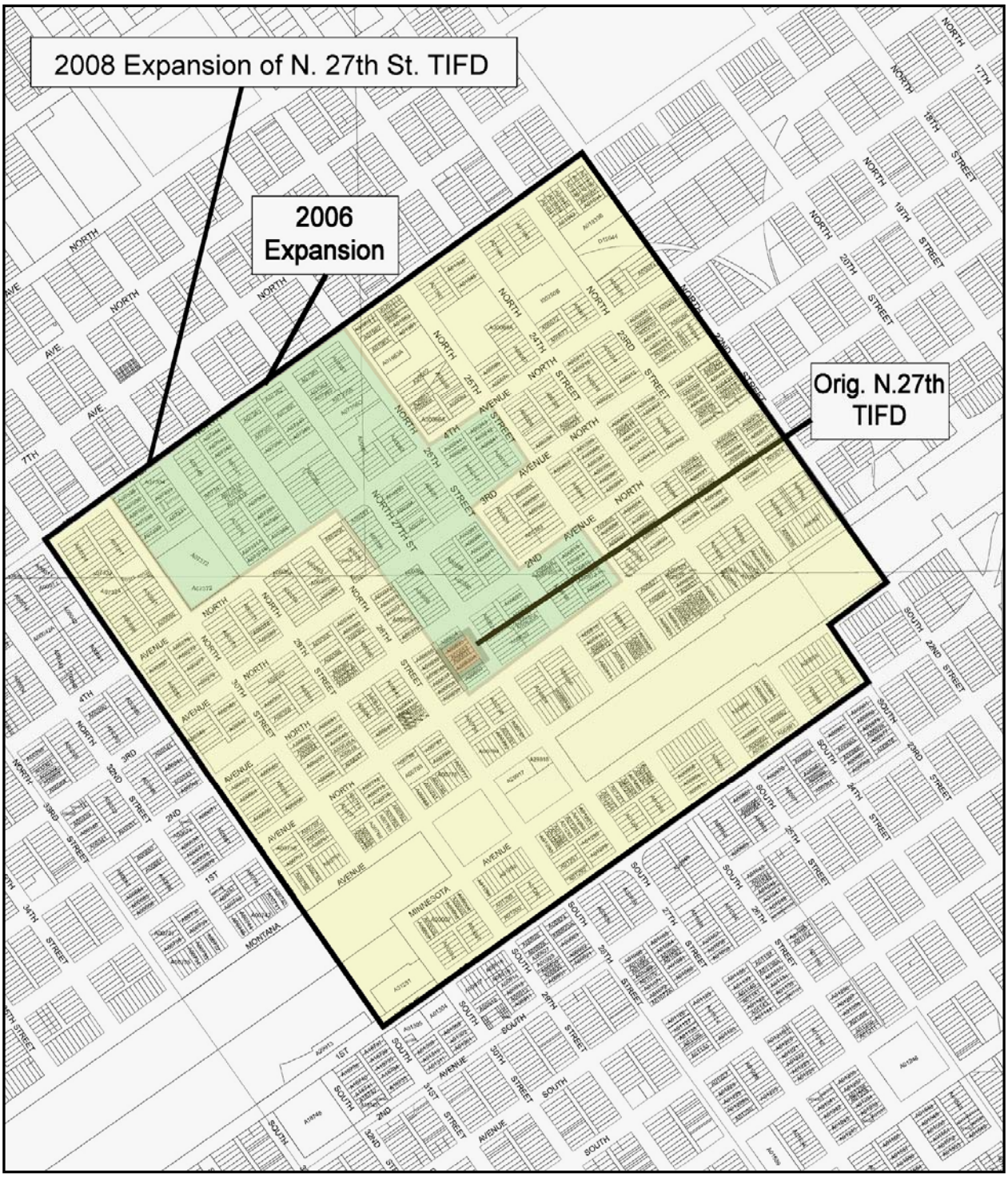
_____
Ron Tussing, Mayor

ATTEST:

_____
Cari Martin, City Clerk

ATTACHMENT 1

Expanded North 27th Street Urban Renewal District – 2008 Boundaries, Boundaries of the Extended N. 27th Street District (2006) and the Boundaries of the N. 27th Street District (2005)



ATTACHMENT 2

Expanded North 27th Street Urban Renewal District – 2008
Boundary Description

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein.

ATTACHMENT 3
Expanded North 27th Street Urban Renewal Area – 2008
Modified Plan

EXPANSION OF THE BILLINGS, MONTANA NORTH 27TH STREET URBAN RENEWAL AREA, WITH TAX INCREMENT, AND AMENDMENT TO THE URBAN RENEWAL PLAN

FOR CITY OF BILLINGS AND PLANNING REVIEW
October 14, 2008

Prepared by

Downtown Billings Partnership, Inc
2815 2nd Ave. North – Billings, MT 59101 – gregk@downtownbillings.com

SECTION 1 – INTRODUCTION

On July 11, 2005, the City Council adopted an ordinance that (a) created the North 27th Street District Urban Renewal Area ("North 27th Street District") and (b) adopted an urban renewal plan for the district. On November 13, 2006 the City Council adopted an ordinance that (a) expanded the North 27th Street District and (b) modified the urban renewal plan for the district. For reasons discussed in this Amendment to the Urban Renewal Plan of the North 27th Street District ("Plan"), it has been determined that the North 27th Street District should be expanded again to include other contiguous blighted properties in need of redevelopment. Further, it has been determined that this area, known as the Central Business District of Billings, has been and is in need of expanded public parking, enhanced pedestrian connections and experiences, improved public safety, and infrastructure improvements to public and private properties that will lead to increased taxable values. The existing urban renewal plan may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. The Urban Renewal Plan of the North 27th Street District approved by the City Council on July 11, 2005 and modified on November 13, 2006 is hereby included by reference as part of this amended Plan and shall remain applicable hereto except to the extent the original plan is explicitly or impliedly amended by this Plan. It is recognized as part of this Plan that the basic vision of the document known as Downtown Billings Framework Plan, adopted by the Billings City Council on December 22, 1997 and by the Yellowstone County Commissioners on December 23, 1997, is still valid and should be considered a part hereof. The terms defined in "Part I – DEFINITIONS" of the North 27th Street District Plan shall have the same meanings in this Plan unless a contrary meaning is expressed herein. The expanded district proposed in this Plan is hereafter referred to as the Expanded North 27th Street District - 2008 or the "District."

SECTION 2 – BACKGROUND

The original Downtown Redevelopment District, a downtown tax increment finance district, was created on December 20, 1975 by a resolution which cited hazardous conditions existing in the district due to overhead utility wires, inefficient land use, problems of access and circulation, physical constraints to development, random location of mixed uses and deteriorated building

conditions, and found that rehabilitation and redevelopment of the District would be in the public interest. That original district (hereafter "1975 District") comprised one hundred and twenty four (124) blocks in the city center after the 1985 south expansion and the 2004 east expansion. The 1975 District expired March 1, 2008 but the Urban Renewal Plan and the Framework Plan used for that district, in many parts and in relation to this District remain valid.

Because the 1975 District has terminated, but many of the undesirable conditions continue to exist, it was determined that it would be in the best interest of the City to expand the North 27th Tax Increment District to assist the construction of public improvements, stabilize and grow the tax base, increase the parking inventory, increase the inventory of downtown residential property, stimulate multi-use development ("Multi-Use Facility Projects"), fill street level vacancies, provide expanded security, develop safe event locations with appropriate traffic control devices, expand the Business Improvement District, make modifications to street and intersection lighting, increase traffic calming and reduce the noise in the district through Quiet Zone management and further implement the vision of the Downtown Framework Plan.

Currently, there is a need to expand the North 27th Street District to encompass development needs on the North 27th Street corridor, the North Broadway corridor, the Old Town Neighborhood and the Montana Avenue Historic District (including expansion of the Historic District to include areas south of the railroad tracks), the Civic District, areas adjacent to the Medical Corridor, adjacent to the East Billings Urban Renewal Area and other underutilized properties within the Central Business District of Billings. Although there has been significant improvement in the valuation of property in much of the 1975 District, the area defined by this proposed expanded tax increment district has major properties that have been neglected for many years and continue to show signs of serious blight and tax base decline. Many parcels have been removed from the tax rolls and/or are delinquent on payments of taxes and fees. The Expanded North 27th Street District creates an opportunity to continue redevelopment of the center of downtown with a mixture of public and private investment in a roughly seventy-one-square-

block district (just over half of the size of the 1975 expanded district) encompassing the existing North 27th Street District.

The area has several pockets of low taxable value, with several lots of the land being owned by government and other non-profit entities and several buildings that are over 50% vacant.

The creation of the Expanded North 27th Street District is essential to any planned development at 4th Avenue North and North Broadway, redevelopment of the vacant Northern Hotel, improving security and expanding the clean safe and vibrant programs of the Business Improvement District, continuing redevelopment of the Civic Plaza area, developing the boundary areas of the Medical Corridor and the East Billings Urban Renewal Area, and expanding the Historic District. It could also assist with the essential remodeling of the Northern Hotel, the Babcock Theatre, the Westwood Building, the Lincoln Hotel Building. Public infrastructure construction within this expanded District could assist with the renovation and/or relocation of various City facilities, such as the public library. It is currently expected that the expanded North 27th Street District may help fund the following projects:

I. Business Programs and Projects

a. Business Retention
    i. Targeted assistance and review of existing street level businesses
    ii. Retail market survey
b. Business Recruitment
    i. Development of a "chainlet" network
    ii. Business plan development assistance
    iii. Association networking
    iv. Business Improvement District support
    v. Business cluster analysis
    vi. Pedestrian study
        1. demographics
        2. directions
        3. linkages
        4. destinations
        5. wayfinding

II. Parking and Transportation

a. Increase use of public transit
b. Parking structures to support current and future needs

c. Explore parking linkages to adjacent destinations
d. Explore parking management practices and programs
    i. Off street parking
    ii. On street parking

III. Crime Prevention and Public Safety

a. Cooperative Security Program
b. Business Watch Program
c. Crime and Fraud prevention programs
    i. Geared towards street level businesses

IV. Management, Implementation and Maintenance

a. Downtown Billings Partnership, Inc. or its successor, management agreement
    i. Project development
    ii. Public awareness
    iii. Advocacy and liaison between public and private sectors
b. Business Improvement District expansion and development
    i. Cooperative work agreements with PMDs
    ii. Development and promotion of Conference Corridor
    iii. BID expansion
    iv. "Green" Management
        1. Recycling programs
        2. Tree management

V. Infrastructure Improvements

a. Public
    i. Expansion of Historic District
    ii. New Library
    iii. New Planning Department Offices
    iv. Public Parking and Greenspace
    v. Intersection Lighting by Public Works
    vi. New SILMDs for mid-block lighting
    vii. Streetscapes and traffic calming plans
    viii. Sidewalks, curbs and gutter improvements
        1. stabilization of vaults
    ix. Relocation of public and private utility lines
b. Public infrastructure improvements that would support the following development projects/programs
    i. Workforce housing development
    ii. Loft and Condo development
    iii. Lodging development
    iv. Conference Facilities

v. Entertainment venues

SECTION 3 – SUMMARY OF BLIGHT FINDINGS

The area in the proposed expansion of the North 27th Street District contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, a railroad spur line that has been abandoned and a major rail line that continues to divide the Central Business District. Several of the commercial buildings in the district are deteriorated and/or vacant and need demolition or renovation. Many of the storefronts and upper floors are vacant or under-occupied. Sidewalks are cracked; alleys are deteriorated, and, in general, much of the area is below accepted standards. In contrast to the above, there are certain properties within the district in good repair but included in the district to allow for a contiguous block of land within the district and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without continued managed urban renewal, even these success stories will once again decline in taxable value. Most of the district falls into the blighted, neglected and under-utilized categories.

SECTION 4 – DESCRIPTION OF BLIGHTED AREA

The expanded urban renewal area described in this amended Plan incorporates most of the Central Business District. Within the district there are several older, single-story structures that have been retrofitted for offices and warehousing, numerous surface parking lots, and several vacant structures. Many of these structures are unsuited to their current uses because of age obsolescence and physical deterioration.

Montana‘s Urban Renewal Law (Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43) provides the authority to declare the existence of blighted areas and to target them for improvements. “Blighted area” is defined in Section 7-15-4206(2), M.C.A., as follows:

> *[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental*

or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- *(a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;*
- *(b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;*
- *(c) inappropriate or mixed uses of land or buildings;*
- *(d) high density of population and overcrowding;*
- *(e) defective or inadequate street layout;*
- *(f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- *(g) excessive land coverage;*
- *(h) unsanitary or unsafe conditions;*
- *(i) deterioration of site;*
- *(j) diversity of ownership;*
- *(k) tax or special assessment delinquency exceeding the fair vale of the land;*
- *(l) defective or unusual conditions of title;*
- *(m) improper subdivision or obsolete platting;*
- *(n) the existence of conditions that endanger life or property by fire or other causes; or*
- *(o) any combination of the factors listed in this subsection (2).*

The land being added to the Plan area includes 405 (Exhibit A) property tax codes plus a segment of centrally assessed BN Railroad property. The complete, expanded Urban Renewal Area will have 481 property tax codes plus the segment of BN Railroad property. Within that total area, and as noted in the 2006 approved Urban Renewal Plan, there are many "target areas" that should be immediately considered for redevelopment. The properties on N. Broadway between 4th Avenue North and 6th Avenue North will need additional parking to facilitate the construction of a Stockman Bank facility. The area adjacent to the Northern Hotel on North Broadway is in need of parking due to the closure of the privately owned parking structure in that area due to unsafe and blighted conditions of the structure. The area east of the Yellowstone County Courthouse Lawn is targeted for a new federal courthouse and will need additional parking and green spaces. The area between the new MET transit facility on N. 25th Street and to the east boundary of the East Billings Urban Renewal Area (N. 22nd Street) is in need of redevelopment that could include workforce housing and parking. The status of the Battin Federal Courthouse is still unclear. The facility is contaminated with asbestos and is destined to become vacant with the completion of a new federal courthouse and office building. This

vacancy will present a redevelopment opportunity in the near future. The area surrounding City of Billings Park IV contains many surface parking lots that could be developed if Park IV is sold to a private developer. This area lacks high-rise housing with mixed use occupancy on the first floor. The future use of the Lincoln Center is unclear and it could be a redevelopment opportunity if the school district ceases its administrative and continuing education functions in the building. The properties on 1st Ave. S. and Minnesota Avenue are not currently in a Historic District and values remain stagnant as compared to the Montana Avenue area. The redevelopment of the south side of the railroad tracks has not kept up with the redevelopment north of the tracks and should be a target area. Several properties located between Montana Avenue and 1st Avenue North are severely underutilized and in need of redevelopment. Without attention to some of this blight, over time, the value of the Montana Avenue redevelopment will most likely be negatively impacted.

SECTION 5 – DETERMINATION OF BLIGHT

The proposed expansion area of the North 27th Street District contains a number of underdeveloped properties. The Council previously determined that the property included in the North 27th Street District was "blighted" within the meaning of the Act in Resolution 05-18276 adopted June 13, 2005 and Resolution 06-18488, adopted September 25, 2006. The Redevelopment Area, including the portion that is to be expanded to form the Expanded North 27th Street District - 2008, was previously determined to be blighted and an appropriate area for an urban renewal project in Resolution No. 12107 dated January 5, 1976. Deficiencies in public and private properties located in the district lead to a determination that the area continues to be blighted, as defined by state statute. Specific areas of blight on the site are listed below:

Deficient Structures in Expanded Area

There are several buildings that are over 50 years in age and do not qualify as being historically significant. Many are in poor repair and may contain potentially hazardous asbestos and lead paint.

Deficient Public Facilities in Extended Area

The streets, curbs, gutters and sidewalks in much of the area are in satisfactory repair. However, sewer and water utilities in the area are aging and have required frequent repairs in recent years. Several parking lots generally do not meet code requirements for paving, striping and landscaping. Many of them are cracked and crumbling. The city owned parking ramps within the area, except for Park IV have extensive "waiting lists" and public parking for adjacent office and commercial structures continues to be inadequate. Demand for parking will continue and additional and expanded parking structures will be required to accommodate commercial growth.

Deficient Land Use in Extended Area

In general, the area is under-utilized due to the significant amount of surface parking areas and a large number of single-story structures. The taxable value of this district must be stabilized and encouraged to grow.

SECTION 6 – THE SITE AND ITS RELATIONSHIP TO THE CITY

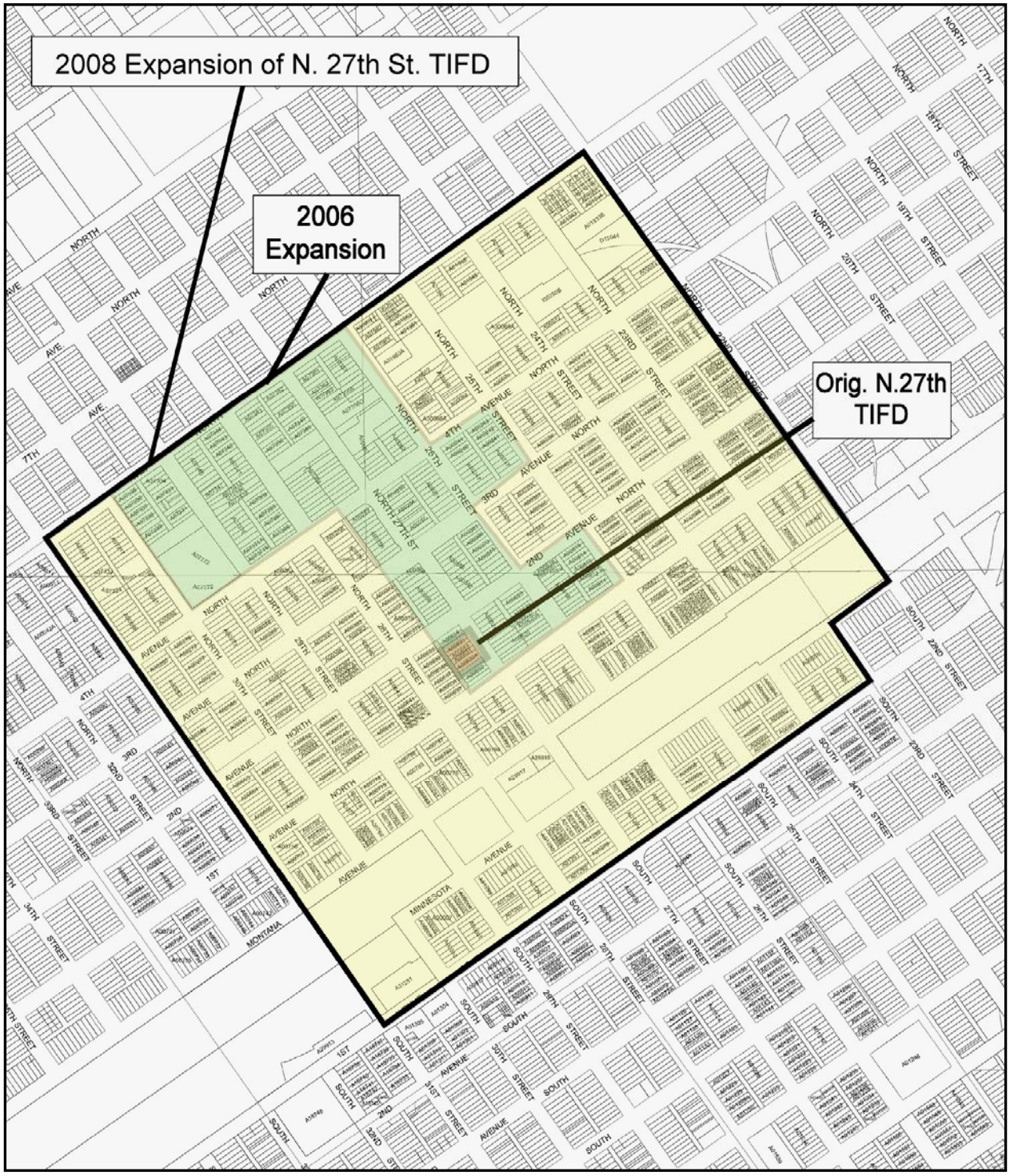
As noted, the expanded North 27th Street Urban Renewal Area comprises most of the Central Business District (CBD) of the City of Billings.

SECTION 7 – LEGAL DESCRIPTION

The legal description of the proposed Expanded North 27th Street District – 2008 is as follows:

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein, all inclusive.

Map of entire Expanded N. 27th District



SECTION 8 – PROPERTY DEVELOPERS

New development in the proposed tax increment district will also be accomplished through the implementation of the Downtown Framework Plan. These Projects are described in Section 2 of this plan.

SECTION 9 – PROJECT RELATIONSHIP TO THE FRAMEWORK PLAN

The proposed urban renewal area and expanded tax increment district is located generally in the center of the City and encompasses most of the "districts" as defined by the Billings Framework Plan ("Framework Plan"). One goal of the Framework Plan was to remove barriers to downtown circulation and development created by 4th Avenue North and 6th Avenue North and establish the area between the avenues as both a discreet district and a recognized extension of the CBD, thereby allowing potential ties to the medical corridor and MSU-Billings from the CBD. Generally, the Framework Plan stressed the downtown's ability to make a positive impact on the entire city. The Framework Plan also recommended a private non-profit organization to assist the City of Billings with the management of the Tax Increment District through an annual work plan and contract. This Expanded N 27th Street District may be managed in a similar manner and could make use of the redevelopment and facilitation established through that management entity.

Framework Plan Recommendation: Housing

The Framework Plan states that housing should be a top priority and that the City should continue to work with builders and developers to encourage downtown housing through various methods. Specifically, the plan states that high-rise housing is to be located in the east transition zone and portions of the north transition zone.

The formation of an expanded tax increment district will help to raise funds that can be used for construction or rehabilitation of public infrastructure necessary to attract and retain housing in the area.

Framework Plan Recommendation: Priorities

The top priorities identified in the Framework Plan include the following:

- Development incentives, including business retention and recruitment
- Housing – demonstration projects
- Streetscape Kit of Parts – expand kit to include Minnesota Avenue
- Events Kit of Parts – Modern and safer traffic control devices may be needed
- Paring configuration adjustments – several one-way streets could be converted to 2-way
- 5th Avenue North Corridor preservation and enhancement

This amendment to the Plan and the urban renewal projects that it contemplates specifically address all six of these priorities.

SECTION 10 – CONFORMANCE TO THE GROWTH POLICY

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43) is that the urban renewal plan must conform to the community's growth policy. The Yellowstone County and City of Billings Growth Policy ("Growth Policy") refers to and promotes downtown redevelopment in a variety of ways. This amendment to the Plan is consistent with the current Growth Policy.

SECTION 11 – CERTAIN PLAN FEATURES AND FINANCIAL MATTERS

Section 7-15-4217, M.C.A., of the Act requires cities to make certain findings when they adopt an urban renewal plan and approve Urban Renewal Projects. These are addressed below:

1. Most of the District contains no existing dwelling units or housing, and planned projects would not displace any persons from housing. Accordingly, there is no need to have a workable and feasible plan for substitute housing until and unless such a project is developed in the future.

2. This amended Plan conforms to the Growth Policy for the City as a whole and to the

Framework Plan.

3. This Modified Plan affords maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the Expanded North 27th Street District by private enterprise. It is unreasonable to expect that the district will be remain stabilized and/or redeveloped without substantial public support. Numerous properties within the area are dilapidated. As presently constituted, property in the district is not conducive to any sort of uniform or integrated development and, as presently existing, cannot compete with other areas of the City for substantial developments, particularly areas at the outskirts of the City. Experience has validated the foregoing facts and observations. This amended Plan is intended to facilitate the identification and construction of significant Urban Renewal Projects, which would not be possible without this Plan.

4. A sound and adequate financial program exists for financing projects, which include the sale and issuance by the City of the Bonds in an amount not to exceed the costs of the project, including administration costs and costs of issuance of the Bonds. Any approved Development Project will require commitments of substantial private financing that will provide the primary means for funding construction of the improvements.

5. This Expanded N. 27th Street District - 2008 may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas, and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may be mailed only to those owners whose properties are situated within the area of expansion or contraction of the Urban Renewal District boundaries. In cases where the boundaries are not modified, but the contents of the urban renewal plan are substantially modified, notification shall be mailed to all owners of property within the Urban Renewal District area.

SECTION 12 – TAX INCREMENT

Tax increment financing is necessary to encourage private reinvestment within the District, which will further encourage economic growth in the District and Downtown Billings, create substantial employment opportunities, and increase the tax base of the City and other taxing jurisdictions. The expanded North 27th Street District is hereby established as a tax increment financing urban renewal area within the meaning of the Act, and, in particular, Section 7-15-4282 through 7-15-4293 of the Act. This Section constitutes a tax increment provision within the meaning of the Act. In connection therewith:

1. For the purpose of calculating the incremental taxable value each year for the life of the district, the base taxable value shall be calculated as current base taxable value of the district plus the base taxable value of all real and personal property added to the district by this amended plan and as show in Exhibit B as of **January 1, 2008.**

2. The City is hereby authorized to segregate the tax increment derived in the district and use and deposit such increment into the tax increment fund of the district for use as authorized by the Act and as authorized herein from time to time, including, without limitation, pledging the tax increment to repayment of Bonds.

3. The tax increment received from the district may be used to pay directly costs of an approved Development Project as may from time to time be approved by the Council. The Council also hereby authorizes the use of tax increment in the district to pay debt service on Bonds issued to finance a portion of the costs of these Development Projects, and costs associated with the sale and security of such Bonds in compliance with the Act, subject to any limitations imposed by the Montana Constitution and federal law.

4. The tax increment provision of the district will terminate upon the latter of:
   a. The fifteenth (15th) year following the original creation of the district; or
   b. The payment or provision for payment in full or discharge of all Bonds, and the payment of interest thereon, for which the tax increment has been pledged.

After termination of the tax increment provision, all taxes shall continue to be levied upon the actual taxable value of the taxable property in the district, but shall be paid into funds of the taxing bodies levying taxes within the district.

SECTION 13 – CONCLUSIONS

The creation of this expanded North 27th Street Urban Renewal District will have a positive impact on Downtown Billings and no impact on the total taxable value flowing to the taxing entities from the now expired 1975 Urban Renewal District.

Expansion of the North 27th Street District is an essential first-step in completing what may be a number of urban renewal projects. If completed, mixed use projects approved within the first two years could stimulate over $30 million in new construction, and possibly as much as $15 million in re-sales and redevelopment. Approximately 500 new employees and new downtown residents could be located on the commercial and upper floors of possible mixed use projects. Thus, expansion of the district, in addition to further stabilizing the tax base, eliminating blight and providing renaissance to the CBD, will also bring new employees and residents to the CBD.

Mixed use development within the Expanded District ties in favorably with and actually stimulates the remodeling plans that are currently underway for several downtown properties. Additionally, like any major new development, the anticipated Stockman Bank construction at 4th Avenue North and North Broadway will have a stimulating effect on the surrounding area. Specific examples of this are:

1. It will tie the CBD to the medical corridor located immediately to the north of the development.
2. The Billings Clinic has purchased the Underriner property to the north and west of the Library. The Clinic's plans at this point have not been determined; however, the development proposed in this amended Plan will enhance and encourage future development by this group.

3. The Framework Plan encourages the development of the 5th Avenue North corridor. An enhanced Library, as accomplished by projects described in this Plan, will provide an excellent entrance to this corridor.
4. Future redevelopment and revitalization of structures like the Northern Hotel and the Babcock Theatre Building are enabled by this district.
5. This expanded district may assist with the completion of and continued modernization of City owned downtown parking structures.

In conclusion, expansion of the North 27th Street Urban Renewal District to include the property described in this amended Plan will have a positive effect on the CBD and the City.

RESOLUTION NO. 18-10750

A RESOLUTION OF THE CITY OF BILLINGS FORMING A POLICY FOR THE ADMINISTRATION OF URBAN RENEWAL AREAS OR DISTRICTS (URD) IN THE CITY.

WHEREAS, MCA, Title 7, Chapter 15, Part 42, Section 51 declares: General powers of municipalities in connection with urban renewal. Every municipality shall have all the power necessary or convenient:

(1) To carry out and effectuate the purposes and provisions of this part and part 43;

(2) To undertake and carry out urban renewal projects within the municipality, to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this part and part 43, and to disseminate blight clearance and urban renewal information;

(3) To organize, coordinate, and direct, within the municipality, the administration of the provisions of this part and part 43 as they apply to such municipality in order that the objective of remedying blighted areas and preventing the causes thereof within such municipality may be most effectively promoted and achieved and to establish such new office or offices of the municipality or to reorganize existing offices in order to carry out such purpose most effectively;

(4) To exercise all or any part or combination of powers granted in this part or part 43; and

WHEREAS, the City of Billings reviews and adopts Urban Renewal Plans for each of its Urban Renewal Districts, and those Plans specify goals for each Urban Renewal District; and

WHEREAS, the City of Billings may establish local policies that guide the establishment, operations, funding and governance of urban renewal districts; and

WHEREAS, development of TIF (Tax Increment Financing) Policies would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

That the City Council now makes and adopts the following TIF Policy:

CITY OF BILLINGS TAX INCREMENT FINANCE POLICY

1. PERMITTED USES OF TIF FUNDS. TIF funds may be used for costs outlined in MCA, Title 7, Chapter 15, Part 42, Section 88. Urban Renewal Plans adopted by the City may limit what TIF funds may be spent on in any Urban Renewal District. Eligible costs may include, but are not limited to:
   a. Land acquisition and assemblage, demolition and removal of structures, relocation of occupants, analysis to determine needs of an urban renewal area, administrative cost for redevelopment activities.
   b. Public infrastructure, including, but not limited to: streets, storm drains, parking, public buildings, water and sewer lines, sidewalks, utility connections.
   c. Private infrastructure with public benefit, including, but not limited to, building façades, windows, doors, fire suppression or alarm systems, storm drainage, environmental remediation, parking, and ADA access.

2. FINANCIAL ASSISTANCE THROUGH TIF. All financial assistance must be approved by the City Council prior to any activity receiving funding. Financial assistance should be requested prior to beginning construction. All activity (design and construction) must be completed prior to issuance of TIF funds from the City Finance Department. Financial thresholds and assistance tools are as follows:
   a. A minimum of $\geq$ $5 of private investment for every $1 of public investment is the preferred threshold to be met for each TIF application. The City Council reserves the right to approve any application that does not meet this minimum. The City Council also may make exceptions for projects of less than $100,000, and for publicly owned projects, properties or facilities.
   b. Grants may be made for uses listed in Part 1 above benefitting any government owned-land or buildings and for profit and non-profit businesses.
   c. Bonding may be available at the discretion of the City Council.
   d. All TIF grants will be formalized by a development agreement that must be signed by the grantee before the City will reimburse eligible expenses.

3. URD MANAGEMENT. Each URD in the City of Billings will be managed as follows:
   a. Each URD should maintain a non-profit advisory board to make recommendations to the City Council regarding TIF expenditures. Unless specifically authorized by a Memorandum of Understanding (MOU) referenced in 3(b) below, a majority of board members must own or lease property within the district, or must represent such owner or lessee, and may include representation from residential or commercial property owners or lessees. Advisory Boards must carry insurance for their members and provide proof of insurance to the City.
   b. A MOU must be executed between the advisory board and the City Council that defines the board's roles, responsibilities, authority, and processes, including for hiring and maintaining board support staff. The MOU must

contain language addressing conflict of interest situations for board members whose property may directly benefit from a TIF expenditure and for board support staff. The MOU also must include language that if there is the appearance of a conflict of interest the issue will be reviewed by City legal staff before moving forward.

c. Training for all URD advisory boards will be conducted biannually in coordination with City staff and URD support staff. The training must include, but is not limited to: review of URD and TIF laws, Administrative Rules, ethics, conflicts of interest, meeting management, and maintenance of minutes and records.

d. URD financial reporting will be consistent across all URDs and be set by coordination between the City Finance Director and the Planning and Community Services Director, and URD support staff.

e. TIF application review and City Council staff report preparation will be conducted by the Planning and Community Services Department Director, in coordination with the Assistant City Administrator, Finance Director, and URD support staff.

PASSED by the City Council and APPROVED this 9th day of July, 2018.

CITY OF BILLINGS

BY: William A Cole
William A. Cole, Mayor

CITY OF BILLINGS SEAL YELLOWSTONE COUNTY, MONTANA

ATTEST

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

THE MONTE BAR & CASINO

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into as of_____, 2021 by and between the Downtown Billings Partnership, Inc., an I.R.C. S501(c)(4) Montana nonprofit corporation ("DBP"), The City of Billings, Montana, a municipality of the State of Montana ("City"), and Korry Sales Corporation, LLC, a Montana limited liability company ("Developer"). DBP, the City and Developer shall each be referred to herein as a "party" and shall collectively be referred to as the "parties."

RECITALS

WHEREAS, DBP is the entity responsible for administration of Tax Increment Financing ("TIF") funds for the City; and

WHEREAS, on or about April 15, 2021, Developer submitted a Funding Application (defined below) to DBP requesting a TIF grant for a project to renovate, rehab, and remodel property located at 2824 1st Ave N in downtown Billings (the "Property" as further defined below); and

WHEREAS, on or about June 18, 2021, DBP's Board of Directors approved the Application for a TIF grant; and

WHEREAS, on July 12, 2021, the City of Billings City Council approved a reimbursement grant using TIF funds to Developer in an amount of up to $113,997 (the "TIF Grant") to be dedicated to qualified expenditures for the Project (defined below) and to be disbursed as described in this Agreement; and

WHEREAS, the parties wish to enter into a development agreement, in accordance with DBP's TIF Funding Criteria (defined below), to establish the terms and conditions under which DBP will allocate the TIF Grant funds to Developer from the City in accordance with the DBP agreement with the City regarding urban renewal in Downtown Billings,

NOW, THEREFORE, the parties agree as follows:

SECTION 1
SUBJECT OF AGREEMENT AND DEFINITIONS

1.1 Effect of Recitals. The foregoing Recitals are true and correct and are incorporated into the terms and conditions of this Agreement.

1.2 Purpose of Agreement. The purpose of this Agreement is to set forth the terms and conditions of the TIF Grant to Developer to effectuate the urban renewal project for certain real property located at 2824 1st Ave N in Billings, Montana, and legally described on the attached Exhibit A (the "Property"). This Project will eliminate blight and complement and further the objectives of the Expanded North 27th Street Urban Renewal District and Urban Renewal Plan.

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1.3 The Funding Application. The DBP and the City have approved the TIF Grant based on Developer's Downtown Tax Increment Financing Application attached hereto as Exhibit B ("Funding Application"), subject to the terms and conditions of this Agreement. The Funding Application includes a preliminary estimated cost of construction of Developer's Improvements (the "Preliminary Developer's Budget")

1.4 TIF Grant Funding Criteria. The term "TIF Funding Criteria" shall mean the Tax Increment Financial Assistance Program criteria for urban renewal projects in the Expanded North 27" Street Urban Renewal District as set forth in the attached Exhibit C.

1.5 Developer's Improvements. The term "Developer's Improvements" shall mean the improvements described on Exhibit B to be constructed by Developer on the Property pursuant to this Agreement and as described in Section 5.

1.6 Conceptual Design Drawings. The term "Conceptual Design Drawings" shall mean the conceptual preliminary depictions of the Developer's Improvements attached hereto as Exhibit B.

1.7 Project. The term "Project" shall mean the Property as improved by the Developer's Improvements.

1.8 Definitive Documents. The term "Definitive Documents' shall mean this Agreement and all Exhibits attached or to be attached hereto.

SECTION 2
PROPERTY

2.1 Ownership. The Property, described on Exhibit A, is owned by Koory Sales Corporation, LLC.

SECTION 3
CONDITIONS PRECEDENT

3.1 Conditions Precedent. The DBP's and the City's obligation to be bound by this Agreement with Developer is subject to satisfaction or written waiver of each of the following conditions to the reasonable satisfaction of DBP ("Conditions Precedent"):

a) Developer has presented DBP proof of ownership of the Property by proof of title insurance reflecting Developer as the fee owner of the Property, subject only to liens and encumbrances satisfactory to DBP.

b) Developer has obtained financing and provided the DBP with proof of financing in the form of commitment letters or loan documents, for the construction of Developer's Improvements in accordance with the Funding Application within the time period set forth in the Performance Schedule (as defined in Section 6).

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c) Developer has prepared and submitted a detailed budget setting forth the final estimated cost of construction of Developer's Improvements ("Developer's Budget"). When completed, the Developer's Budget will be made a part of this Agreement and will be appended as Exhibit E.

d) Developer has prepared and submitted final design drawings ("Design Drawings") and construction documents for the Developer's Improvements (collectively, the "Final Plans") in accordance with the terms of this Agreement and the Final Plans have been reviewed and approved by DBP and the City and the estimated cost of the approved design is within Developer's Budget. When completed and approved, the Final Plans will be made a part of this Agreement and will be attached as Exhibit F.

e) Developer has provided DBP with proof of zoning compliance and approval by any necessary governmental entities.

f) Developer has executed the Agreement no later than 150 business days following the City Council's approval.

3.2 Satisfaction of Conditions. DBP and DBP's representatives, agents and consultants will work with the Developer to obtain satisfaction of the Conditions Precedent.

3.3 Termination for Failure of Conditions. If the Conditions Precedent are not satisfied or waived within 90 days of the date of this Agreement, then any party may terminate the Definitive Documents by written notice to the others and upon such termination the parties shall have no further liability to one another, however, Developer shall remain responsible for indemnifying DBP and the City in accordance with Section 5.12.

SECTION 4:
GRANT AND RELEASE OF FUNDS

4.1 Use of TIF Grant Funds. The TIF Grant funds which are the subject of this Agreement shall be used only for urban renewal activities, including the renovation and rehabilitation of the Property, in accordance with the Definitive Documents and the Urban Renewal Law of the State of Montana, §§7-15-420l., et seq., Mont. Code Ann.

4.2 Grant of Funds. City, as recommended by DBP, agrees to grant to Developer the TIF Grant in an amount of up to $113,997 from funds in the City's Fund 203 account, release of which shall be conditioned upon satisfaction of the conditions precedent set forth in Section 3.1 above, the conditions set forth in this Section 4, and the Developer's obligations, covenants and warranties set forth in this Agreement and the Definitive Documents.

4.3 Availability of TIF Grant Funds. TIF funds are not available to be encumbered (committed) to the Project by the City until they are received as unencumbered TIF funds.

a) Subject to the availability of unencumbered TIF funds, City agrees that, starting January 1st after the Project is complete and occupied, it will encumber TIF funds to reimburse Developer for the Project during the fiscal years following completion of the Project according to the requirements of this Agreement. Reimbursements will not be

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greater than $113,997 in total. Reimbursement period will occur in FY23 as long as the project is completed in FY22. The deadline for the reimbursement period to start is June 30, 2022.

(In the event unencumbered TIF funds are not available to the City to meet the foregoing schedule, the City may continue to fully encumber, in its sole discretion, to the Project available unencumbered TIF funds until the full TIF Grant is encumbered to the Project.)

b) Developer reimbursements shall be limited to only those funds that have been encumbered to Project by the City. Notwithstanding anything to the contrary, the payment of the Developer reimbursements is hereby expressly made subordinate in all respects to any and all bonds issued by the City pursuant to the Resolution No. [20-10878] adopted by the City Council of Billings on [June 22, 2020], as amended and supplemented, and the Development reimbursements are a Subordinate Obligation thereunder.

c) Reimbursements will be made to Developer as explained in Section 4.2 and restricted to TIF funds that have to date been encumbered to the Project.

4.4 Release of Funds following Project Completion. DBP will release the TIF Grant funds approved by the City to the Developer upon the Developer's completion of Developer's Improvements and the Project, determined as follows:

a) Developer has substantially completed construction of Developer's Improvements in accordance with the Funding Application, as supplemented by the Budget and Design Drawings, and the deadline set forth in Section 6.

b) Developer has submitted all paid invoices showing the completion and lien-free status of all expenditures related to this Project and Property, including evidence that all construction liens have been satisfied and/or released.

c) Project costs shall be paid and proof of payment shall be provided in an amount consistent with the Funding Application, as supplemented by the Budget, and this Agreement.

d) The Project satisfies the public benefit provisions of the Funding Application and the TIF Funding Criteria.

e) Developer has received a Certificate of Occupancy from the City for the Project.

f) Developer has received from DBP a Certificate of Satisfaction as defined in Section 5.8 below.

g) Reimbursement cannot begin before the January 1st following the completion of the Project, as defined in Sections 3, 4, 5, and 6 of this Agreement.

4.5 Satisfaction of Project Completion Conditions. DBP and DBP's representatives, agents and consultants may assist the Developer to obtain satisfaction of the conditions for completion of the Project set forth in Section 4.4 (where applicable).

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4.6 Extent of Commitment. DBP and the City shall have no obligation for any costs associated with the Project which exceed the amount of the TIF Grant funds approved in accordance with this Agreement.

SECTION 5:

DEVELOPERS IMPROVEMENTS AND COVENANTS

5.1 Construction of Developer's Improvements. Developer agrees to construct and develop the Developer's Improvements, at its sole cost and expense, consistent with the Design Drawings and the other Definitive Documents.

5.2 Architects and Contractors. Developer will have the right to select its architects, contractor and other subcontractors and consultants in its sole discretion. Developer will require all architects, engineers, or other professional consultants to maintain professional liability insurance in an insurable amount not less than $1,000,000 combined single limit, covering all professional activities performed by them in connection with the Developer's Improvements. Further, Developer shall require its contractor to maintain broad form commercial general liability insurance in an insurable amount of not less than $1,000,000 combined single limit, covering all work performed by contractor in connection with the Developer's Improvements. Developer shall demonstrate proof of coverage to DBP upon request by providing a Certificate of Insurance.

5.3 Insurance. Developer shall maintain fire and casualty insurance covering the Project and the Developer's Improvements in an amount commensurate with the replacement cost of the Project during development and construction of the Project and until issuance of the Certificate of Satisfaction. DBP may, in its sole discretion, recommit funds for reconstruction of the Project in the event Developer determines to reconstruct the Project.

5.4 DBP Access. DBP and DBP's representatives, agents and designees will have the right, at reasonable times and upon reasonable notice to the Developer, to enter upon the Property, in connection with inspection of construction of Developer's Improvements. Upon reasonable notice and request, DBP shall have access to all records and contracts pertaining to the Project. Developer shall keep and maintain accounting records for the Project, and shall make the same available to DBP upon request, including but not limited to all purchase orders, invoices, statements, payment documents, and journals and ledgers related to the Project.

5.5 Governmental Permits. Before commencement of construction of Developer's Improvements, Developer shall obtain all necessary land use, building and other governmental permits. Developer shall maintain all necessary land use, building and other governmental permits during construction of the Project.

5.6 Local, State and Federal Laws. Developer shall carry out the construction of the Developer's Improvements in conformity with all applicable local, state and federal laws.

5.7 Prohibition Against Transfer. Prior to the issuance by DBP of the Certificate of Satisfaction, Developer shall not, except as permitted by this Agreement, without the prior approval of DBP, transfer its interest in the Property or the buildings or structures on the Property. Notwithstanding the foregoing, this prohibition shall not apply to:

a) The transfer of the Property effective after issuance of the Certificate of

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Satisfaction; or

b) Transfers of property involving transactions in place prior to the date of this Agreement; or

c) The leasing of space in the Developer's Improvements.

5.8 Certificate of Satisfaction. After substantial completion of Developer's Improvements as determined by DBP, DBP shall furnish Developer with a Certificate of Satisfaction of this Agreement upon written request therefore by the Developer, substantially in the form of Exhibit H. Upon issuance of the Certificate of Satisfaction, Developer and the Property shall be fully relieved of all obligations and restrictions under this Agreement, excluding the obligations to indemnify City and DBP in Sections 4.6, 5.12, 5.13 and 5.14. DBP shall not unreasonably withhold, condition or delay the Certificate of Satisfaction. Such Certificate of Satisfaction shall be a conclusive determination of satisfactory completion of the construction of the Developer's Improvements required by this Agreement as to the Property and such Certificate shall so state. No Certificate of Satisfaction shall constitute a Certificate of Occupancy or evidence thereof under the building permit or codes of the City of Billings.

5.9 No Speculation. Developer represents that its interest in the Property is for redevelopment and not for speculation in land holding.

5.10 Environmental History. To the best of Developer's knowledge, the Property does not contain any hazardous substances found in violation of applicable laws and all mandatory requirements of applicable law with respect to environmental hazards or hazardous substances have been complied with by Developer.

5.11 Compliance with Definitive Documents. Developer has received, reviewed, and approved the Definitive Documents and shall be bound by the terms of the Definitive Documents.

5.12 Control/Indemnification. Developer shall have sole control and responsibility for the construction of the Project. Developer will indemnify, defend and hold the DBP, the City, and their directors, officers, officials, employees and agents harmless for, from and against any and all claims, damages, costs, liabilities and losses arising out of or related in any way to the use, condition, construction or development of the Property, the Project, or the Developer's Improvements, including without limitation to any claims for personal injury, property damage, or for liability to any contractor or its subcontractors, agents or employees.

5.13 Taxes/Assessments. Developer shall pay all applicable taxes, special assessments, and other assessments on the Property and the Developer's Improvements, if any, when due.

5.14 No Tax Protest. Developer shall not protest, or attempt in any way to avoid or dispute, any property taxes, special improvement district assessments, and other assessments on the Property for three (3) years from the date on the Certificate of Occupancy, without prior written consent of DBP, which consent shall not be unreasonably withheld. In the event Developer believes that a property tax or other assessment of the Project is unreasonable, it may request DBP's written consent to protest such assessment to the appropriate authority.

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SECTION 6:

SCHEDULE OF PERFORMANCE

6.1 Deadline. A Schedule of Performance of construction of Developer's Improvements is attached as Exhibit G and incorporated herein (the "Performance Schedule"). Developer shall proceed expeditiously to complete construction of the Project in accordance with the Performance Schedule. All construction work for the Project shall be completed by the completion date set forth in the Performance Schedule of December 31, 2022. Developer will be excused for delays resulting from the following circumstances: an act of God or public enemy, fire; storm; wind; flood; earthquake; epidemic; explosion; lightning; continuous loss of power of other utilities for more than thirty days; nuclear radiation; geological or archeological condition; quarantine restrictions; riot or public discord; act of terrorism; Criminal damage; the suspension of the national or state banking system due to financial crises; a union strike, unanticipated pre-existing but undiscovered conditions; or appeal of governmental permits.

SECTION 7:

WARRANTIES

7.1 Developer Representations and Warranties. Developer Warrants and represents that the information and documentation provided pursuant to Sections 3.1 and 5 are accurate and complete and that Developer will promptly notify DBP of any changes in such information and documentation.

7.2 Joint Representations and Warranties. The following representations and Warranties are made by each party to the others as of the date hereof:

a) Authority. Each party has the legal power, right and authority to enter into this Agreement and the instruments referenced herein, and to consummate this transaction.

b) Actions. All requisite action has been taken by each party in connection with the entering into of this Agreement, the instruments referenced herein, and the consummation of this transaction. No further consent of any partner, shareholder, creditor, investor, judicial or administrative body, governmental authority or other party is required.

c) Due Execution. The individuals executing this Agreement and the instruments referenced herein on behalf of each party and the partners, officers or trustees of each party, if any, have the legal power, right, and actual authority to bind each party to the terms and conditions of those documents.

SECTION 8:

DEFAULTS AND REMEDIES

8.1 Default/General. Subject to the extensions of time set forth in Section 6, and subject to the notice and opportunity to cure provisions contained in this Agreement, the failure or delay by any party to perform any term or provision of this Agreement constitutes a default; however, if the defaulting party commences to cure such default within 60 days after receipt of a notice

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specifying the default, and thereafter diligently prosecutes such cure to completion, then such party shall not be deemed to be in default. The injured party shall give written notice of default to the defaulting party, specifying the default. The injured party may not institute proceedings, whether judicial or otherwise, against the party in default until 60 days after giving such notice. Any failure or delay by any party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any rights or remedies or deprive such party of its rights to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

8.2 Rights and Remedies. Subject to the provisions of Section 8.1 hereof, in addition to its other rights or remedies, if Developer fails to cure a default or withdraws from the Project for any reason, DBP and City shall have no obligation to release grant funds to Developer. If the Developer fails to cure a default, or withdraws from the Project for any reason, after funds have been released for the Project, Developer shall repay City the amount of any funds released to Developer for the Project. Either party may seek any legal or equitable remedy to cure, correct or remedy any default, to recover any damages for any default, or to obtain any other remedy consistent with the purpose of this Agreement in accordance with the terms of this Section 8.

8.3 Rights and Remedies Not Cumulative. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are not cumulative, and the exercise by any party remedies provided in this Section 8 shall preclude the exercise by it, at a different time, of any other rights or remedies for the same default.

8.4 Dispute Resolution. In the event a dispute arises, whether due to a default or the interpretation of any term of this Development Agreement, the complaining party shall deliver notice of the matter in dispute to the other party at the address and in the manner provided for in Section 9.1 hereof. Each party shall within 7 calendar days thereafter designate a representative to address the matter, which representatives shall attempt, in good faith, to resolve the disputed matter within 7 calendar days of the last designation of a representative.

In the event the designated representatives are unable, despite their good faith efforts, to timely resolve the disputed matter within fourteen calendar days of the initial notice thereof, then, and in that event, either any party may request in writing that the matter be resolved through informal mediation. Informal mediation must be completed within 14 calendar days of the request.

If the matter remains unresolved after mediation, or if the mediation is not timely completed - either party may demand binding arbitration in accordance with § 8.5. A complaining party who refused or failed to timely participate in the informal mediation (i) may not seek binding arbitration (ii) waives any demand, claim, or relief from the other party, and (iii) releases the other party from the complaining party's demand, claim, or relief.

8.5 Arbitration. In the event of any dispute arising between the parties to this Agreement, and the conditions of § 8.4 have been met, any such dispute shall be submitted to binding arbitration as provided herein. The parties shall select an independent and unbiased arbitrator who is not affiliated directly or indirectly with either party within ten days after any party demands arbitration. If the parties fail to select, or cannot agree upon, an arbitrator within this time,

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then either party may apply to the District Court of Yellowstone County pursuant to §27-5-211 et seq. of the Montana Uniform Arbitration Act for an order appointing an arbitrator. Such applications may be made at any time after the ten-day period has expired. Upon application to the court for an arbitrator, the Court shall select a single arbitrator, who shall render his/her decision no later than 60 days after his/her appointment. If the arbitrator requests a hearing prior to rendering his/her decision, such hearing shall be held in Yellowstone County, Montana within 30 days of the arbitrator's appointment. The arbitrator's decision shall be binding on both parties. Each party shall bear its own expenses associated with the arbitration but shall share equally the costs of the arbitrator.

8.6 Authorized mediators/arbitrators. Any formal mediation or arbitration shall select one of the following as the mediator and/or arbitrator unless all are either conflicted or unable to serve: (i) Charles Cashmore (CCashlaw@aol.com); (ii) Russell Fagg (rfagg@icloud.com); (iii) Greg Murphy (greg.murphy10@gmail.com); (iv) Mike Anderson (manderson@a-llaw.com).

8.7 Waiver. Upon written agreement of both parties, any provision of this Section 8 may be waived. Unless waived, the terms of this Section 8 shall be strictly applicable to any dispute between the parties hereto.

SECTION 9:
GENERAL PROVISIONS

9.1 Notices. All notices or other communications required or permitted hereunder must be in writing, and must be personally delivered (including by a professional messenger service) or sent by overnight courier, or sent by registered or certified mail, postage prepaid, return receipt requested to the addresses set forth below. All notices sent by mail will be deemed received 2 (two) days after the date of mailing and all notices sent by other means permitted herein shall be deemed received on the date delivered. Notices will be sent as follows:

Developer: Koory Sales Corporation, LLC
Attn: Cori LaFever
Address: 2824 1st Ave N
Billings, MT 59101
Telephone: (406) 259-3393
Email: cori.lafever@gmail.com

City: The City of Billings, Montana
Attn: Gina Dahl, City Attorney
Address: 20 North 27th Street
Billings, MT 59101
Telephone; (406) 657-8205
Email: dahlg@billingsmt.gov

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DBP: Downtown Billings Partnership, Inc.
Attn: Mehmet Casey
Address: 116 N 29th Street Suite A
Billings, MT 59101
Telephone (406) 294-5060
Email: mehmetc@downtownbillings.com

9.2 Nonliability of Officials and Employees. No director, officer, member, official, employee or agent of Developer, DBP or the City shall be personally liable to any party or any successor-in-interest thereto, in the event of any default or breach by any party or for any amount which may become due to any party or its successor, or any obligations under the terms of this Agreement.

9.3 Headings. Any title of the several parts and sections of this Agreement are inserted for convenience or reference only and shall be disregarded in construing or interpreting any of its provisions.

9.4 Time of Essence. Time is of the essence of this Agreement. All obligations of the parties to one another shall be due at the time specified by the Agreement, or as the same may be extended by mutual agreement of the parties in writing.

9.5 Construction/Governing Law, and Venue. The parties and their respective advisors believe that this Agreement is the product of all of their efforts, that it expresses their agreement and that it should not be interpreted in favor of or against any party. The parties further agree that this Agreement will be construed to effectuate the normal and reasonable expectations of sophisticated parties. The parties hereto expressly agree that this Agreement will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Montana. Any action in law or equity, or judicial proceeding for the enforcement of this Agreement or any of the provisions contained herein, shall be instituted and maintained only in Thirteenth Judicial District Court for Yellowstone County, Montana.

9.6 Severability. If any clause, sentence or any other portion of the terms and conditions of this Agreement become illegal, null or void for any reason, or held by any court of competent jurisdiction to be so, the remaining portion will remain in full force and effect.

9.7 No Partnership. Neither anything in this Agreement nor any acts of the parties hereto shall be deemed or construed by the parties hereto, or any of them, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture, or of any association between any of the parties to this Agreement.

9.8 Government Rights. Except as provided herein, by making this Agreement, DBP and the City are not obligating themselves or any other agency with respect to any discretionary action relating to the development of the Property or development, operation and use of the improvements to be constructed on the Property, including but not limited to, condemnation, comprehensive planning, re-zoning, variances, environmental clearances or any other governmental agency approvals which are or may be required.

9.9 Non-Waivers. No Waiver of any breach of any covenant or provision contained herein will be deemed a Waiver of any preceding or succeeding breach thereof, or of any other covenant or provision contained herein. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act except those of the waiving party, which will be extended by a period of time equal to the period of the delay.

9.10 Entire Agreement/Counterparts. This Agreement, together with the Definitive Documents, integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the parties or the predecessors in interest with respect to all or any part of the subject matter hereof. This Agreement may be signed by counterparts.

9.11 Successors. This Agreement shall be binding upon and inure the benefit of the parties, their successors and assigns.

DOWNTOWN BILLINGS PARTNERSHIP ("DBP")

By: _____

Its: President

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2021 by _____, as President of Downtown Billings Partnership.

_____
Notary Public for the State of Montana

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THE CITY OF BILLINGS, MONTANA ("CITY")

By: _____
Its: Mayor

By: _____
Its: City Clerk

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2021 by _____ and _____ as Mayor and City Clerk of the City of Billings, Montana.

_____
Notary Public for the State of Montana

KOORY SALES CORPORATION, LLC, a Montana limited liability company ("DEVELOPER")

By: _____

Its: _____

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2021 by _____ as _____ of Koory Sales Corporation, LLC, a Montana limited liability company.

_____
Notary Public for the State of Montana

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EXHIBITS

Exhibit A Legal Description

Exhibit B Funding Application (floor plans and conceptual designs included)

Exhibit C TIF Funding Criteria (City TIF Resolution & Scoring Criterion)

Exhibit D DBP Board Minutes and City Council Minutes, showing approval of the grant funds

Exhibit E Developer's Final Budget, supplied by contractor

Exhibit F Final Construction Drawings, submitted for permit

Exhibit G Performance Schedule

Exhibit H Certificate of Satisfaction

Exhibit I W-9, completed and signed at time of Development Agreement

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ATTENDED:	Dave Fishbaugh	Norman Miller	Andy Patten	Denis Pitman
Sam Merrick	Chris Montague	Steve Arveschoug	Wyeth Friday	Sean Lynch
Matt Blakeslee	Ignacio Barron Viela	Janna Hafer	Katy Easton	James Chandler
Jenny Ross	Mehmet Casey			
GUESTS:	Lauren Wright	Eric Schmidt	Cori LeFever	
ABSENT	Penny Ronning	Ethan Kanning	Jock West	Marguerite Jodry
Joni Harman	Steve Wahrlich	Chris Kukulski	Steve Tostenrud	

1) Call to Order – Introductions, Courtesies, and Public Comments (3 min. limit) Meeting was called to order at 7:29 AM.

2) Regular Agenda:

a. Minutes – April 23, 2021 meeting minutes, vote to approve minutes - Mr. Lynch made a motion to approve the April 23, 2021 minutes Mr. Pitman seconded all were in favor, none were opposed.

b. Presentations:

i. The Monte TIF Assistance – Ms. LeFever & Eric Schmidt - Ms. LeFever gave a brief history of the Monte and an overview of the experience they hope their guests get when visiting The Monte. Ms. LeFever gave an overview of their remodel plan, that includes plans to remove the brown awning, replace the tinted glass with clear glass to provide better visibility, restore the "chamber" entrance and liven up the 29th corner, as well as add some street trees on 29th street and eventually on 1st depending on what the state is doing. They hope to get a new roof, new mechanical, and pedestrian focused signage. They want to paint a mural on the east side of the building in the alley with Western Security Bank. Ms.LeFever reviewed the interior plans of changing up their seating by the windows, and have long term goals that engage with the community, grow their business and employee base. They feel like these improvements will help connect downtown to MT Ave. Ms. LeFever shared that they are a woman owned business and is a second generation owner of The Monte.

Mr. Lynch asked about their plans for the building that they own next door. Ms. LeFever shared that this project is smaller and more attainable but they do plan to do renovations on that building eventually.

ii. Billings Community Foundation TIF Assistance - Ms. Wright gave an overview of the Billings Community Foundation. She shared they recently purchased the building located at 404 N30th Street and they intend to work with non-profits and other opportunities to engage their community and provide a collaborative center. Ms. Wright shared that they have already started their phase one of their renovations, which include the upstairs location for the Billings Community Foundation offices and are moving on to the streetfront portion of Phase one which she believes is where the TIF dollars are so important. They are requesting funds for the ADA Lift to become ADA compliant in addition to this they learned they are not connected to the sewer line and are needing to resolve this issue quickly. Additionally, there are needed improvements to the roof, exterior of the building as well as the sidewalk and landscaping around the property. Ms. Wright shared an overview of their large project budget breakdown for the board. Mr. Casey invited the board to ask questions.

Mr. Patten asked if the building was going to be tax exempt. Ms. Wright shared that they are a non-profit and tax exempt. Ms. Wright shared that their annual distributions are approximately 850k to 1MM to the community. A discussion was had amongst the board over the clarity on what the Billings Community Foundation is and what they do, including their annual operating budget of 175k-200k.

iii. ArtHouse Cinema TIF Assistance update/request - Mr. Blakeslee shared that a letter was provided to the board with detailed information on their funding and they fully intend to continue to break ground and continue to make renovations and he is asking for a two year extension on their TIF award. Ms. Easton shared that this project is something that she believes is very important. Mr. Blakeslee clarified that the first extension was requested when ArtHouse Cinema acquired operations of the Babcock Theater. This time, the delay of Phase 2 is primarily due to COVID-19 and how the industry is performing as it recovers.

3) Action Items

a. Monte Committee Recommendation - Mr. Patten asked to take up consideration of the Monte Project, Ms. Hafer recused herself. Mr. Lynch asked Ms. LeFever to make a commitment to work on their other two buildings if the funds were approved. Ms. LeFever shared that they are working on the Montana Ave building slowly, she said they can't give a timeline on the Roxy but can confirm that they will be working on the building. Mr. Montague asked about the subcommittee's opinion and their recommendations. Mr. Casey

shared an overview of the report provided on the subcommittee's last meeting and that City Council asked to see the financials in a different format. Mr. Casey shared that most of the items are foundational, structural and electrical. The Committee had discussed the awning and general exterior appearance. They also spoke highly in favor of this and taking it back to the historic look of what it was in the 1930's. Mr. Casey shared that the amount requested is $113,997 and that the development contract would be signed within 150 days of council's approval. Mr. Patten asked about the contingency portion that is listed, and Ms. Easton shared that this checked in house and then again by the city and shared that the cap listed per category and that if they underspend then they receive the amount spent and funds would not be able to allocate the excess to a different category. Ms. LeFever shared that she understands this. Mr. Patten asked for a motion and Mr. Miller made a motion to approve, which was seconded by Mr. Merrick. All were in favor, none were opposed.

b. Billings Community Foundation Committee Recommendation- Mr. Casey provided an overview of the BCF TIF request and he reviewed the list of improvements. The committee saw value in this project and that the committee believes filling the vacancy will provide more activity and life to this area within the downtown corridor. Mr. Casey shared that the Committee reduced the award amount from the original ask to $181,774. Mr. Patten asked about the stance of the City Council's opinion on granting to Non-Profits. Ms. Easton shared that we are a year into this new application cycle and believe that it is going well with the quarterly grant cycle. She shared that one thing the Board might want to consider is calculating the percentage of awards given to nonprofits vs for-profits similar to loan portfolios. Ms. Easton shared that this project is very important especially due to the improvements needed for the plumbing in this particular situation.

Mr. Montague asked about the current percentage with Non-Profits and Mr. Casey shared since May 2019, only one in the traditional fashion was a non-profit that is not paying taxes. Mr. Lynch shared that the Montana Rescue Mission (MRM) had a clause for a building to be sold to a for-profit buyer. Mr. Montague clarified that the MRM, Billings Community Foundation, The Art House and the Alberta Bair Theater are non-profits that have applied. Mr. Lynch shared his concern of granting funds to nonprofits and then the inability to contribute back to the TIF funds.

Mr. Patten asked for a motion, Mr. Montague made a motion to approve and Mr. Barron Viela seconded. A discussion was had expressing concerns about the perception that might arise at the Council level. Mr. Lynch asked Ms. Wright how quickly they needed the funds, Ms. Wright shared that they are currently at a standstill until the funds are approved due to their cash flow status but do have donors that have pledged their support if they were able to get TIF approval and that she would be comfortable going in front of City Council. Mr. Patten shared that this could potentially lead to a difficult situation because this is a non-profit and not due to the project, this group is responsible for making sure that the district has the available funds. Mr. Lynch stated that he thinks this group needs to revisit this application once the percentage portfolio is complete instead of pushing an application through, which might put Ms. Wright in a stronger position. Mr. Lynch asked if they have a plan B if funds are not approved and Ms. Wright shared they will continue to privately fund raise and likely try to work with this board to figure out where they can improve on their proposal. She shared

that this approval will be a catalyst to other fundraising efforts. Mr. Montague asked when we can have the portfolio by, Ms. Easton thought by next month and that this is the appropriate time to determine a for profit and a nonprofit allocation because this is a new fiscal year. Ms. Easton also mentioned that since this application came in under the current procedure that it likely needs to follow the current practice. Mr. Friday brought up that during the budget discussion there was a suggestion brought forth to find a work session time when we can talk about the districts' vision and big picture for all of the districts. Mr. Patten shared that there is a simple motion on the floor which is BCF can move forward or withdraw it and wait for the restructure of the for profit v nonprofit allocation in the future. He encouraged the board to take a step back and understand what is at hand. The board was in favor 7-3. Mr. Lunch, Mr. Pitman, and Mr. Miller were not in favor.

c. ArtHouse Cinema Extension - Ms. Hafer made a motion to approve the extension and Mr. Lynch seconded. Mr. Patten clarified that the motion is to be amended to up to two years. Mr. Fishbaugh asked for clarity since building costs are going up if the $350k was going to be sufficient. Mr. Blakeslee said they have some contingencies in place and that they would not seek more. Mr. Fishbaugh made a motion to approve and My. Lynch seconded and all were in favor and none were opposed.

4) Staff Update/Financials - Mr. Patten asked for questions on the budget. Ms. Easton shared that the finance committee met for two hours this past week and they will be able to report back to everyone in the near future.

Mr. Casey shared that next week, N29th street and N30th street are scheduled to be live as two way streets and he will continue to send out correspondence as he obtains information.

7) Meeting was adjourned at 9:15 AM and everything else on the agenda is contingent on next month's meeting.

City Council Regular

Date:	07/12/2021
Title:	Stillwater Building Buy-Sell Agreement
Presented by:	Iverson Jessica
Department:	City Hall Administration
Presentation:	Yes

RECOMMENDATION

Staff recommends approval by Council to enter into a contingent Buy/Sell agreement with the seller for the purchase of the 'Stillwater Building' located at 316 N. 26th Street for $17 Million.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

In August 2019, the City of Billings issued a Request for Proposals (RFP) for law and justice/city hall facilities to accommodate the City's current and future facility needs. Several proposals were received and the RFP committee selected the Stillwater Building located at 316 N 26th Street based on the suitability of the building to meet the City's needs for the foreseeable future (50+ years). Once the Stillwater Building was selected, the city administrator created a negotiation committee that included council members, Boyette, Purinton, Joy, Shaw, Neese, as well as Iffland, Zoeller, Iverson and architect Randy Hafer. The City entered into a negotiation and due diligence phase, ultimately resulting in negotiating the proposed buy-sell agreement for the City to purchase the entire building in its current state for $17 Million.

At $17 million, the negotiated purchase price is $85 per square foot. The current condition of the building is dark shell except for the finished portions of the 3rd and 4th floors, the building has been demoed and prepped for redevelopment. The estimated cost of build out is $100 per square foot, given current construction costs, for a total of approximately $9 million to $10 million to meet space needs based on the 2019 Facilities Master Plan. These numbers are current estimates and are expected to fluctuate with revisions to the Master Plan and during the programming and design phase, along with variable construction costs. When adding the current purchase price and build-out costs we anticipate the project will cost a total of between $28 and $30 Million over the next 3 years. Construction costs for a new mid-rise office building are estimated at $325-375/sq ft based on 2020 statistics. A new building to meet the City's 20-year anticipated space needs would cost a total of $39-$45 Million. As the city reviewed alternative options, only one other building was large enough to meet the needs identified in the facilities plan. All other options included significant demolition and renovation costs. Because the Stillwater's interior has been fully demoed, there are far fewer un anticipated expenses. Compared to the alternatives of building a new facility, or buying other spaces for renovations, continuing to operate out of multiple facilities, which decreases efficiencies and ease of public access, the Stillwater building offers the greatest value to the city.

The City of Billings will end FY21 with approximately $20,000,000 above the recommended minimum balance for the General Fund, in large part because of federal dollars provided to the city as a result of the global pandemic. By using these one-time cash dollars to purchase and renovate the Stillwater building we are avoiding significant debt and borrowing costs for the public. Build-out is anticipated to take approximately three years, funded by individual departments. We anticipate seventy percent of the build-out will be occupied by criminal justice and general fund services and will therefore be the responsibility of the general fund.

Currently, the City occupies over 24,000 square feet in leased space. Which ranges from $14.34/sf to $18.26/sf, or a total of $385,150 per year. This covers only the cost to occupy the space, as build-out was paid for by the departments when they occupied the space originally. The Miller Building tenants have an option to end their lease agreement starting in November of 2022. We envision the Planning, Community Development, Zoning, Code Enforcement, and Building Divisions will move into space at the Stillwater Building and terminate their Miller Building lease at that time. The lease at the Depot will run out on 7/31/2023, at which time we envision Public Works Engineering and Public Works Administration would move into the Stillwater Building.

Before the expiration of those lease agreements, the City will engage an architect to design work spaces with each department to ensure the best space utilization for the public, council, and the staff. We estimate this service to cost a total of $1,000,000 - $1,200,000.

Estimated costs to operate the Stillwater Building are approximately $18.50/sf based on projections of the current owner's operating costs. Currently, at City Hall, the cost to operate the building is $16.36/sf.

The Stillwater Building currently has one tenant, Yellowstone County, that occupies 17,395 sq ft on the third floor. The City

would assume their lease with the purchase of the building. The County lease expires in May 2025 and the lease rate, including rent and estimated CAMs is approximately $365,000 for the current year with a 3% annual rent escalator. At this point, the majority of county commissioners have expressed their desire to leave the Stillwater building. I recommend we continue to pursue an option to extend a lease with Yellowstone County or condo the building, as well as identify other key partners who provide criminal justice and public services. Our goal is to maximize efficiencies in the delivery of all local government services to our community in one location.

The purchase of this building is a capital investment to meet current and future needs for a Law and Justice Center and City Hall facilities for decades into the future. Failure to obtain the property or other properties, limits the City's options to meet the community's needs, causes us to continue expanding lease arrangements to house city services and limits the organization's efficiency and effectiveness.

The proposed Buy/Sell agreement is a contingent, binding agreement. The contingencies include inspections and final Council approval at a future meeting to complete the purchase. The city will hire subject matter expert professionals to conduct the inspections (mechanical engineer, electrical engineer and a building envelope specialist as examples).

ALTERNATIVES

City Council may:

- Approve the contingent buy-sell agreement to purchase the property for $17 Million; or,
- Not Approve and provide further direction to staff

FISCAL EFFECTS

Anticipated cost to purchase and build ranges from $28-$30 million. Anticipated sources and uses of funds is provided for Council consideration:

Sources		
Excess General Fund Reserve	$	20,350,560
Departmental Build out Contribution (30%)		3,439,363
ARPA Funds for Public Safety Build out		5,810,077
Total Estimated Sources	**$**	**29,600,000**
Uses		
Stillwater Purchase Price	$	17,000,000
Architecture Costs		1,200,000
Estimated Build out		10,000,000
Contingency @ 12.5%		1,400,000
Total Estimated Uses	**$**	**29,600,000**

SUMMARY

Please review this memo and the attached draft PowerPoint presentation in order to best understand why staff and the negotiating committee are recommending the Council authorize the Mayor to sign the enclosed contingent Buy/Sell Agreement.

Attachments

Purchase and Sale Agreement - Stillwater Building
Yellowstone County Lease
DRAFT Presentation

PURCHASE AND SALE AGREEMENT

This **PURCHASE AND SALE AGREEMENT** ("Agreement") is effective as of the execution date of the last party to sign this Agreement ("Effective Date"), by and between **WC Commercial, LLC**, an Alaska limited liability company, ("Seller"), and **The City of Billings, Montana** ("Buyer") with respect to the following:

BACKGROUND

A. Seller is the owner of certain real property located in Yellowstone County, more commonly known as the Stillwater Building.

B. Seller desires to sell the real property, more particularly described in **Exhibit A**, of this Agreement (the "Property") and Buyer desires to purchase the Property from Seller upon the terms and conditions contained in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained in this Agreement, the parties agree as follows:

AGREEMENT

1. Purchase and Sale. Upon all the terms and conditions of this agreement Buyer agrees to purchase the following from Seller:

a. Land. The real property, including all right, title, and interest therein, located in Yellowstone County, Montana, together with all rights, privileges, easements, and rights of way appurtenant to the Land (the "Land");

b. Improvements. All improvements, structures, and fixtures now existing or installed on the Land;

c. Personal Property. Except for items sold by Seller prior to closing, personal property of Seller located at the Property shall transfer to Buyer via a Bill of Sale at Closing.

d. Other Land Rights. All mineral, oil and gas, and other subsurface rights, development rights, air rights, water rights, and other rights appurtenant to the land or associated with the Property.

Purchase Price; Payment. The total combined purchase price shall be Seventeen Million and no/100 dollars ($17,000,000.00).

Buyer Shall pay Seventeen Million and no/100 dollars ($17,000,000.00) to Seller at Closing. The Purchase Price (as adjusted to reflect any credits for prorations customary for a transaction this size and type) shall be paid by Buyer on the Closing Date.

2. Conveyance.

a. Property. Seller shall convey the Property by Warranty Deed, free and clear of all liens and encumbrances, only subject to the standard and usual printed exceptions and exclusions found in title commitments and title policies, including the following:

i. Liens to secure payment of general real property taxes and assessments, not yet due and payable;

ii. All exceptions and easements prior to July 1, 2016, and those easements of record. All easements for sprinklers, data cables, and the emergency telephone line for use by the adjacent sky bridge, whether or not of record and to be recorded subject to an Encroachment and Easement Agreement concurrent with the closing of this transaction; and those exceptions and easements disclosed in the Commitment (defined below) which are either approved or waived by Buyer;

iii. Any exceptions, easements, or restrictions as specifically agreed by the parties under this Agreement; and

iv. All applicable laws, ordinances, rules, and governmental regulations (including, but not limited to, those relative to building, zoning, and land use) affecting the development, use, occupancy, or enjoyment of the Property.

The warranty deed shall be given with the usual covenants expressed in § 30-11-110, Montana Code Annotated, subject to and with respect to the items specifically enumerated above.

Seller shall deliver the finished portions of the Property in broom clean condition and shall deliver all unfinished portions of the Property with all waste removed prior to Closing. For the avoidance of doubt, drywall and other personal property conveyed from Seller to Buyer under this Agreement and the bill of sale does not constitute waste under this paragraph.

3. Title Matters. Buyer shall obtain or order an ALTA Standard Coverage Owners Title Insurance Policy (as evidenced by an ALTA title insurance commitment – the "Commitment"). The Commitment shall be equal to the purchase price, committing to insure merchantable title to the Property in Buyer's name, free and clear of all liens and encumbrances, if any, which will be assumed by Buyer at closing. Notwithstanding the foregoing, reasonable exceptions for easements necessary for the fire system and data cables for the security system and cameras associated with the Sky Bridge shall not be an objectionable exception to Property title.

Buyer shall provide a copy of the Commitment to Seller no later than ten (10) days after the Effective Date. Buyer shall pay and be solely responsible for the Standard Coverage Policy along with any additional premiums or other costs in addition to the premium for standard coverage if Buyer elects to obtain ALTA extended coverage or any title endorsements to the title insurance policy.

Buyer shall have twenty (20) days after receipt of the Commitment (the "Review Period") to examine the Commitment and to notify Seller in writing of any objections Buyer has to matters shown or referred to in the Commitment. Buyer shall provide written notice to Seller of any objection under the Commitment (other than any mortgage, judgment, or liens which Seller shall satisfy at Closing) (the "Title Objections"). Seller shall proceed with reasonable diligence to cure

any Title Objections and have the objections removed from the Commitment. If Seller is unable to cure or remove the Title Objections within thirty (30) days of receipt of Buyer's notice, then either party may terminate this Agreement by providing written notice of termination to the other party. If Buyer makes no objections to the Commitment within the Review Period, then Buyer shall: (a) accept the Commitment and (b) waive objection to the exceptions in the Commitment, which exceptions shall become "Permitted Exceptions".

4. Representations and Warranties of Seller. In addition to any other representations or warranties contained in this Agreement or in any documents delivered by Seller at Closing, Seller represents and warrants the following, all of which shall be true as of the Closing Date:

a. Seller has full right, power, and authority to enter into and perform all of the obligations required of Seller under this Agreement, including, without limitation, transferring the Property to Buyer without obtaining any further consents or approvals from, or the taking of any other actions with respect to, any governmental agency, department, or body, or any third parties.

b. Neither the execution, delivery, and performance of this Agreement, nor the consummation of the transactions contemplated hereby is prohibited by, or requires Seller to obtain any consent, authorization, approval, or registration under any law, statute, rule, regulation, judgment, order, writ, injunction, or decree which is binding upon Seller.

c. Seller has good and merchantable title in fee simple to the Property. The Property has not been assigned or conveyed to any party. Seller has the right to convey the Property under the terms of this Agreement. No person (other than Buyer) has a right to acquire any interest in the Property. The Property will be transferred free of all liens or other encumbrances at the Closing, other than the Permitted Exceptions.

d. There are no unrecorded judgments, lawsuits, or legal proceedings outstanding, pending or threatened against Seller that encumber the Property.

e. There is one suit over a construction lien for the parking garage to be settled and the lien dismissed before closing. As of closing there will be no judgments presently outstanding and unsatisfied against Seller. Seller is not involved in any litigation at law or in equity, or any other proceeding before any court, or by or before any governmental or administrative agency, whether relating to the transaction contemplated hereby or otherwise, and no such litigation or proceeding is threatened or pending but not yet served against Seller or the Property.

f. The subject property is known to have contained a significant quantity of Asbestos Containing Materials ("ACMs") in the existing construction materials. Seller reportedly performed abatement of the ACMs in 2016 and 2017. Seller shall provide Buyer all relevant reports and documentation demonstrating the proper removal and disposal of the ACMs from the subject property, along with detailed information regarding any remaining ACMs, including their location and quantity, encapsulated or otherwise, within two business days after execution of this Agreement.

   Beside the hazardous substances described in environmental site assessments or other documents that have been disclosed to Buyer, Seller has no knowledge of any other hazardous substances that exist on, under, or at the Property, or that have been disposed of

at the Property. Seller has not received written notice that the Property is or may be in violation of any applicable federal, state, or municipal law or regulation regarding hazardous substances. Seller has no knowledge of underground fuel storage tanks on the Property, or Seller has fully disclosed the location and existence of all underground fuel storage tanks currently existing or historically located on the Property.

g. To Seller's knowledge, except for the sky bridge, there are no encroachments upon the Property nor does any improvement on the Property encroach upon any property owned by others.

h. To Seller's knowledge, except for easements for the sky bridge as described in this Agreement, there are no easements, rights-of-way, or claims thereof over or across the Property that are not recorded in the office of the Clerk and Recorder of Yellowstone County, Montana.

i. Seller has no knowledge of any fact or condition that materially and adversely affects the Property other than those facts or conditions set forth in this Agreement or in other documents, certificates, or written statements furnished to Buyer in connection with the transactions contemplated by this Agreement. Seller has no knowledge of any asbestos, lead paint, mold or pesticides remaining or being present on the Property, except for asbestos in the transformer room and above the soffits where asbestos in or around second floor cantilevers over the first floor walls has been encapsulated.

j. There is legal access to and from all of the parcels of the Property from a publicly dedicated right-of-way, through other parcels included in the Property and transferred under this Agreement, through easements of access between the public right-of-way and the parcel, or through easements of access that will be placed upon land retained by Seller as part of this transaction, if necessary, to provide access to the Property.

k. All utilities (water, wastewater, electricity, and internet) are connected to the Property and are connected to the building.

5. Representations and Warranties of Buyer. In addition to any other representations or warranties contained in this Agreement or in any documents delivered by Buyer at Closing, Buyer represents and warrants the following, all of which shall be true as of the Closing Date:

a. Buyer enters into this Agreement in full reliance upon Buyer's independent investigation and judgment, and neither Seller nor Seller's agents or attorneys make any warranties or representations to Buyer about the Property (or the associated personal property), except as specifically stated herein. Buyer agrees to take the property "**AS IS**" and in its present condition and state of repair.

6. Mutual Conditions to Closing. Each party's obligation to perform under this Agreement is contingent upon:

a. The representations and warranties of the other party being true and correct as of the Effective Date of this Agreement and upon the Closing Date; and

b. Each and every obligation of the Buyer and Seller being fully performed in accordance with this Agreement.

7. Buyer's Conditions to Closing. In addition to any other contingencies contained in this Agreement, Buyer's obligation to perform under this Agreement is contingent upon:

a. The Property remaining in the same condition at Closing as it was on the Effective Date;

b. Buyer's satisfaction of the Commitment or Seller's agreement to eliminate or ameliorate any title exceptions to the satisfaction to Buyer on or before Closing, subject to the provisions of paragraph 3 above;

c. All mortgages, judgments, and liens encumbering the Property being discharged prior to Closing;

d. Final approval of the terms of the purchase must be approved by the Billings City Council during a regular business meeting prior to Closing; and

e. No additional encumbrances, restrictions, or other adverse title conditions being attached or placed against the title to the Property after the Effective Date, other than conditions specifically entered between the Parties to this Agreement as part of this transaction.

8. Buyer's Review of the Property; Related Documents and Materials. Buyer and Buyer's agents shall have the right to inspect and assess the Property and any Property conditions identified through any independent inspections of the property from qualified inspectors or advisors selected by Buyer. Buyer, in Buyer's sole judgment, may elect to terminate this Agreement following Buyer's inspection and assessment, with or without cause. If Buyer chooses to terminate this Agreement, Buyer must notify Seller in writing within sixty (60) days of the Effective Date of this Agreement (the "Due Diligence Period"). Upon termination under this section, neither Buyer nor Seller shall have any further obligations to the other. These inspections include, but are not limited to:

a. The Buyer's Review of the Property and Related Matters. Buyer shall be satisfied with certain aspects of the Property and its condition and suitability for Buyer's intended use thereof, including, without limitation, the condition of the soil, environmental matters, engineering matters, and the zoning of the Property. During the Due Diligence Period, Buyer, its agents, employees, contractors and subcontractors shall have the right to enter upon the Property, at reasonable times during ordinary business hours following not less than twenty-four (24) hours' prior notice to Seller, to conduct such inspections, surveys and tests as may be necessary in Buyer's reasonable discretion, including, without limitation, soils tests; environmental analysis; structural, geological, or engineering studies; and land use or related studies. If Buyer elects to conduct any tests in connection with any Phase II environmental report or any other tests which involve drilling, boring, or other similar intrusive or invasive action on or under the Property, then Buyer shall provide Seller with at least twenty-four (24) hours' notice prior to conducting any such tests. Buyer

shall use care and consideration in connection with any of its inspections or tests and Seller shall have the right to be present during any inspection of the Property by Buyer or its agents. Buyer shall restore the Property to its original condition after any and all tests or inspections. If Buyer chooses to terminate the Agreement for any reason, all surveys, engineering, and studies shall be passed to Seller without obligation to Seller.

b. Review and Approval of Documents and Materials. Within ten (10) days of the Effective Date, Seller will deliver to Buyer the following:

   i. Copies of any lease agreements affecting the Property, together with any exhibits or amendments to the lease agreements;

   ii. Copies of documentation in Seller's possession relating to the CAM charges under the lease agreement with Yellowstone County. Documents shall include contracts, insurance policies, budgets, prorations, budgets, financial statements, statements, expenses, etc.;

   iii. Copies of any Phase I, Phase II or other environmental reports, engineering reports, or surveys completed for the Property, if any;

   iv. A list documenting the operating expenses incurred by Seller associated with the Property for the previous two (2) years along with any reimbursements made by tenant(s);

   v. Existing blueprints, site plans (which shall, among other things, show all infrastructure and easements pertaining to the Property), engineering data, grading plans, topographical maps, surveys, field notes and maintenance records, and service or maintenance contracts relating to the use, ownership or development of the Property (including identification of all utility infrastructure) that are in Seller's possession or control, if any;

   vi. Copies of any documentation establishing that the artwork within the Property has been offered to the United States Government through the Administrator of General Services Administration, in accordance with the covenants and restrictions contained in the Quitclaim Deed dated July 31, 2013, and recorded August 2, 2013 under Document No. 3678005;

   vii. Copies of any warranty agreements relating to the construction or remodel of the Property, if any;

   viii. Any and all other documents in Seller's possession relating to the property including, but not limited to, Certificates of Occupancy, Easement Agreements, any notices of encroachment or eminent domain, Property Condition Reports, tenant sales reports for the most recent three years, tenant financials (if reported to Seller), zoning letter, and tax statements, as applicable; and

   ix. Copies of all existing contracts related to the Property, including but not limited to elevator contracts, service contracts, janitorial contracts, maintenance contracts, security systems, fire suppression systems, etc.

c. Confirmation of Intended Use and Feasibility. Buyer is entitled to inquire as to the feasibility of obtaining all developmental approvals for Buyer's intended use of the

Property ("Developmental Approvals") from any governmental authority having jurisdiction over the Property.

If Buyer determines that it is dissatisfied with any aspect of the Property, its condition, its suitability for Buyer's intended use, or any of the Documents and Materials, then Buyer may terminate this Agreement, by delivering written notice to Seller and Closing Agent of Buyer's election to terminate on or before the expiration of the Due Diligence Period. Except as otherwise expressly provided in this Agreement, neither party shall have any further rights or obligations under this Agreement following a termination under this Section 8.

9. Sky Bridge. The terms of this agreement do not include any transfer of ownership of the Sky Bridge, generally located on the East side of the building, crossing over N 26th Street, and connecting to the Stillwater Garage. Any utilities or infrastructure for the Sky Bridge that rely on the subject property for service shall be limited to the fire system riser, data cables for the security system, and cameras.

10. Indemnification. Each party shall indemnify and hold the other harmless from and against any and all liabilities, claims, actions, suits, damages, and costs (including attorney fees) arising out of any inaccuracy, misrepresentation, breach, or default of any representation, warranty, covenant, or obligation of the party under this Agreement.

11. Default and Remedies.

a. If Seller accepts the offer contained in this Agreement, but fails to timely close as required by this Agreement, Buyer may:

   i. Demand that Seller specifically perform Seller's obligations under this Agreement;
   ii. Demand that Seller pay monetary damages for Seller's failure to perform the terms of this Agreement; and
   iii. Demand any other remedy at law or in equity.

b. If Seller accepts this Agreement and satisfactorily performs but Buyer fails to timely close as required by this Agreement, Seller may:

   i. Demand that Buyer pay monetary damages for Buyer's failure to perform the terms of this Agreement; and
   ii. Demand any other remedy at law or in equity, including specific performance.

   The rights and remedies provided by this Agreement and granted to Buyer and Seller under this section are cumulative and are not exclusive of any rights and remedies provided by law.

12. Termination. This Agreement may be terminated, upon delivery of proper notice, as follows:

a. By the mutual agreement of the parties in writing;

b. By either party if any condition precedent to the terminating party's obligation to perform this Agreement is not satisfied and such condition is not waived by the terminating party at or prior to the Closing;

c. By either party if the other party refuses, neglects or otherwise fails to perform in material breach of this Agreement; or

d. By any other method expressly permitted under this Agreement.

13. Closing. The closing of this Agreement ("Closing") shall occur on or before September 15, 2021, unless mutually extended by the parties, at the office of the Closing Agent. The parties may agree to close the transaction at any other mutually convenient time or place. The actual date of the Closing is referred to as the "Closing Date" in this Agreement. Buyer and Seller will deposit with the Closing Agent all instruments and monies or deliverables necessary to complete the purchase in accordance with this Agreement. Possession and risk of loss shall pass from Seller to Buyer on the Closing Date.

a. Closing Agent. First Montana Title Company of Billings, MT at 2737 Montana Ave., Billings, MT shall act as the Closing Agent for this transaction.

b. Closing Costs & Fees. The costs and fees associated with Closing, including recording fees, will be paid by Buyer.

c. Prorations. Buyer and Seller shall prorate any real property taxes, assessments, and Property Owners Association dues for the current year as of the Closing Date.

14. Related Agreements.

a. County Lease. Buyer's obligation to perform under this Agreement is contingent upon Buyer's approval of the lease agreements affecting the Property and execution of an assignment and assumption agreement (including a release of Seller) for such leases, assigning Seller's interest in the lease(s) to Buyer. Buyer, at Buyer's option, may require that Seller provide tenant estoppel certificates or other documentation from lease tenant(s) to establish the lease terms and provisions.

b. Sky Bridge Encroachment Agreement. Buyer's obligation to perform under this Agreement is contingent upon Buyer and Seller entering an encroachment agreement relating to the Sky Bridge with terms and conditions acceptable to Buyer in its sole discretion.

15. Miscellaneous.

a. 1031 Exchange. The parties mutually acknowledge that either or both may intend to complete a tax deferred exchange under IRC Section 1031, and each party represents that any exchange will not delay the Closing or cause additional expense to the other party. The parties' rights under this Agreement may be assigned to a Qualified Intermediary selected by them for the purpose of completing the exchange. The parties agree to cooperate with

one another and the Qualified Intermediary selected (in the manner described in this paragraph) to complete the exchange.

b. Captions. The captions and the sections of this Agreement are inserted only as a matter of convenience and for reference and in no way confine, limit or describe the scope or intent of any section of this Agreement.

c. Assignment. Buyer may not assign or otherwise transfer this Agreement, or any of its rights or obligations hereunder, without the prior written consent of Seller, which shall not be unreasonably withheld. Notwithstanding the foregoing, Buyer may assign or otherwise transfer its respective rights under this Agreement to another entity or department of Buyer authorized to take title to the Property to be purchased under this Agreement.

d. Binding Effect. This Agreement is binding upon the heirs, personal representatives, successors, and assigns of each of the parties hereto.

e. Waiver. The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of any such provision or any other provision of this Agreement.

f. Time is of the Essence. Time is of the essence with respect to the performance of each of the covenants and conditions of this Agreement. If the date for performance of any act or expiration of time period falls on a Saturday, Sunday or legal holiday, then the time for performance or the date of expiration of time period shall be extended to the next successive day which is not a Saturday, Sunday or legal holiday.

g. Further Assurances. The parties shall deliver to each other (without additional compensation) any additional documentation and shall perform any additional acts and execute and deliver any instruments, notices, receipts, and documents, to carry out and give effect to the terms and intent of this Agreement.

h. Severability. If any term, covenant or condition of this Agreement, or the application thereof to any person or circumstance, shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected and each term, covenant, and condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

i. Entire Agreement. This Agreement, together with any attached exhibits and any addenda or amendments signed by the parties, shall constitute the entire agreement between Buyer and Seller, and supersedes any other written or oral agreements between Buyer and Seller.

j. Modification. This Agreement can be modified only in writing, signed by Buyer and Seller. No provision of this Agreement may be changed, waived, discharged, or terminated orally, by telephone or by any other means except by an instrument in writing signed by the party against whom enforcement of the change, waiver, discharge, or termination is sought.

k. Attorney's Fees; Costs. In the event of any dispute or litigation arising out of this Agreement, the prevailing party shall be entitled to recover from the other party its reasonable costs and expenses, including reasonable attorneys' fees, costs, and expenses.

l. Choice of Law; Venue. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the state of Montana. The parties agree that Yellowstone County, Montana is the proper place of venue for any dispute arising under the Agreement.

m. Facsimile; Counterparts. A facsimile copy of this Agreement or a copy of this Agreement transmitted by e-mail containing the signature of any party shall be accepted as the original and shall be binding upon the signing party to the same extent as would a copy of this Agreement containing the party's original signature. Upon request of a party, a party signing and delivering this Agreement by facsimile or e-mail shall deliver to the requesting party a copy containing the signing party's original signature. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which taken together shall constitute one and the same document.

n. Brokers. The parties acknowledge and agree that this is a sale by Seller to Buyer, and that no party has engaged the services of any real estate broker nor licensee in connection with this transaction. Each party shall indemnify and hold harmless the other against any claim of commission by a broker or agent which claim is based on an alleged agency relationship with the indemnifying party.

o. Notices. Any notice, consent, approval, waiver, or election that any party shall be required or permitted to make or give under this Agreement shall be in writing and shall be hand delivered, sent by First Class United States Mail, postage prepaid, or sent by email if accompanied by confirmation of receipt, with the original sent by First Class United States Mail, postage prepaid, to the respective parties at the addresses listed below:

To Buyer:	City of Billings c/o Gina Dahl 210 North 27th Street Billings, MT 59101
Email:	dahlg@billingsmt.gov
Phone:	406-657-8205

With a copy to (but which shall not constitute notice to Buyer)

	Moulton Bellingham PC c/o Doug James or Bryce Burke PO Box 2559 Billings, MT 59103-2559
Email:	Doug.James@moultonbellingham.com Bryce.Burke@moultonbellingham.com
Phone:	406-248-7731

To Seller:	WC Commercial, LLC c/o Joseph W. Holden 316 North 26th Street Billings, MT 59101
Email:	joe@holden7.com
Phone:	406-690-1394

With a copy to (but which shall not constitute notice to Seller)

Hendrickson Law Firm PC
c/o Mark E. Noennig
208 North Broadway, Suite 324
Billings, MT 59101
Email: mark@hendricksonlawmt.com
Phone: 406-245-6238

To Escrow Holder: First Montana Title Company
2737 Montana Ave.
Billings, MT 59101
Phone: 406-248-3000

p. Exhibits. The following exhibits and schedules are attached to this Agreement and are incorporated by this reference into this Agreement:

Exhibit A. Legal Description of Property.

Exhibit B. Warranty Deed.

Exhibit C. Bill of Sale.

Exhibit D. Assignment and Assumption Agreement.

16. Offer Expiration. This offer expires at 5:00 P.M. MDT on June 30, 2021. Failure by Seller to execute and give proper notice to Buyer of Seller's acceptance renders this Agreement null and void, unless extended in writing and signed by both parties.

17. Statutory disclosures.

MOLD DISCLOSURE: The following disclosure is given pursuant to Montana Mold Disclosure Act, Montana Code Annotated § 70-16-703. There are many types of mold. Inhabitable properties are not, and cannot be, constructed to exclude mold. Moisture is one of the most significant factors contributing to mold growth. Information about controlling mold growth may be available from your county extension agent or local health department. Certain strains of mold may cause damage to property and may adversely affect the health of susceptible persons, including allergic reactions that may include skin, eye, nose and throat irritation. Certain strains of mold may cause infections particularly in individuals with suppressed immune systems. Some experts contend that certain strains of mold may cause serious and even life-threatening diseases. However, experts do not agree about the nature and extent of the health problems caused by mold or about the level of mold exposure that may cause health problems. The Center for Disease Control and Prevention is studying the link between mold and serious health conditions. The Seller, its partners, agents and attorney cannot and do not represent or warrant the absence of mold. It is the Buyer's obligation to determine whether a mold problem is present. To do so, the Buyer should hire a qualified inspector and make any contract to purchase, rent, or lease contingent upon the results of that inspection. A seller, landlord, seller's agent, buyer's agent, or property manager who provides this mold disclosure statement, provides for the disclosure of any prior testing and any subsequent mitigation or treatment for mold, and discloses any knowledge of mold is not liable in any action

based on the presence of or propensity for mold in a building that is subject to any contract to purchase, rent, or lease.

RADON DISCLOSURE STATEMENT: The following disclosure is given pursuant to the Montana Radon Control Act, Montana Code Annotated § 75-3-606. RADON GAS: RADON IS A NATURALLY OCCURRING RADIOACTIVE GAS THAT, WHEN IT HAS ACCUMULATED IN A BUILDING IN SUFFICIENT QUANTITIES, MAY PRESENT HEALTH RISKS TO PERSONS WHO ARE EXPOSED TO IT OVER TIME. LEVELS OF RADON THAT EXCEED FEDERAL GUIDELINES HAVE BEEN FOUND IN BUILDINGS IN MONTANA. ADDITIONAL INFORMATION REGARDING RADON AND RADON TESTING MAY BE OBTAINED FROM YOUR COUNTY OR STATE PUBLIC HEALTH UNIT. If the Property has been tested for radon, the Seller will provide a copy of the test results concurrent with an executed copy of this Agreement. If the Property has received radon mitigation treatment, the Seller will provide the evidence of the mitigation treatment concurrent with an executed copy of this Agreement.

SMOKE DETECTORS: Seller represents that the Property is equipped with smoke detectors.

WATER RIGHT OWNERSHIP UPDATE DISCLOSURE. By Montana law, failure of the parties at closing or transfer of real property to pay the required fee to the Montana Department of Natural Resources and Conservation for updating water right ownership may result in the transferee of the property being subject to a penalty. Additionally, in the case of water rights being exempted, severed, or divided, the failure of the parties to comply with Montana Code Annotated § 85-2-424, could result in a penalty against the transferee and rejection of the deed for recording. The parties acknowledge and agree that the Buyer shall pay the fee required to be paid in connection with the transfer of the water rights.

MEGAN'S LAW. Certain individuals are required to register their address with the local law enforcement agencies as part of Montana's Sexual and Violent Offender Registration Act. In some communities, law enforcement offices will make the information concerning registered offenders available to the public. If Buyer desires further information, Buyer may contact the local County Sheriff's office, the Department of Justice in Helena, Montana, and the probation officers assigned to the area.

[Signature Page to Follow]

IN WITNESS WHEREOF, Buyer and Seller hereby execute this Agreement to Purchase and Sell Real Property.

BUYER:

CITY OF BILLINGS, MONTANA

By: William A. Cole
Its: Mayor

Date:

SELLER:

WC COMMERCIAL, LLC
An Alaska limited liability company

By: Joseph W. Holden
Its: Member

Date:

EXHIBIT A – PROPERTY LEGAL DESCRIPTION

This legal description is subject to change based on the receipt of the Commitment. Based on a review of publicly available data, the Property includes the following described real property located in Yellowstone County, Montana:

> Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Block 43, of the Original Town (Now City) of Billings, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 16312.
>
> Together with all rights in and to lands lying in streets, alleys and roads adjoining the real property and all buildings, fixtures and improvements thereon and all water and ditch rights, rights of way, tenements, hereditaments, privileges and appurtenances thereto, now owned or hereafter acquired, however evidenced, used or enjoyed with said property.

EXHIBIT B – WARRANTY DEED

[Separately Attached]

Upon recording, return to:
Doug James
Moulton Bellingham PC
P.O. Box 2559
Billings, MT 59103-2559
Telephone (406) 248-7731

Warranty Deed

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, **WC Commercial, LLC**, an Alaska limited liability company ("**Grantor**") does hereby grant and convey unto **The City of Billings, Montana** ("**Grantee**"), all of Grantor's right, title, and interest in and to the following real property, located in Yellowstone County, Montana, more particularly described as follows:

> Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Block 43, of the Original Town (Now City) of Billings, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 16312.
>
> Together with all rights in and to lands lying in streets, alleys and roads adjoining the real property and all buildings, fixtures and improvements thereon and all water and ditch rights, rights of way, tenements, hereditaments, privileges and appurtenances thereto, now owned or hereafter acquired, however evidenced, used or enjoyed with said property.

Together with all rights-of-way, tenements, hereditaments, privileges, and appurtenances thereto used in connection with such an undivided interest in the real property described herein, and together with all minerals and mineral interests, including, without limitation, any and all oil, gas, hydrocarbons, coal, clay, gravel, sand, scoria, and other similar minerals or mineral interests, including, without limitation, royalties, overriding royalties, leasehold interests, working interests, or similar interests, in and to the above-described real property not heretofore conveyed to or excepted or reserved by others.

TO HAVE AND TO HOLD unto Grantee, and to Grantee's heirs and assigns forever, subject to the following:

a. Reservations and exceptions in patents from the United States and the State of Montana;

b. Covenants, rights, restrictions, reservations, agreements, and easements prior to July 1, 2016, and those of record;

c. All building, use, zoning, sanitary, and environmental restrictions of record;

d. Taxes and assessments for the current year and thereafter; and

e. All outstanding mineral, oil and gas interests, royalties, leases, reservations, and conveyances of record.

EXCEPT with reference to the items referred to in paragraphs (a) to (e) inclusive, this Deed is given with the usual covenants expressed in Section 30-11-110, MCA.

IN WITNESS WHEREOF, Grantor has executed this instrument this ____ day of _____, 2021.

WC COMMERCIAL, LLC
An Alaska limited liability company

_____
Printed Name: Joseph W. Holden
Its: Member

STATE OF Montana
COUNTY OF Yellowstone

This instrument was signed or acknowledged before me on this ____ day of _____, 2021 by JOSEPH W. HOLDEN, the member of WC Commercial, LLC

_____
Notary Public for the State of Montana
Residing at_____
My Commission Expires _____

EXHIBIT C – BILL OF SALE

BILL OF SALE

THIS BILL OF SALE ("Bill of Sale") is dated as of _____ ___, 2021, from **WC Commercial, LLC**, an Alaska limited liability company ("**Seller**"), to **The City of Billings, MT** ("Buyer").

1. For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller hereby sells, conveys, transfers, assigns and delivers to Buyer, and Buyer hereby accepts from Seller, all of the right, title and interest that Seller possesses and has the right to transfer in and to the personal property located within the Stillwater Building, as more particularly described in the Purchase and Sale Agreement between the parties (the "Assets").

2. Seller warrants to Buyer that on the date hereof, Seller is the true and lawful owner of the Assets, holds good, absolute, and marketable title in and to the Assets, and has full corporate power and authority to sell and convey the Assets.

3. By accepting delivery of this Bill of Sale, Buyer acknowledges that Seller makes no additional representations or warranties with respect to the Assets being conveyed, unless specifically set forth in the Purchase and Sale Agreement, and Buyer accepts the personal property "as is."

IN WITNESS WHEREOF, Seller has caused this Bill of Sale to be executed and delivered on the date first above written.

SELLER:

WC COMMERCIAL, LLC
An Alaska limited liability company

_____

Printed Name: Joseph W. Holden

Its: Member

EXHIBIT D – ASSIGNMENT AND ASSUMPTION AGREEMENT

[Separately Attached]

ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT ("Assignment"), is made, entered into and effective as of _____, 2021 ("Effective Date"), by and between **WC COMMERCIAL, LLC**, an Alaska limited liability company ("**Assignor**"), the **CITY OF BILLINGS**, ("**Assignee**") and **Yellowstone County**, ("**Tenant**").

RECITALS

A. This Assignment and Assumption Agreement relates to a Lease For A Portion Of The Third Floor Of The Stillwater Building in Billings, Montana, pursuant to which Assignor is the Landlord and Yellowstone County is the Tenant, (the "Lease"). A true and correct copy of the foregoing Lease is attached hereto as Exhibit "A". The Lease is dated January 23rd, 2018. Pursuant to the Lease, Yellowstone County is a Tenant in the Stillwater Building with leased premises of approximately 17,395 square feet, (the "Premises").

B. Assignor and Assignee are parties to that Purchase and Sale Agreement dated _____, 2021, wherein Assignor is the Seller and Assignee is the Buyer. Pursuant to the Purchase and Sale Agreement, Assignor as Seller intends to sell and convey to Assignee as Buyer all of Assignor's right title and interest in and to all of the property known as the Stillwater Building, of which the Premises are a part.

C. This Assignment is being made for the purposes of: (1) assigning the Lease from Assignor to Assignee; (2) obtaining Yellowstone County's consent to the assignment; and (3) having Yellowstone County release Assignor from all future obligations and duties under the Lease from and after the date of the Assignment to Assignee.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Assignment of Lease. Assignor hereby assigns, transfers, conveys, and delivers to Assignee all interest in and right to the Lease.

2. Assumption of Obligation. Assignee hereby expressly assumes and all of the obligations of the Landlord under the Lease from and after the Effective Date of this Assignment.

3. Consent of the Tenant. Tenant hereby expressly consents to the Assignment of the Lease from Assignor to Assignee.

4. Release of Assignor. Tenant agrees that Assignor shall be and is released from all obligations and liability under the Lease from and after the Effective Date of this Assignment. The County agrees that from and after the Effective Date of this Assignment, it shall look exclusively to Assignee as its Landlord.

5. Representations of County. The County, as Tenant, makes the following representations to the City in connection with the Lease:

A. Tenant is the tenant under the Lease. There have been no amendments, modifications or revisions to the Lease.

B. The Lease has been duly authorized and executed by Tenant and is in full force and effect. Attached hereto as Exhibit A is a true, correct, and complete copy of the Lease together with all amendments, modifications and revisions related to the Lease. No other documents govern the relationship between Landlord and Tenant other than the Lease.

C. The Lease has not been assigned, by operation of law or otherwise, by Tenant. Tenant has not received any notice of the assignment by Landlord to any party of the Landlord's interest in the Lease.

D. The Lease has a Commencement Date of May 23, 2018 and an expiration date of May 22, 2025. There is one (1) consecutive renewal term of three (3) years.

E. As of the date hereof, Rent has been paid through _____, 2021.

F. Neither Tenant nor, to the best of Tenant's knowledge, Landlord is in default under the Lease and no event has occurred that, with the giving of notice or passage of time, or both, could result in a default under the Lease.

6. Successors and Assigns. This Assignment shall be binding upon and inure to the benefit of the successors, assigns, and representatives of the respective parties hereto.

7. Attorneys' Fees. In the event of the bringing of any action or suit by a party hereto against any other party hereunder by reason of any breach of any of the covenants, conditions, agreements or provisions on the part of the other party arising out of this Assignment, then in that event, the prevailing party shall be entitled to have and recover of and from the other party all costs and expenses of the action or suit, including reasonable attorneys' fees and costs.

8. Governing Law. This Assignment shall be governed by, interpreted under, and construed and enforceable with, the laws of the State of Montana without regard to conflict of law principles.

9. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute but one and the same instrument

10. Cooperation. Assignor hereby agrees to and shall execute and deliver to Assignees any and all documents, agreements and instruments necessary to consummate the transactions contemplated by this Assignment.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the Effective Date.

ASSIGNOR: WC COMMERCIAL, LLC

By: _____
Joseph W. Holden
Its: Member

ASSIGNEE: CITY OF BILLINGS

By: _____
William A. Cole
Its: Mayor

TENANT: YELLOWSTONE COUNTY BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

_____
Donald Jones, Chairman

_____
John Ostlund, Commissioner

_____
Denis Pitman, Commissioner

EXHIBIT A
Legal Description

4819-6824-2672, v. 2

LEASE FOR A PORTION OF THE THIRD FLOOR OF THE STILLWATER BUILDING

Parties

The parties to this lease agreement are WC Commercial, LLC (WC), lessor, and Yellowstone County (County), a political subdivision of the State of Montana, lessee.

Leased Property

The property to be leased is described as 17,395 contiguous square feet on the south side of the 3rd floor of the Stillwater Building (the building), located at 316 North 26th Street in Billings, Montana.

The leased property is currently a "shell space" and it is the intent of the parties that as part of the lease cost, WC will, at its sole expense, improve the leased portion of the property to provide for a "build to suit" layout. The office space will be of at least comparable quality now found in the Yellowstone County Courthouse and WC agrees to build the leased space as agreed upon by the County. The design of the office space shall conform to the diagram attached as Exhibit "B."

All building permits and permits of any kind that may be required to build the space to specifications by WC shall be the sole responsibility of WC.

WC further agrees that the office space shall be completed no later than May 23, 2018.

County Counter Space

The parties mutually acknowledge that that the County will supply its own furniture but that WC may utilize any current counters to comply with the requirements of the County. Removal of any current counters shall be conducted after WC first obtains approval from the County of such removal. WC acknowledges and agrees that all counter space will be installed no later than May 16, 2018, affording the County the opportunity to wire the counter space for County use.

Additional Considerations

The parties acknowledge and agree that County Commissioner pedestal space and sliding accordion doors in the Commission Chambers is part of the consideration being paid by the County and no additional charge shall be submitted by WC for these items.

Use of the Property

The property shall be used by the County for governmental and related functions.

Term and Option to Renew

This lease shall begin on May 23, 2018 and shall run for a period of seven (7) years. At the end of the 7th year, the County shall have the option to renew the lease for another three (3) years on the same terms as otherwise contained in this lease. The County can exercise this option with at least one hundred eighty (180) days written notice prior to the expiration of the lease term. Liquidated damages notwithstanding, the lease shall not begin until the leased space is reasonably ready for occupancy.

Rent

The parties agree that the rental price of the leased space shall be $15 per square foot per year and. Such rent shall annually be adjusted 3 % each year on January 1 of each year. The parties further acknowledge and agree that the County is leasing space in addition to its Request for Proposal, specifically an additional department and that this addition increases WC's costs in providing leased space. The parties agree that the County will pay WC an additional $75,000 at the time of substantial completion, representing compensation for these increased costs.

Rent shall be paid monthly. WC shall bill the County on January 1 of each year and show the monthly charges for the year on the invoice.

CAM's

The CAM shall initially be $6.02 per square foot as shown in the attached Exhibit "A." All of the CAM's, with the exception of the costs associated with "Major Maintenance" will be adjusted as to actual costs on January 1 of each year during the term of this lease. The costs associated with "Major Maintenance" shall be adjusted annually as to actual projected costs, but in no event shall the "Major Maintenance" portion of the CAM be increased more than 3% in any given year.

The CAM's provided shall exclude janitorial services of the leased property. The County shall provide its own janitorial services for the leased space. All common area janitorial services, as well as maintenance and repair, taxes and utilities, shall be the responsibility of WC and are part of the CAM.

The square footage used to calculate the rent and CAM shall be measured from the exterior windows to the center of the internal walls dividing the lease space from other tenants or common areas in accordance with the attached drawing.

Option to Expand

Should the County desire to lease additional space, so long as that space is available, it may lease additional space for the rent price otherwise provided for in this lease.

Time is of the Essence—Liquidated Damages

The parties agree that time is of the essence in all provisions contained in this Agreement. Specifically, WC acknowledges that two new District Court judges will be moving into space vacated by multiple County departments on January 2, 2019. That space must be renovated before the judges can move into the Courthouse. In order that the judges' space be ready in time, the County will need to begin renovation of the vacated space no later than May 23, 2018.

Should the space provided for in this agreement not be ready by May 23, 2018, the parties agree that the delay will result in a great increase in Contractors' costs to the County for its renovation of Courthouse space to meet its January 2, 2019 deadline. Therefore, WC agrees that should its lease space not be completed for occupancy by May 23, 2018, that WC shall pay to the County, as liquidated damages and not as a penalty, the sum of $2500 per day for each and every day that the leased space is not reasonably ready for occupancy.

WC agrees that the County may begin moving into the leased space one week prior to the commencement of this lease without further consideration from the County. Should the space become available prior to the agreed to date, the parties may agree to an earlier date, subject to a mutually agreed to price. However, the parties agree to abide by the terms listed in the section of this lease denoted as "Information Technology and Telephone Lines."

Information Technology and Telephone Lines

The parties acknowledge and agree that the County, at its sole expense, will install fiber optics and telephone lines and any other communication delivery systems into the building for County's exclusive use. WC agrees to provide space in the building in space other than leasable space or common area space for the running of these communication delivery systems at no charge to the County.

Recognizing that time is of the essence in moving County departments from the Courthouse to the leased space, and that installation of fiber optic, telephone and other communication delivery systems is an integral component of the timeframe involved, WC agrees to reasonably make available to the County, at no cost to the County, various locations within the building for the installation of such systems excluding leasable or common area space. County agrees such installation will not unreasonably interfere with any other operation or construction being performed by WC and that the placement of the lines will be subject to WC approval. County further warrants that any maintenance or repair of such lines will be the sole responsibility of the County.

Upon termination of this lease, unless the County purchases a fee interest in the building, the communication delivery systems within the building shall remain or be removed by the County upon request of WC, becoming property of WC. The County will terminate the connection into its communication system and WC shall have no property interest in the lines outside the building.

Server Room

As part of the leased space, the parties recognize the need for a server room to house County's hardware. The server room has to be designed as to strict climate control and air quality control standards. Any costs associated with construction and maintenance of the server room shall be the responsibility of the County. Provided, WC represents that the building air conditioning system has a redundancy which will help mitigate impacts of HVAC failure.

Peaceful Possession

The parties recognize that a major portion of the building will be unoccupied at the time the County moves into the leased space. The parties further recognize that the public will be the major user of the space and such things as public hearings and important public meetings will be held in the County's leased space. WC agrees to make reasonable attempts to mitigate interference. County understands that there may be inconvenience while construction is performed during normal business hours.

Maintenance

Unless otherwise provided for in this lease, the parties agree that all maintenance of the entire building, including the leased space, is included in the CAM and shall not be billed separately to the County. Any repairs to the property as a result of normal wear and tear shall be the responsibility of WC, but will be included in the CAM charges. Any damage to lease property that exceeds normal wear and tear, unless caused by WC or its agents or assigns, shall be the responsibility of the County.

The premises, including common areas open to the public, shall be thoroughly cleaned prior to the time that the County is allowed to move onto the leased space. County understands, however, that the building is under major renovation.

WC agrees to keep the building in first class operating condition during the term of this lease.

Janitorial Services and Grounds Maintenance

WC agrees to provide janitorial services five (5) days per week during non-business hours. This shall be included in the CAM. The County will provide its own janitorial services for its leased space.

Maintenance of the outside of the building and of the surrounding grounds shall be the sole responsibility of WC and is included in the CAM. The grounds shall be kept free of graffiti and trash at all times.

Building Security

Security cameras will be installed throughout the building in the common areas and the operating costs will be included in the CAM. It is agreed that because County fiber optics are being installed by the County, it anticipates using its own card entry system.

Utilities

The parties agree that all utility costs, excluding communication and data, are part of the CAM's and shall not be billed to the County.

Access to the Leased Property

The parties agree that the south entrance (3rd Avenue Side) to the building will afford controlled access for County personnel and that the County will provided secured access on its 3rd floor entrance, day or night. The east entrance (North 26th Street) will be a public entrance and will be accessible during normal business hours.

The County will provide key access into the building for its leased internal office space.

Liability and Casualty Insurance

The responsibility to insure the property and operations located on the leased premises shall be the County's responsibility. All other insurance for the building and its common areas shall be the sole responsibility of WC and is included in the CAM.

Official Notices

Any notices required pursuant to this lease shall be sent to the following:

1) County:
   Yellowstone County Board of Commissioners
   Box 35025
   Billings, MT 59107

2) WC:
   WC Commercial, LLC
   316 North 26th Street
   Billings, MT 59101
   Attn: Joseph W. Holden

Applicable Law

The parties agree that the terms of this lease do not fall within the provisions of the Montana Landlord and Tenant Act. The parties agree that this is a commercial lease and not a residential lease.

Compliance with the Law

WC agrees it will operate and design the building, both as to leased space and common areas, to comply with all state, federal and local laws, including but not limited to, zoning laws governing use and governing building permits and the Americans with Disabilities Act as amended.

Subleasing

Subleasing is allowed with the consent of WC in writing. Consent may not be unreasonably withheld. WC will allow subleasing of the lease space only for similar use. Should the sublease not cover the entire rent due and owing by the County at the time of the sublease, the County shall be responsible for the difference in rent owed by the County and paid by the subleasing party.

Modifications to Leased Space

The County may not make major modifications to the leased space except with the written consent of WC. Such consent may not be unreasonably withheld. Should the County make any permanent additions to the leased space or add any fixtures to the leased space, such additions or fixtures shall be removed by the County at the request of WC or become WC's property upon termination of the lease. Any cost of major modifications after the initial build-out will be the responsibility of the County unless otherwise agreed to by the parties.

Waiver

Should either party decline to enforce any of its rights afforded to it pursuant to this lease, such will not constitute a permanent waiver of such rights without the written consent of the other party.

Severability

Should any of the provisions of this lease be found to be unenforceable for any reason, it shall be stricken and the remaining provisions of the lease shall remain binding and in effect.

Entire Agreement
This lease agreement shall constitute the entire agreement between the parties, and any prior discussion, oral agreement or representation of any type shall not be binding on the parties. The parties specifically agree that this Agreement shall replace and rescind the Agreement signed by the parties on November 21, 2017.

Modification
Should the parties mutually agree to modify any provision of this lease, they may do so only with the express written consent of both parties.

Condominium
County understands and agrees that WC may convert the leased space to a Condominium. County agrees to execute any consent that may be required for such conversion, provided that such conversion shall not affect the terms of this lease.

Attorney's Fees
In the event of a breach of the terms of this lease, the party enforcing the lease terms shall be entitled to recover all costs of enforcement, including reasonable attorney's fees.

YELLOWSTONE COUNTY BY AND THROUGH
ITS BOARD OF COUNTY COMMISSIONERS

DATED this 23rd day of January, 2018.

John Ostlund, Chairman

Denis Pitman, Member

Robyn Driscoll, Member

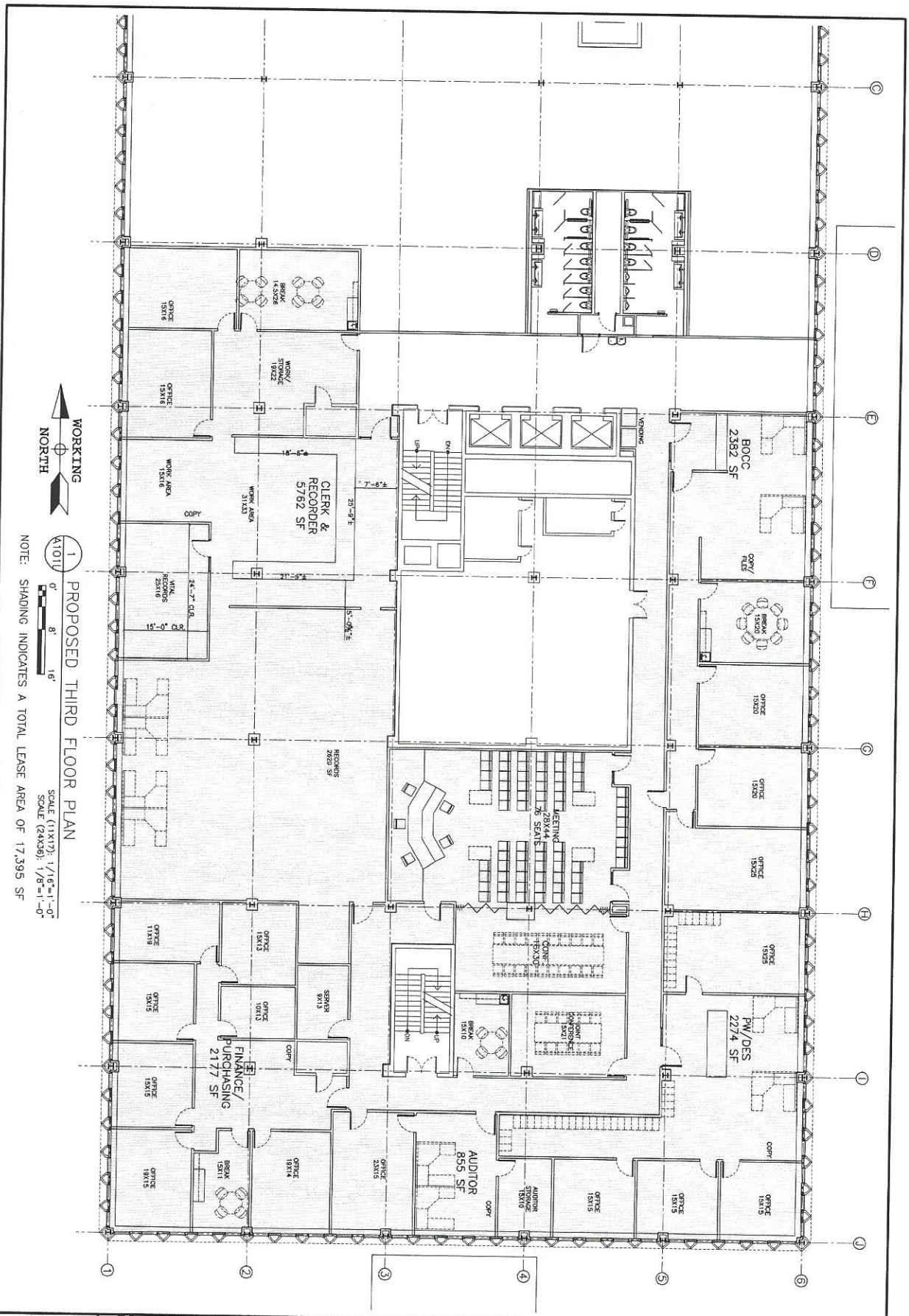
Attest:

Jeff Martin
Yellowstone County Clerk and Recorder

WC COMMERCIAL, LLC

DATED this 23rd day of January, 2018

By: Joseph W Holden
Authorized Agent of WC Commercial, LLC



Drawn By: RLB
Checked By: RLB
Date: XX-XX-2017
Project #: FEDERAL COURTHOUSE
Cadd file:

EEC
ENGINEERS • ARCHITECTS • SURVEYORS • BUILDERS

EGGART ENGINEERING COMPANY
720 LOHWEST LANE
BILLINGS, MT 59106
OFFICE: 406-839-9151
FAX: 406-839-9150
www.eecmt.com

STILLWATER BUILDING
3rd FLOOR IMPROVEMENTS
YELLOWSTONE COUNTY
316 NORTH 26th STREET
BILLINGS, MT 59101

PRELIM

SHEET#: A101L

PROPOSED STILLWATER BUILDING PURCHASE

PRESENTED BY JESSICA IVERSON, BUILDING OFFICIAL & FACILITIES MANAGER



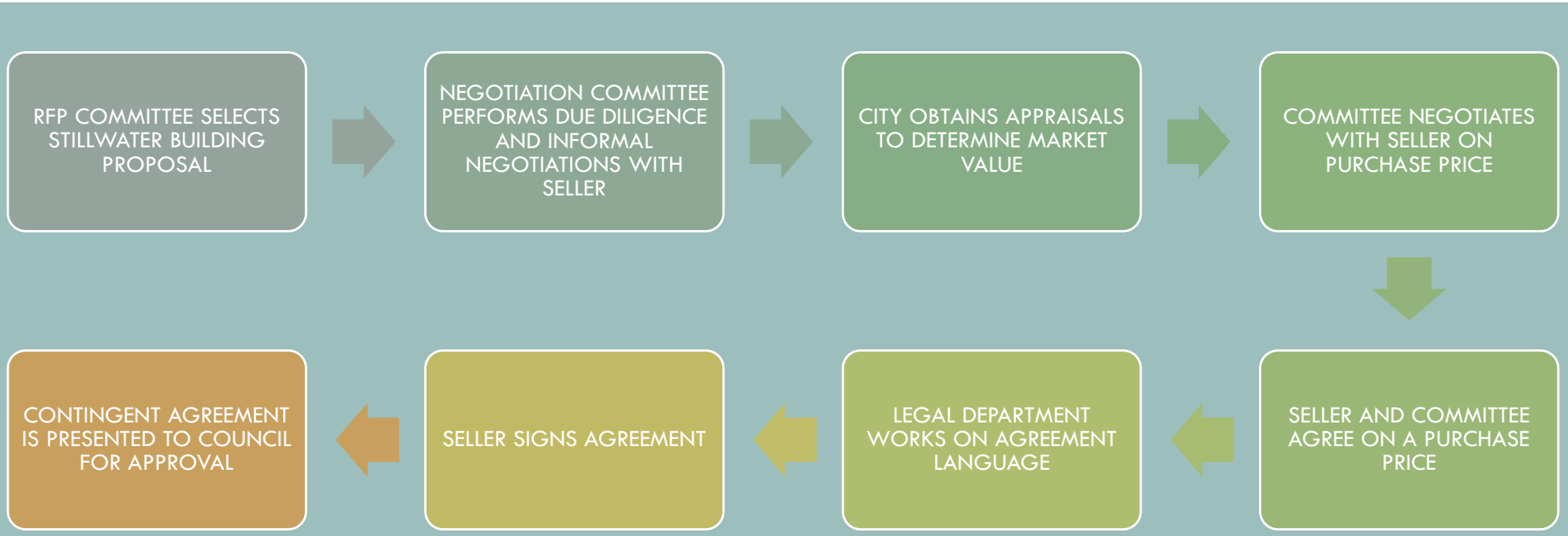
CITY HALL FACILITY SEARCH

- Request for proposals for the purpose of gathering proposals for a consolidation of City Offices was conducted in 2019.
- In December 2019, the RFP committee recommended to City Council that the City enter into negotiations with WC Commercial for purchasing or leasing a portion or entirety of the previous Batten Federal Courthouse, re-named the Stillwater Building. The proposal was selected based on the suitability of the facility to meet the City's City Hall and Law & Justice center space needs.
- A negotiation committee comprised of five council members and City Staff have been conducting due diligence and in discussions with the building owner over the past 18 months.

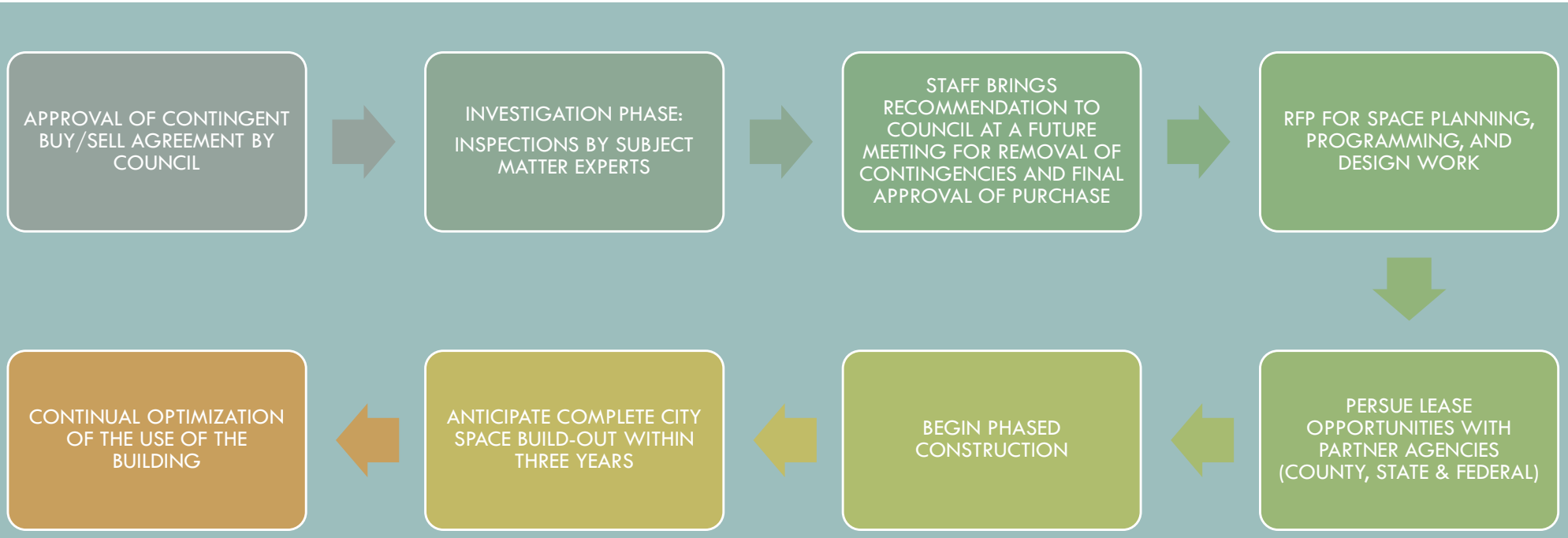


STILLWATER BUILDING

- FORMER FEDERAL COURTHOUSE COMPLETED IN 1960
- 5 FLOORS ABOVE GRADE PLUS BASEMENT
- APPROXIMATELY 200,000 TOTAL SQUARE FEET INCLUDING BASEMENT
- AGREEMENT IS FOR THE PURCHASE OF ENTIRE BUILDING AND PROPERTY, EXCLUDING THE SKY BRIDGE AND PARKING GARAGE



STILLWATER BUILDING PURCHASE PROCESS



STILLWATER BUILDING PURCHASE PROCESS NEXT STEPS

STILLWATER BUILDING APPRAISALS

- The City of Billings property purchasing resolution requires that two appraisals and a review appraisal be obtained.
- The two appraisals received determined the following values:
  - Elkhorn Appraisal: $22 Million
  - NVC Appraisal: $12.6 Million
- The review appraiser, Dave Thomas, determined a market value of $13.5 Million after his analysis.
- The market value determination is based on a typical market buyer or investor and does not take into account the value of the specific advantages the property offers the City.
- The Negotiation Committee concluded that the building is of greater value to the City than the review appraisal would suggest, which is why a higher purchase price was offered to the Seller.

- LOCATION: The Stillwater Building is located in the Downtown Billings Core less than two blocks from the current City Hall.
- SIZE: The building is large enough to house all City offices existing today and allow room for future growth. The building also allows for additional space for co-location of other public entities or services.
- INFILL: The Stillwater Building is currently mostly vacant.
- COST: The cost to purchase and build out the existing building is substantially less than the cost of new facility. Current construction cost for a new building is estimated at $350/sf
- READY FOR REDEVELOPMENT: Asbestos remediation has been completed and interior is ready for new construction to begin.

STILLWATER BUILDING IS THE BEST OPPORTUNITY

COST TO ACQUIRE STILLWATER BUILDING

PURCHASE PRICE:

- $17 MILLION TO BE PAID WITH CASH ON HAND FROM GENERAL FUND

ADDITIONAL PURCHASE EXPENSES:

- APPRAISALS: $20,400
- INSPECTIONS AND REPORTS: ~$75,000 - $100,000
- CLOSING COSTS: ~$60,000

TOTAL COST TO ACQUIRE
$17,180,400

COST TO BUILD OUT SPACE

TOTAL COST TO BUILD OUT
$11,280,000

PLANNING AND DESIGN PHASE:

- MASTER FACILITY PLAN: $80,000
- DESIGN COSTS: $1M TO $1.2M

BUILD-OUT PHASE:

- PER SQUARE FOOT ESTIMATES:
  - $100-110/SF CONSTRUCTION COSTS
  - NEEDED BUILD-OUT AREA PER 2019 CTA MASTER PLAN: ~ 90,000 SQ FT TO MEET 2024 NEEDS
  - TOTAL BUILD-OUT ESTIMATED AT: $9M TO $10M OVER 3 YEARS

OTHER FINANCIAL CONSIDERATIONS

YELLOWSTONE COUNTY LEASE:

- LEASE FOR 17,395 SF ON THE 3RD FLOOR
- ANNUAL LEASE RATE OF ~$365,000
- LEASE TERM ENDS MAY 2025

QUESTIONS