

# MEMORANDUM OF UNDERSTANDING

## BETWEEN CITY OF BILLINGS AND BRIGHT N' BEAUTIFUL

This is a Memorandum of Understanding (MOU), dated as of \_\_\_\_\_, 2022 (Effective Date), between the City of Billings and Bright n' Beautiful, a Montana nonprofit organization whose principal mailing address is PO Box 555, Billings, Montana 59103.

### Background

Founded in 1988, Bright n' Beautiful is a nonprofit organization serving Billings and Yellowstone County and an affiliate of the nation's leading community improvement organization, Keep America Beautiful. Bright n' Beautiful works to maintain a clean community through lively, satisfying, hands-on projects throughout the year like Great American Cleanup, Adopt-a-Spot, Arbor Day celebrations, Keep Your High School Beautiful, United Way of Yellowstone County Day of Caring and Yellowstone County Christmas Tree Recycling. Bright n' Beautiful also supports and promotes impromptu clean ups as good neighbors stage them throughout the region. Over the course of the year, thousands of Bright n' Beautiful volunteers show up to have fun cleaning up our locality with the shared goal of keeping Billings and Yellowstone County "bright n' beautiful".

### Purpose

The purpose of this MOU is to formally record the mutual interest and objective of the City of Billings and Bright n' Beautiful in promoting a clean city for the health, welfare, and enjoyment of its residents and visitors.

### Funding

Pursuant to the mutual interest and objective stated above, the City of Billings commits to donate \$12,000 (twelve thousand dollars) annually to Bright n' Beautiful for three years for the sole purpose of supporting and promoting the volunteer clean-up projects and activities to be facilitated by Bright n' Beautiful.

### Relationship of the Parties

Nothing in this MOU will imply a joint venture, partnership, or principal-agent relationship between the City of Billings and Bright n' Beautiful. Neither Party will have any right, power, or authority to act or create any obligation, express or implied, on behalf of the other Party, pursuant to this MOU.

### Liability

Bright n' Beautiful shall hold the City of Billings, its officers, and employees, harmless from and against all liabilities, claims, costs, expenses, suits and causes of action of every kind and character arising in favor of any person, corporation, or other entity, on account of personal injuries or death or damages to property to the extent caused by the acts or omissions of Bright n' Beautiful, its employees, contractors, subcontractors, agents, and volunteers pursuant to the City's sole act of donating monies to help fund and promote its cleanup projects and activities.

Entire Agreement

This MOU constitutes the entire agreement between the Parties as of the Effective Date and supersedes any prior or oral agreements between them on this subject matter. This MOU shall be governed by and construed in accordance with the laws of the State of Montana.

**The City of Billings and Bright n' Beautiful** have full power and authority to enter into this MOU, and the person signing this MOU on behalf of each Party has been properly authorized and empowered to enter into this MOU.

By:

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William A. Cole, Mayor of the City of Billings

By:

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Joanie Tooley, Executive Director, Bright n' Beautiful