****ATTENTION****

The City Council meeting will be held in a hybrid format that may include both in-person AND virtual attendance via Zoom. Unless they have cause to appear virtually, Councilmembers will attend the meeting in person in Council Chambers, second floor of City Hall, 220 N. 27th Street. In order to honor the Right of Participation and the Right to Know in Article II, Sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: www.billingsmt.gov and click on "Your Government," "City Council," and "Agendas & Minutes".
- View the meeting:
  - On Community 7 TV - Channel 7 or Channel 507 -- Spectrum Cable. *(On evenings when there is a conflict with School District No. 2 Board meetings, the City Council meeting will be broadcast on Channel 8 - Spectrum Cable.)*
  - Online at www.comm7tv.com and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel.
  - On the City's website at www.billingsmt.gov and click on "Watch Meetings Online" on the homepage.
  - In-Person.
  - Virtually via Zoom (see the link below).

Citizens may submit public comment via the following methods:

- Mail: City Clerk, P.O. Box 1178, Billings, MT 59103
- Email: Council@billingsmt.gov.
  - Emails received after 3:00 PM on the day of the meeting, may be posted on the Council's webpage the following day for public viewing.
- Attend the meeting in person.
- Attend the meeting virtually through Zoom by entering the Webinar ID and Passcode indicated below. Click on *Zoom Meeting Instructions* and *Zoom Hybrid Meeting Details* below for more information. The link will allow you to attend, view and participate in the meeting on your computer, laptop or smart phone. (You must have the Zoom App on your device Click Here to Download Zoom App) To provide public comment at the appropriate time, click on the "raise hand" icon located at the bottom of the screen and the moderator will unmute your device.
  - **Don't have a smart phone, computer or laptop?** That's okay -- you can attend a Zoom meeting using your **landline phone.** Call the Zoom phone number, **1.253.215.8782** to join the meeting and follow the operator's instructions. Want to give public comment? Simply *"raise your hand"* by pressing *9 and the moderator will give you permission to speak when it is your turn. **Note this is a long distance toll number and charges may apply depending on your plan.*
- Click Here for Zoom Meeting Webinar IDs and Passcodes
- Click Here for Zoom Meeting Instructions for Attendees (as guests)

Please contact Denise Bohlman, City Clerk, at bohlmand@billingsmt.gov, or at 406.657.8210, with any questions.

CITY OF Billings

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

CITY COUNCIL
REGULAR BUSINESS MEETING
AGENDA

COUNCIL CHAMBERS | APRIL 24, 2023 | 5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Purinton

ROLL CALL: Councilmembers present on roll call were: ☐ Shaw, ☐ Gulick, ☐ Neese, ☐ Owen, ☐ Joy, ☐ Choriki, ☐ Tidswell, ☐ Purinton, ☐ Boyett, ☐ Rupsis

MINUTES: April 10, 2023

COURTESIES:

PROCLAMATIONS:

COUNCIL REPORTS:

- **Mayor's Statement Regarding Settlement of Franchise Fee Lawsuit.**

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 7 and 8 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. **Community Center Hail Repairs.** (Opened 4/4/23) Recommend Finishing Touch Exteriors, Inc.

B. **Agreement** with CityView for Community Development and Business Licensing software.

C. **Agreement** with Montana Rescue Mission for sheltering services data.

D. **Acceptance** of the Montana Main Street Impact Grant on behalf of the Downtown Billings Business Improvement District (BID).

E. **Preliminary Major Plat** of Annafeld Subdivision, 5th Filing. *Quasi-Judicial

F. **Preliminary Major Plat** of Golden Meadows Subdivision Expansion. *Quasi-Judicial

G. **Second/Final Reading Ordinance** expanding Ward V (Annexation 23-02).

H. Bills for the Weeks of:

1. March 20, 2023
2. March 27, 2023

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 APPROVAL** of FY2023-2024 Annual Action Plan and Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Budget Allocations. Community Development (CD) Board recommends approval.

   - Presented by: Brenda Beckett, Community Development Manager

   Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the FY2023-2024 Annual Action Plan and accompanying CDBG and HOME budget allocations, as recommended by the CD Board.

3. **PUBLIC HEARING AND RESOLUTION** approving a property tax abatement for Rimrock IV, LLC, d/b/a KIA of Billings. Staff recommends approval.

   - Presented by: Chris Kukulski, City Administrator

   Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve a resolution approving a property tax abatement for Rimrock IV, LLC, d/b/a KIA of Billings, as recommended by staff.

4. **PUBLIC HEARING AND SPECIAL REVIEW 996:** a special review to allow a 30-foot height increase to an existing wireless communication facility (WCF), in a Corridor Mixed Use 1 (CMU1) zone district located at 1010 Grand Avenue. Zoning Commission recommends conditional approval and adoption of the findings of the 9 review criteria. *Quasi-Judicial

   - Presented by: Monica Plecker, Planning Manager

   Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, and review of the Zoning Commission's recommendation for conditional approval and adoption of the findings of the 9 review criteria, I move to approve Special Review 996.

5. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION 23-01:** located East of East Lane and South of Elysian Road. Staff recommends conditional approval.

   - Presented by: Hunter Kelly, Planner

   Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to conditionally approve Annexation 23-01, as recommended by staff.

6. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation 23-01: located East of East Lane and South of Elysian Road. Staff recommends approval.

   - Presented by: Hunter Kelly, Planner

   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.

7. **INITIATION** of Zoning Code Text Amendments. *(Contains No Staff Memo)*

- Presented by: Wyeth Friday, Planning Director

Recommended Motion: I move for the City Council to initiate the general amendments to the Zoning Code as outlined in the Planning staff presentation on April 3, 2023, and include the following:

Group one:
· Garage entry door location for property zoned NX1 or NX2.
· Sign code amendments to address existing nonconforming wall signs, other nonconforming signs and separations between off-premise signs and residential zones.
· Adjustments to Building and Siting Standards for Neighborhood and Mixed Neighborhood ones
· Fence materials in Commercial and Residential zones

Group two:
· Council action options for special reviews and zone changes
· Open Space provisions in NX and PND district assembly
· Allow rebuild of Residential Structures in Commercial and Mixed Use zones by right
· Step-backs of taller buildings between Neighborhood and Mixed Neighborhood zones

Group three:
· Updates to Administrative Relief provisions
· Landscape Plan clarifications for residential (one and two family) lots
· Housekeeping amendments to correct errors and cross-references in other city codes
· Special Review criteria
· Zoning at Annexation

8. **LEGISLATIVE SESSIONS UPDATE.**

- Presented by: Chris Kukulski, City Administrator

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:	04/24/2023
Title:	Community Center Hail Repairs
Presented by:	John Caterino, Facilities Manager
Department:	City Hall Administration
Presentation:	No
Legal Review	Yes

RECOMMENDATION

Staff recommends that City Council approve and award a contract for Hail Repairs at Billings Community Center to Finishing Touch Exteriors, Inc. for $646,750.00.

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

The Billings Community Center, located at 360 N 23rd St., sustained significant hail-related damage in August 2019. This project includes the removal and replacement of the existing siding and roofing systems.

This is the third time this project has been bid.
First bid advertisement, bids were opened on 04/27/2021, received no responsible bidders.
Second bid advertisement, bids were opened on 05/25/2021, received three bids and the lowest responsible bidder was unable to perform the work, so the contract was canceled.

City insurance policy states carrier will replace materials in like, kind, and quality. Base bid includes replacing siding and roof materials in like, kind, and quality.
Alternate #1 is to replace exterior metal siding with fiber cement lap siding (accepted).
Alternate #2 is to replace membrane roofing with a single ply roofing system (accepted).

The project was advertised on 03/10/2023, 03/17/2023 and 03/24/2023 in *Yellowstone County News* and on the City's website.

Bids were opened on 04/04/2023, and two bids were received with Finishing Touch Exteriors, Inc being the lowest responsible bidder for base bid and alternates #1 and #2.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

The following bids were received:

BIDDER	BASE BID	ALTERNATE #1	ALTERNATE #2	BASE BID + ALTERNATES #1 & 2
FINISHING TOUCH EXTERIORS, INC	$690,750.00	($21,000.00)	($23,000.00)	$646,750.00
MORGAN CONTRACTORS, LLC	$644,282.00	($9,350.00)	$130,000.00	$764,932.00

The low bid with alternates #1 and #2 accepted is Finishing Touch Exteriors, Inc. at $646,750.00.

The base bid amount will be funded by insurance claim funds paid out for the August 2019 hail event.

Attachments

Facilities Construction Agreement

CONSTRUCTION AGREEMENT

THIS AGREEMENT is made and entered into _____, by and between the **CITY OF BILLINGS, MONTANA,** a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 1178, Billings, Montana 59103, hereinafter referred to as "**CITY**," and **FINISHING TOUCH EXTERIORS, INC**, of P.O. Box 30556, Billings, MT 59107 hereinafter referred to as "**CONTRACTOR**."

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

1. **PURPOSE: CITY** agrees to hire **CONTRACTOR** as an independent contractor to perform the services of general contracting hail repairs described in the Scope of Work attached hereto as Exhibit "A" and by this reference made a part hereof.

2. **EFFECTIVE DATE:** This **AGREEMENT** is effective upon the date of its execution and will terminate on July 31, 2023. The parties may extend this **AGREEMENT**, by mutual concurrence, for sixty days, in writing prior to its termination.

3. **SCOPE OF WORK:** The **CONTRACTOR** shall perform the services outlined in Exhibit "A". In performing these services, the **CONTRACTOR** shall at all times comply with all federal, state and local statutes, rules and ordinances applicable. These services and all duties incidental or necessary therefor, shall be performed diligently and completely and in accordance with professional standards of conduct and performance.

4. **INCORPORATION BY REFERENCE:** All exhibits and addenda attached hereto, as well as any bid or proposal referenced, are hereby incorporated into this **AGREEMENT** and made a part hereof. If there is any conflict between such exhibits or addenda and the terms of this **AGREEMENT**, the terms of this **AGREEMENT** shall control.

5. **PAYMENT: CITY** agrees to pay **CONTRACTOR** six hundred forty-six thousand seven hundred fifty dollars ($646,750.00) for the work described in the Scope of Work in Exhibit "A". Any alteration or deviation from the described work that involves extra costs will be executed only upon written request by the **CITY** to **CONTRACTOR** and will become an extra charge over and above the contract amount. The parties must agree upon any extra charges in writing.

   Except as otherwise specified herein, the **CONTRACTOR** shall invoice the **CITY** monthly (or on such other basis as the Parties may mutually determine) for all services rendered pursuant to this **AGREEMENT**. Such invoices shall specify the

services provided to the **CITY** during the preceding month and identify the applicable fees, and shall be accompanied by reasonable documentation or other reasonable explanations supporting such charges.

Except as otherwise specified herein, the **CITY** shall pay, net of applicable withholding tax, if any, the **CONTRACTOR** for said invoice within thirty (30) days after receipt.

If partial payment is requested by **CONTRACTOR**, it shall be made upon invoice and said estimate being proportioned to the work completed by the **CONTRACTOR**. **CITY** shall deduct five percent (5%) from each pay estimate to be held until the completion of the final scope of work. The final payment shall be made only after acceptance of final invoice by the **CITY**, and determination has been made by the **CITY** that the scope of work has been satisfactorily completed.

The prices established in this **AGREEMENT** may be extended to other political subdivisions within the State of Montana solely at the **CONTRACTOR'S** discretion.

6. **LIQUIDATED DAMAGES:** If **CONTRACTOR** does not complete the work by the designated contract date(s), liquidated damages will be assessed in the form of a daily charge for each day, except Saturdays, Sundays, and legal holidays which exceed the contract date.

   The daily charge(s) are stipulated to be reasonable quantifications of the damages incurred by the **CITY**:

   - Liquidated damages for failure to complete project: $150.00 per day.
   - The charge(s) will be deducted from money due the **CONTRACTOR**.

7. **INDEPENDENT CONTRACTOR STATUS:** The parties agree that **CONTRACTOR** is an independent contractor for purposes of this **AGREEMENT** and is not to be considered an employee of the **CITY** for any purpose. **CONTRACTOR** is not subject to the terms and provisions of the **CITY**'s personnel policies handbook and may not be considered a **CITY** employee for workers' compensation or any other purpose. **CONTRACTOR** is not authorized to represent the **CITY** or otherwise bind the **CITY** in any dealings between **CONTRACTOR** and any third parties.

8. **INDEMNITY:**

   The **CONTRACTOR** SHALL:

A. Indemnify, defend, and save **CITY**, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of **CONTRACTOR** or its agents or employees.

B. Not indemnify, defend, save, and hold the **CITY** harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of the **CITY** occurring during the course of or as a result of the performance of the **AGREEMENT**.

C. Where claims, lawsuits or liability, including attorneys' fees and costs arise from wrongful or negligent act of both the **CITY** and the **CONTRACTOR**, the **CONTRACTOR** shall indemnify, defend, save, and hold the **CITY** harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, which result from the **CONTRACTOR'S** or any subcontractor's wrongful or negligent acts occurring as a result from the **CONTRACTOR'S** performance pursuant to this **AGREEMENT**.

The **CITY** SHALL:

D. Indemnify, defend and save **CONTRACTOR**, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of **CITY** or its agents or employees.

E. Not indemnify, defend, save and hold the **CONTRACTOR** harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of the **CONTRACTOR** occurring during the course of or as a result of the performance of the **AGREEMENT**.

F. Where claims, lawsuits or liability, including attorneys' fees and costs arise from wrongful or negligent act of both the **CONTRACTOR** and the **CITY**, the **CITY** shall indemnify, defend, save, and hold the **CONTRACTOR** harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, which result from the **CITY'S** or any subcontractor's wrongful or negligent acts occurring as a result from the **CITY'S** performance pursuant to this **AGREEMENT**.

9. **INSURANCE:** The **CONTRACTOR** shall maintain in good standing the insurance described in this Section. Before rendering any services under this

AGREEMENT, the **CONTRACTOR** shall furnish the **CITY** with proof of insurance in accordance with this Section.

The **CONTRACTOR** shall provide the following insurance:

1) Workers' compensation and employer's liability coverage as required by Montana law.

2) Commercial general liability, including contractual and personal injury coverage's -- $750,000 per claim and $1,500,000 per occurrence.

3) Automobile liability -- $1,500,000 per accident.

Each policy of insurance required by this Section shall provide for no less than 30 days' advance written notice to the **CITY** prior to cancellation.

The **CITY** shall be listed as an additional insured on all policies except Worker's Compensation Policies.

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

CONTRACTOR shall maintain workers' compensation insurance coverage for all members and employees of **CONTRACTOR's** business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA.

CONTRACTOR shall furnish **CITY** with copies showing one of the following: **(1)** proof of registration as a registered contractor under Title 39, Chapter 9, MCA; **(2)** a binder for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or **(3)** proof of exemption from workers' compensation granted by law for independent contractors.

CONTRACTOR shall furnish an approved Performance Bond and a Labor and Materials Payment Bond, each in the amount of one hundred percent (100%) of the contract amount.

10. PERMITTING AND INSPECTIONS:

A. **CONTRACTOR** to obtain all required permits before beginning construction. Cost of permits shall be billed to the **CITY** as a reimbursable expense with no mark-up.

B. **CONTRACTOR** to obtain all required inspections during construction and at final completion.

11. EQUIPMENT AND MATERIALS CUSTODY:

A. **CITY** shall not be responsible for any equipment or materials until it is installed and commissioned.

B. If materials or equipment go missing for any reason before they are installed and commissioned, they shall be replaced at no cost to **CITY**.

C. All equipment and materials shall be secured and stored by **CONTRACTOR** in a location approved by the **CITY** or offsite.

D. If arrangements are made to store onsite **CITY** shall not be responsible for any missing items.

E. **CITY** will not take delivery of any equipment or materials.

F. All equipment and materials must be brought onsite by **CONTRACTOR**.

12. EQUIPMENT AND MATERIALS INVENTORY:

A. A detailed inventory list shall be provided by **CONTRACTOR** to **CITY** upon **CONTRACTOR** mobilization or project commencement.

B. Inventory list to include material information (make, model, etc.), and quantity.

C. When an item is installed and commissioned it shall be deducted from the inventory list.

13. WARRANTY: CONTRACTOR warrants that all services and work will be performed in a good workman-like manner. **CONTRACTOR** acknowledges that it will be liable for any breach of this warranty for the lesser period of two (2) years from the time services are completed or any warranty described in the Scope of Work in Exhibit "A".

14. COMPLIANCE WITH LAWS: CONTRACTOR agrees to comply with all federal, state, and local laws, ordinances, rules, and regulations. **CONTRACTOR** agrees to purchase a **CITY** business license.

15. PREVAILING WAGE RATES: Unless superseded by federal law, Montana law requires that contractors and subcontractors give preference to the employment of Montana residents for any public works contract in excess of $25,000 for construction or nonconstruction services in accordance with sections 18-2-401 through 18-2-432, MCA, and all administrative rules adopted pursuant thereto. Unless superseded by federal law, each contractor shall ensure that at least 50% of the contractor's workers performing labor on a construction project are bona fide Montana residents. The Commissioner of the Montana Department of Labor and Industry has established the resident requirements in accordance with sections 18-2-403 and 18-2-409, MCA. Any and all questions concerning prevailing wage and Montana resident issues should be directed to the Montana Department of Labor and Industry.

In addition, unless superseded by federal law, all employees working on a public works contract shall be paid prevailing wage rates in accordance with sections 18-2-401 through 18-2-432, MCA, and all administrative rules adopted pursuant thereto. Montana law requires that all public works contracts, as defined in section 18-2-401, MCA, in which the total cost of the contract is in excess of $25,000, contain a provision stating for each job classification the standard prevailing wage rate, including fringe benefits, travel, per diem, and zone pay that the contractors, subcontractors, and employers shall pay during the public works contract.

Section 18-2-406, MCA, requires that all contractors, subcontractors, and employers who are performing work or providing services under a public works contract post in a prominent and accessible site on the project staging area or work area, no later than the first day of work and continuing for the entire duration of the contract, a legible statement of all wages and fringe benefits to be paid to the employees in compliance with section 18-2-423, MCA. Section 18-2-423, MCA, requires that employees receiving an hourly wage must be paid on a weekly basis.

Furthermore, Section 18-2-417, requires allowance for a 3% annual increase in wages for a multiyear contract. (1) Any public works contract that by the terms of the original contract calls for more than 30 months to fully perform must include a provision to adjust, as provided in subsection (2), the standard prevailing rate of wages to be paid to the workers performing the contract. (2) The standard prevailing rate of wages paid to workers under a contract subject to this section must be adjusted 12 months after the date of the award of the public works contract. The amount of the adjustment must be a 3% increase. The adjustment must be made and applied every 12 months for the term of the contract. (3) Any increase in the standard rate of prevailing wages for workers under this section is the sole responsibility of the contractor and any subcontractors and not the contracting agency.

Each contractor, subcontractor, and employer must maintain payroll records in a manner readily capable of being certified for submission under section 18-2-423, MCA, for not less than three years after the contractor's, subcontractor's, or employer's completion of work on the public works contract.

The nature of the work performed or services provided under this contract meets the statutory definition of a "public works contract" under section 18-2-401(11)(a), MCA, The booklet is attached and may also be found at http://erd.dli.mt.gov/labor-standards/state-prevailing-wage-rates.

16. **CONTRACTORS' GROSS RECEIPTS TAX: CONTRACTOR** understands that all contractors or subcontractors working on a publicly funded construction project, including any work requiring the installation, addition, placement, replacement, or removal of any equipment, parts, structures, or materials of any kind whatsoever, are required to pay or have withheld from earnings one percent

(1%) of the gross contract price if the gross contract price is Five Thousand Dollars ($5,000) or more.

17. <u>NONDISCRIMINATION</u>:

A. **CONTRACTOR** shall, in performance of work under this **AGREEMENT**, fully comply with all applicable federal, state, or local laws, rules, regulations, and executive orders including but not limited to, the Montana Human Rights Act, the Equal Pay Act of 1963, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. **CONTRACTOR** is the employer for the purpose of providing healthcare benefits and paying any applicable penalties, fees and taxes under the Patient Protection and Affordable Care Act [P.L. 111-148, 124 Stat. 119]. Any subletting or subcontracting by **CONTRACTOR** subjects subcontractors to the same provisions. In accordance with 49-3-207, MCA, and Executive Order No. 04-2016. **CONTRACTOR** agrees that the hiring of persons to perform this Contract will be made on the basis of merit and qualifications and there will be no discrimination based on race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status by the persons performing this **AGREEMENT**.

B. The **CONTRACTOR** shall state, in all solicitations or advertisements for employees to work on jobs, that all qualified applicants will receive equal consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex or marital status, or mental or physical impairment/disability.

The **CONTRACTOR** and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a) and 41 CFR 60-741.5(a), which prohibit discrimination against qualified protected veterans and/or qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and individuals with disabilities.

The **CONTRACTOR** and any subcontractor shall abide by the requirements of 41 CRF 60-1.4, which states employees or applicants may not be discharged or in any other manner discriminated against because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to

compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the **CONTRACTOR'S** legal duty to furnish information.

C. The **CONTRACTOR** shall comply with any and all reporting requirements that may apply to it that the **CITY** may establish by regulation.

D. The **CONTRACTOR** shall comply with all applicable federal, state, and city laws concerning the prohibition of discrimination.

E. The **CONTRACTOR** shall include the provisions of Subsections A through D of this Section in every subcontract or purchase order under this **AGREEMENT**, so as to be binding upon every such subcontractor or vendor of the **CONTRACTOR** under this **AGREEMENT**.

F. The **CONTRACTOR** agrees to post, in conspicuous places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

18. **CONTRACTOR PERSONNEL:** A list of personnel who will be onsite for project shall be provided by **CONTRACTOR** to **CITY** within 10 business days of contract execution, including:

A. First and last name;

B. Duration onsite; and,

C. Personnel responsibilities.

19. **SAFETY PROGRAM:** **CONTRACTOR** to provide **CITY** with safety program within 10 business days of contract execution.

20. **MEETINGS:** **CONTRACTOR** shall attend a pre-construction meeting with **CITY** representatives, as well as progress meetings as requested by the **CITY**.

21. **PROJECT SCHEDULE TIMELINE:** A project schedule timeline shall be provided by **CONTRACTOR** to **CITY** within 10 business days of contract execution.

Accepted schedule formats are Gantt chart, network diagram, critical path diagram, or sequential flow chart.

A Phase-Based Work-Breakdown Structure (WBS) by resource shall be provided by **CONTRACTOR** to **CITY** within 10 business days of contract execution and shall include a decomposed project scope consisting of phases and deliverables, tasks, and component deadlines.

If for any reason **CONTRACTOR** (or any subcontractors) fall behind on approved schedule, **CONTRACTOR** shall take all necessary actions to bring project back on schedule with no additional expense to the **CITY**.

22. **EXTENSION OF CONTRACT TIME DUE TO WEATHER DELAYS:** **CONTRACTOR** shall schedule the work to be completed within the contract time stipulated in the **AGREEMENT**. **CONTRACTOR'S** progress schedule shall include an allowance for time lost due to normal adverse weather. "Adverse weather" is defined as atmospheric conditions at a definite time and place that are unfavorable to construction activities. Adverse weather occurrences will not constitute justification for an extension of contract time unless the total time lost due to weather occurrences exceeds ten (10) percent of the contract time stipulated in the **AGREEMENT**. If the total time lost due to adverse weather exceeds the 10%, the contract time will be adjusted for each adverse weather day after the 10% is reached. **CONTRACTOR** shall, throughout the Project, record occurrences of adverse weather and resultant impacts to normally scheduled work, as well as the lingering effects of the occurrence. Adverse weather must prevent work on critical path activities for 50 percent or more of **CONTRACTOR'S** scheduled workday and actually cause a delay to the completion of the Project to be considered an adverse weather delay day. **CONTRACTOR** shall, in a timely manner, submit a written record of each adverse weather occurrence to **CITY** for approval.

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

24. **LIAISON:** The **CITY's** designated liaison for this **AGREEMENT** is John Caterino and the **CONTRACTOR**'s designated liaison for this **AGREEMENT** is Nate Weaver.

25. **GOVERNING LAW AND VENUE:** This **AGREEMENT** shall be construed and enforced in accordance with the laws of the State of Montana. Venue for any suit between the parties arising out of this **AGREEMENT** shall be the State of Montana Thirteenth Judicial District Court, Yellowstone County.

26. **SEVERABILITY:** Any provision or part of the **AGREEMENT** held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the **CITY** and the **CONTRACTOR**, who agree that the **AGREEMENT** shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

27. **SUCCESSORS AND ASSIGNS:** Neither the **CITY** nor the **CONTRACTOR** shall assign, transfer or encumber any rights, duties or interests accruing from this **AGREEMENT** without the written consent of the other.

28. **OWNERSHIP OF DOCUMENTS:** All documents, data, drawings, specifications, software applications and other products or materials produced by the **CONTRACTOR** in connection with the services rendered under this **AGREEMENT** shall be the property of the **CITY** whether the project for which they are made is executed or not. All such documents, products and materials shall be forwarded to the **CITY** at its request and may be used by the **CITY** as it sees fit. The **CITY** agrees that if the documents, products, and materials prepared by the **CONTRACTOR** are used for purposes other than those intended by the **AGREEMENT**, the **CITY** does so at its sole risk and agrees to hold the **CONTRACTOR** harmless for such use. All or any portions of materials, products and documents produced under this **AGREEMENT** may be used by the **CONTRACTOR** upon confirmation from the **CITY** that they are subject to disclosure under the Public Disclosure Act. All services performed under this **AGREEMENT** will be conducted solely for the benefit of the **CITY** and will not be used for any other purpose without written consent of the **CITY**. Any information relating to the services will not be released without the written permission of the **CITY**. The **CONTRACTOR** shall preserve the confidentiality of all **CITY** documents and data accessed for use in **CONTRACTOR**'s work product.

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

CITY OF BILLINGS, MONTANA

_____

WILLIAM A. COLE,
MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY'S OFFICE

ATTEST:

_____

DENISE BOHLMAN, CITY CLERK

FINISHING TOUCH EXTERIORS, INC

_____

SIGNATURE

_____

PRINT NAME

_____

PRINT TITLE

EXHIBIT A

SCOPE OF WORK

All services to be rendered at
Site Name: Billings Community Center
Site Address: 360 N 23rd St. Billings, MT 59101
Tax ID: A00216
Legal Description: BILLINGS ORIGINAL TOWNSITE, S33, T01 N, R26 E, BLOCK 40, LOT 5-12

Alternates #1 and #2 were selected.

Alternate #1 is to replace exterior siding with approved lap siding product as specified in lieu of steel siding material included in the Base Bid – see Exhibit B for specific product.

Alternate #2 is to replace membrane roofing with a single ply roofing system as specified in lieu of differing ply roofing systems (not including the asphalt shingle roofing) included in the Base Bid – see Exhibit B for specific product.

All work will be subject to Exhibit B Project Manual and Specification dated 3/2023.

Detailed scope of work is included in Exhibit C drawings dated 3/9/23 and titled
“Hail Damage Repairs
Billings Community Center
360 North 23rd Street
Billings, MT 59101”

City Council Regular

Date:	04/24/2023
Title:	Community Development Software Contract with CityView
Presented by:	Jessica Fust, Building Official
Department:	City Hall Administration
Presentation:	No
Legal Review	Yes

RECOMMENDATION

Staff recommends approval of a contract with CityView for new Community Development and Business Licensing software.

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

The software program that the City has been using for the past 11 years for permitting, projects, and business licenses has several deficiencies and is no longer meeting the needs of the departments and customers that use it. The City issued an RFP to obtain new Community Development software for permitting, plan review, code enforcement, inspections, and business licenses. The RFP required that the proposers provide software with the following scope and capabilities:

- Permitting
- Projects
- Code Enforcement
- Licensing
- All modules integrated with GIS for land records.
- Intuitive Online Citizen Access portal where citizens can easily apply, inquire, schedule, and pay for services online.
- Robust ePlan review module with preferred BlueBeam integration.
- Mobility software
- Available to outside agencies for reviews
- Integrate with the City's current Financial System and Enterprise Content Management solution

The RFP committee consisted of city staff from all departments that will be utilizing the new software, along with IT representatives. The RFPs were evaluated with the following criteria:

- Perceived ability to meet the City of Billings requirements including security standard
- Experience of Supplier with Community Development Software
- Experience of Supplier with local municipality services and needs
- Experience Implementing a Citywide software solution in similar-sized municipalities
- Ability to provide integration to the City's existing software
- Qualifications of staff who would provide the implementation and training services
- Company's financial stability
- Capacity to assume new business
- Availability (timetable) for providing goods and/or services
- Breadth of services available
- Ongoing support
- Process Improvements
- Ability to Provide Training
- Compliance with the City of Billings Terms and Conditions
- In the event that the City of Billings has determined more than one vendor could meet the needs of the City, price could become an evaluation factor.

Nine responses were received, and the committee narrowed the field to 4 for demonstrations. The stakeholders saw demonstrations of the systems and narrowed the candidates to two, ultimately selecting CityView, which was the lower priced of the top two finalists. Further investigation was done by City staff who traveled to cities that use the CityView program to better understand the capabilities, challenges, and benefits of the program. The visits provided valuable insight as we worked on contract negotiations and project implementation. We believe that for the cost, the capabilities and features this program offers provides the best value to the City and will meet all our goals.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

The cost breakdown for the software is:

One-time licensing cost for 85 full licenses and 32 mobile licenses:	$174,600
One-time implementation cost with $17,500 contingency that will only be paid if needed:	$401,395
Annual maintenance cost (due at installation and annually thereafter):	$ 88,476
FIRST YEAR TOTAL:	**$ 664,471**

Sources:

The Building Division budgeted $520,000 in FY23 for the one-time software license and implementation costs. The additional $55,995 will be paid with Building Division reserves. If the contingency of $17,500 is not needed, that will only be an additional cost of $38,495 from Building Division reserves.

The Annual Maintenance cost will be split among departments based on number of users. We anticipate around 200 named users, which equates to an annual cost of around $442 per person. These will be operating costs for departments starting in FY24 and annually thereafter. Note that while we only paid for 85 simultaneous licenses (up to 85 people signed in at the same time), we can have an unlimited number of named users.

Our current e-plan review system is also allocated by number of department users, and that annual fee is around $75,000 total, which will sunset with the implementation of this new system. Departments will have to pay both maintenance fees in FY24 as we transition to the new system, but the current fees of $75,000 will fall off after CityView is fully implemented. The affected departments include Building, Planning, Code Enforcement, Engineering, Fire, Finance, and IT.

Attachments

CityView Service Agreement
CityView Statement of Work
CityView Software License and Support Agreement

CONTRACTUAL SERVICES AGREEMENT

THIS AGREEMENT (hereinafter the "Agreement") is made on _____ (the "Effective Date") by and between the **City of Billings**, MT (hereinafter the "Customer"), and **N. Harris Computer Corporation**, an Ontario Corporation, with its place of business at 4464 Markham Street, Suite 1202, Victoria, BC, V8Z 7X8 (hereinafter the "CityView" or "Vendor"). The Customer and the Vendor are sometimes hereinafter individually referred to as "Party" and hereinafter collectively referred to as the "Parties."

RECITALS

A The Vendor, through its unincorporated CityView division, desires to perform and assume responsibility and obligation for the provision of certain professional services, as hereinafter described, on the terms and conditions set forth herein. Vendor represents that it is experienced in providing business process automation and implementation services to public clients and is familiar with the scope of work of the Customer;

B The Customer desires to engage Vendor to render such services, as hereinafter described, for the Implementation of the Community Development Software (the "Project") on the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and for other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged), the Customer and the Vendor agree as follows:

1 OPERATIVE PROVISIONS

1.1 ENGAGEMENT AND SERVICES OF THE VENDOR

1.1.1 Engagement of Vendor. The Customer hereby engages the Vendor and the Vendor promises and agrees to furnish to the Customer, subject to the terms and conditions set forth in this Agreement, all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional services necessary (the "Services") for the project described in the statement of work set out in ATTACHMENT D to this Agreement (the "Project"). The Services are more particularly described in ATTACHMENT A and in the statement of work set out in ATTACHMENT D attached hereto and incorporated herein by reference.

1.1.2 Performance of the Vendor; Standard of Care. The Vendor accepts the relationship of trust and confidence established between the Customer and the Vendor by the terms of this Agreement. The Vendor covenants with the Customer to perform all Services under this Agreement in a skillful and competent manner, consistent with or in excess of the standards of skill, quality and care adhered to by recognized professionals in the same discipline in Canada while performing services of a like or similar nature under like or similar circumstances. Vendor represents and maintains that it is skilled in the professional calling necessary to perform the Services, and that it shall consider all recent proven and tested methods known and successfully employed by recognized professionals in the same discipline in the USA. Vendor shall also cooperate with the Customer and any other consultants or contractors engaged by or on behalf of the Customer in performance of the Project. The Vendor covenants to use its commercially reasonable efforts to perform its duties and obligations under this Agreement in an

efficient, expeditious and economical manner, consistent with the best interests of the Customer and the professional standard of care set forth in this Agreement.

2 RESPONSIBILITIES OF THE VENDOR

2.1 The Vendor's Responsibilities for Costs and Expenses. Except as otherwise expressly stated herein, the Vendor shall be solely responsible for all costs and expenses incurred relative to the Vendor, personnel of the Vendor and sub-Vendors of the Vendor in connection with the performance of the Services, including, without limitation, payment of salaries, fringe benefits contributions, payroll taxes, withholding taxes and other taxes or levies, office overhead expense, telephone and other telecommunication expenses, and document reproduction expenses.

2.2 Independent Contractor. The Services shall be performed by Vendor or under its supervision. Vendor shall determine the means, methods and details of performing the Services subject to the requirements of this Agreement. The Vendor represents that it possesses the professional and technical personnel required to perform the Services. The Customer retains Vendor on an independent contractor basis and not as an employee of the Customer. Vendor retains the right to perform similar or different services for others during the term of this Agreement. The personnel performing the Services on behalf of the Vendor shall at all times be under the Vendor's exclusive direction and control. The Vendor shall pay all expenses, including, without limitation, all wages, salaries, fringe benefit contributions, payroll taxes, withholding taxes, other taxes or levies and all other amounts due such personnel for the Services or due others as a result of the performance by such personnel of the Services. Vendor shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to, all reports for social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

2.3 Vendor's Project Manager. The Vendor shall designate and assign a project manager ("Project Manager"), who shall coordinate all phases of the Services and act as the Vendor's representative for performance of this Agreement. The Project Manager shall have full authority to represent and act on behalf of the Vendor for all purposes under this Agreement, and shall be available to the Customer at all reasonable times. The Project Manager shall supervise and direct the Services, using his or her best skill and attention, and shall be responsible for all means, methods, techniques, sequences and procedures employed by Vendor's personnel, as well as the satisfactory coordination of all portions of the Services under this Agreement.

2.4 Time of Performance. Generally, Vendor's implementation services bench is booked 90 – 120 days in advance. The Customer will be added to the schedule after a signed agreement is received. Vendor shall complete the Services to be performed by Vendor under and pursuant to this Agreement by a date mutually agreed to in the accepted project plan. This targeted completion date may be modified by mutual written agreement as a result of the fine tuning of the plan. Vendor shall perform the Services expeditiously, within the term of this Agreement, and in accordance with any schedule of services mutually acceptable to the Parties.

2.4.1 Any project schedule provided by Vendor as part of a proposal, is provided only as an example for similar projects. Such a schedule shall not be deemed to be the definitive schedule for the Customer's project. Vendor's project manager will develop a project-specific schedule, within the project plan, and this will become the project baseline, after the data collection process and process mapping is complete and once all applicable information is known (including vacation schedules and other "black-out" periods).

2.5 Software License and Support Agreement. The Vendor will provide the licenses for the software identified in ATTACHMENT A for the Customer's use as governed by its Software License and Support Agreement, a copy of which is attached as ATTACHMENT B.

2.6 Compliance with Laws. Each party represents and warrants to the other party that it and its users will at all times be in compliance with all applicable local, state, provincial, federal and international laws, rules and regulations including, but not limited to, those laws regarding restrictions on exports (including the U.S. Export Administration Regulations end-user, end use and destination restrictions by Canadian, U.S. and other governments related to Vendor and its service provider's products, services and technologies.

2.7 Insurance. Vendor currently carries insurance coverage for commercial general liability, non-owned automobile coverage, workers' compensation, and errors and omissions policies. Customer has no rights to review the Vendor's policies. Vendor agrees that Customer shall be listed as an Additional Insured under our commercial general liability and automobile coverage insurance policies.

2.7.1 Cyber Liability Insurance: Without limiting any of the obligations or liabilities of Vendor, Vendor shall carry and maintain, at its own expense including any applicable deductibles or retentions, as long as respective, applicable statute(s) of limitation or repose are in effect relating to the specific purposes of this Agreement, Cyber Liability insurance with limits of not less than $ 1 Million for each occurrence and an annual aggregate of $ 3 Million covering claims involving privacy violations, information theft, damage to or destruction of electronic information, intentional and/or unintentional release of private information, alteration of electronic information, extortion and network security.

2.8 Assignment. Neither party may assign any of its rights or duties under this Agreement without the prior written consent of the other party, such consent not to be unreasonably withheld, except that either party may assign to a successor entity in the event of its dissolution, acquisition, sale of substantially all of its assets, merger or other change in legal status. The Agreement shall inure to the benefit of and be binding upon the parties to this Agreement and their respective successors and permitted assigns.

2.9 Progress. The Vendor shall endeavor to keep the Customer Project Manager and/or his or her duly authorized designee informed on a regular basis regarding the status and progress of the Services, activities performed and planned, and any meetings that have been scheduled or are desired relative to the Services or this Agreement.

2.10 Confidentiality. The Parties each acknowledge that they may receive information from the other Party or otherwise in connection with this Agreement or the performance of the Services. Except for information in the public domain, unless such information falls into the public domain by disclosure or other acts of the disclosing party or through the fault of the receiving party, the receiving party agrees:

2.10.1 to maintain this information in confidence and to take all reasonable steps, which shall be no less than those steps it takes to protect its own confidential and proprietary information, to protect the information of the other party from unauthorized use, disclosure, copying or publication;

2.10.2 not to use this information other than in the course of this Agreement;

2.10.3 not to disclose or release such information except to the extent required by applicable law or during the course of or in connection with any litigation, arbitration or other proceeding based upon or in connection with the subject matter of this Agreement, provided that the receiving party shall first give reasonable notice to the disclosing party prior to such disclosure so that the disclosing party may obtain a protective order or equivalent and provided that the receiving party shall comply with any such protective order or equivalent;

2.10.4 not to disclose or release such Confidential Information to any third person without the prior written consent of the disclosing party, except for authorized employees or agents of the receiving party who have a need to know such information for the purpose of performance under this Agreement and exercising its rights under this Agreement, and who are bound by confidentiality obligations at least as protective of the disclosing party's information as this Agreement; and

2.10.5 to take all appropriate action, whether by instruction, agreement or otherwise, to ensure that third persons with access to the information under the direction or control or in any contractual privity with the receiving party, do not disclose or use, directly or indirectly, for any purpose other than for performing the Services during or after the term of this Agreement, any material or information, including the information, without first obtaining the written consent of the disclosing party.

2.11 No Set Hours/Right to Contract. The Vendor's obligation hereunder is to complete the Services in accordance with this Agreement and to meet any deadlines established pursuant to this Agreement. The Vendor has no obligation to work any particular schedule, hours or days, or any particular number of hours or days. However, the Vendor shall coordinate with the Customer in achieving the results and meeting the goals established pursuant to this Agreement.

2.12 Audits. Vendor shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Vendor shall allow a representative of Customer during normal business hours and with reasonable notice (not less than 7 business days) to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Vendor shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of three (3) years from the date of final payment under this Agreement. The Customer shall be limited to one request to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement per twelve (12) month period.

2.13 Data conversion. In the event that data conversion is required, it is possible there will be anomalies in the data that cannot be reconciled. Vendor will convert the data as it is in the database. However, if there is data that does not match the format of the field (i.e. alpha characters in a numeric field), or if there is inconsistent information, Vendor either will not bring that data in or the inconsistencies will be converted as is. Vendor will report any data anomalies found during the conversion process.

2.14 Network and Communications Security.

2.14.1 All Vendor connectivity to Customer computing systems and all attempts at same will be only through Customer's security gateways/firewalls and only through Customer-approved security procedures.

2.14.2 Vendor will not access, and will not permit unauthorized persons or entities to access, Customer computing systems and/or networks without Customer's express written authorization, and any such actual or attempted access will be consistent with any such authorization.

2.14.3 Vendor will take appropriate measures to ensure that Vendor's systems connecting to Customer's systems and anything provided to Customer through such systems do not contain any Disabling Device. For purposes of this Agreement, "Disabling Device" means any programs, mechanisms, programming devices, malware or other computer code designed to disrupt, disable, harm, or otherwise impede in any manner the operation of any software program or code, or any computer system or network (commonly referred to as "malware", "spyware", "viruses" or "worms"); that would disable or impair the operation thereof or of any software, computer system or network in any way based on the elapsing of a period of time or the advancement to a particular date or other numeral (referred to as "time bombs", "time locks", or "drop dead" devices); is designed to or could reasonably be used to permit a party or any third party to access any computer system or network (referred to as "trojans", "traps", "access codes" or "trap door" devices); or (iv) is designed to or could reasonably be used to permit a party or any third party to track, monitor or otherwise report the operation and use of any software program or any computer system or network by the other party or any of its customers.

2.15 Prohibited Activities and Spoofing Licensor and its officers, employees, agents, subcontractors, and affiliated users, shall not violate or attempt to violate the security of the City's network or interfere or attempt to interfere with the systems, networks, authentication measures, servers or equipment, or with the use of or access to the network by any other user. Such prohibited activity includes (i) accessing or logging into a server where access is not authorized; (ii) unauthorized probing, scanning, or testing the security or vulnerability of the City's network or other systems; and (iii) attempting to portray itself as the City or an affiliate of the City or otherwise attempting to gain access, without authorization, via the network or systems to any account or information technology resource not belonging to Vendor or its officers, employees, agents, subcontractors, and affiliated users. Vendor shall not perform unauthorized spoofing or scanning of any kind, including user account identity. Systems shall not spoof the billingsmt.gov domain or engage in Email Spoofing. Email spoofing is the creation of email messages with a forged sender address. For example, Email spoofing includes creating or sending emails using the City's domain.

2.16 Cyber Security Training. The Vendor shall supply each of its employees with appropriate, annual training regarding Information Security procedures, Risks, and Threats. The Vendor agrees that training will cover, but may not be limited to the following topics:

Secure Authentication: The importance of utilizing secure authentication, including proper management of authentication credentials (login name and password) and multi-factor authentication.

Social Engineering Attacks: Identifying different forms of social engineering including, but not limited to, phishing, phone scams, and impersonation calls.

Handling of City Information: The proper identification, storage, transfer, archiving, and destruction of City Information.

Causes of Unintentional Information Exposure: Provide awareness of causes of unintentional exposure of Information such as lost mobile devices, emailing Information to inappropriate recipients, etc.

Identifying and Reporting Incidents: Awareness of the most common indicators of an Incident and how such indicators should be reported within the organization.

3 RESPONSIBILITIES OF THE CUSTOMER

3.1 Cooperation. The Customer shall cooperate with the Vendor relative to the provisions of those Services for which the Vendor is responsible. To the extent permitted by applicable law, the Customer shall provide criteria and information in its possession, or reasonably obtainable by it, as requested by Vendor, and shall make that information and related data available for Vendor's use during the performance of this Agreement. The Customer shall render decisions required by this Agreement within the time indicated, or if not specifically stated, with reasonable promptness so as not to unduly delay the progress of Vendor's Services.

3.2 Customer's Project Manager and Project Staff. The Customer shall designate and assign a Customer project manager ("Customer Project Manager") who shall have full authority to represent and act on behalf of the Customer for all purposes under this Agreement. The Customer Project Manager, or his/her designee, shall be the principal officer of the Customer for liaison with the Vendor, and shall review and give approval to the details of the Services as they are performed, in particular, but not exhaustively, Project Plan, Scope of Work, Acceptance Plans, Statements of Completion, Change Order Requests as they may be required during project implementation. In addition, the Customer Project Manager shall ensure proper and timely availability of all Customer personnel required by the Vendor for successful completion of project tasks, in particular, but not exhaustively, Business and Systems Analysts, IT staff, Subject Matter Experts, Users. The Customer designates _____ to be its Project Manager, but reserves the right to appoint another person as Customer Project Manager upon written notice to the Vendor. Any change to project plan shall be dealt with through the Change Order Management process detailed in ATTACHMENT D.

3.3 Project Plan. The Customer shall be responsible for meeting specific milestones and providing specific deliverables that will be defined in the project plan to be mutually agreed to by the Parties in writing (the "Project Plan") including without limitation the date of readiness for testing following the completion of Initial Installation and configuration of the software solution. In addition, the Customer covenants to meet any turnaround or review times specified in the Project Plan. Should the Customer fail to meet the agreed milestones or to provide the agreed deliverables or to meet the specified turnaround or review times, the Vendor will inform the Customer of the consequences thereof and reserves the right to modify the project plan accordingly. Following any fine tuning of the Project Plan, after data collection/process mapping sessions and review, the Project Plan shall be agreed upon and signed by authorized representatives of each Party. The mutually agreed Project Plan shall be attached to this Agreement as ATTACHMENT E and shall be deemed to form part of this Agreement. The Customer agrees that the project schedule is a dynamic document and as such, only the most current version shall be considered in contract discussion throughout the project.

3.4 Formal completion statement. No later than thirty days past go-live of the software solution, the Customer shall provide the Vendor with a written statement of completion certifying that the solution has been implemented successfully (the "Statement of Completion"). In case of a partial go-live this shall refer to the part of the solution that has gone live.

3.5 Applicable Taxes and Exemptions. The Customer shall be responsible for any sales tax due on fees associated with this Agreement. If the Customer is exempt from sales tax on fees associated with the Services to be provided by Vendor under this Agreement an exempt certificate will be provided to the Vendor prior to the execution of this contract.

3.6 Allowance for Suspension or Delay due to Customer. In the event that the Customer shall suspend the performance of Services, delay any deliverable date, or cause a delay in performance by failing to fulfill any of its obligations under this paragraph 3, then the following shall apply: any applicable delivery schedule shall be extended by a period of time equal to the time lost because of any such delay. The due date for any deliverable that is dependent on such performance by the Customer shall be deemed adjusted equitably to allow for the effect of such delay on Vendor's ability to supply or perform such deliverable.

4 COMPENSATION

4.1 Compensation. In consideration of the performance by Vendor of the Services and the license software fees, the Customer shall pay to the Vendor compensation at the rates set forth in ATTACHMENT A attached hereto and incorporated herein by reference. Total compensation under this Agreement shall not exceed $536,875 (plus travel and Annual Maintenance fees) without written approval of the Customer.

4.2 Extra Service. The Vendor shall not receive additional compensation for any extra service unless such extra service has been authorized in writing by the Customer prior to the commencement of the extra service, provided that the Change Order Management procedures in ATTACHMENT D have been followed. Any changes to the total compensation shall require the Customer's approval and further agreement between the parties. The Customer shall pay the Vendor for extra service in accordance with the Vendor's then current services rates. As used herein, "Extra Service" means any work which is determined by Customer to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary at the execution of this Agreement or for which initial assumptions driving estimated efforts are no longer valid.

4.3 Payment of Compensation. The Vendor shall submit invoices to the Customer in accordance with the payments milestones specified in ATTACHMENT A. The Customer shall make payments to the Vendor thirty (30) days following the date of receipt of the invoice.

4.4 Reimbursements. Customer shall reimburse the Vendor for its direct expenses, including, but not limited to, all reasonable travel and accommodation costs, meal expenses of not more than $65.00 per diem for week days and $110.00 per diem for weekend days (no receipts provided), including a travel time rate of $85.00 per hour, and all other reasonable expenses incurred in the performance of the Consultant's duties pursuant to the budget for "travel and expenses" described in ATTACHMENT A attached hereto. Reimbursement for expenses beyond the "travel and expenses" line item in ATTACHMENT A shall occur only if such additional expenses are agreed upon in writing by the Parties.

4.5 Mediation. The parties agree to submit any claim, controversy or dispute arising out of or relating to this Agreement or the relationship created by this Agreement to non-binding mediation before bringing a claim, controversy or dispute in a court or before any other tribunal. The mediation is to be conducted by either an individual mediator or a mediator appointed by mediation services mutually agreeable to the parties. Such mediator shall be knowledgeable in software system agreements. The mediation shall take place at a time and location which is also mutually agreeable; provided; however, in no event shall the mediation occur later than ninety (90) days after either party notifies the other of its desire to have a dispute be placed before a mediator. The costs and expenses of mediation, including compensation and expenses of the mediator (and except for the attorney's fees incurred by either party), is to be shared by the parties equally. If the parties are unable to resolve the claim, controversy or dispute within ninety (90) days after the date either party provides the other notice of mediation, then either party may bring and initiate a legal proceeding to resolve the claim, controversy or dispute unless the time period is extended by a written agreement of the parties. Nothing in this paragraph 4 shall inhibit a party's right to seek injunctive relief at any time.

5 REMEDIES AND LIABILITIES

5.1 Remedies and Limitation of Liability.

5.1.1 The Customer and the Vendor recognize that circumstances may arise entitling the Customer to damages for breach or other fault on the part of the Vendor arising from this Agreement. The parties agree that in all such circumstances the Customer's remedies and the Vendor's liabilities will be limited as set forth below and that these provisions will survive notwithstanding the termination or other discharge of the obligations of the parties under this Agreement.

5.1.2 TO THE GREATEST EXTENT PERMITTED BY APPLICABLE LAW, VENDOR, ITS AFFILIATES, AND EACH OF THEIR RESPECTIVE DIRECTORS, OFFICERS, EMPLOYEES AND SHAREHOLDERS' ENTIRE LIABILITY AND THE CUSTOMER'S EXCLUSIVE REMEDY WITH RESPECT TO THE SERVICES AND ANY OTHER PRODUCTS, MATERIALS OR SERVICES SUPPLIED BY THE VENDOR IN CONNECTION WITH THIS AGREEMENT FOR DAMAGES FOR ANY CAUSE AND REGARDLESS OF THE CAUSE OF ACTION, WHETHER IN CONTRACT OR IN TORT, INCLUDING FUNDAMENTAL BREACH, NEGLIGENCE, STRICT LIABILITY OR ANY OTHER LEGAL THEORY, SHALL NOT EXCEED IN THE AGGREGATE AN AMOUNT THAT IS EQUAL TO THE SERVICES FEES PAID UNDER THE PARTICULAR STATEMENT OF WORK UNDER WHICH THE CLAIM AROSE.

5.1.3 TO THE GREATEST EXTENT PERMITTED BY APPLICABLE LAW, THE CUSTOMER, ITS AFFILIATES, AND EACH OF THEIR RESPECTIVE, OFFICERS AND EMPLOYEES' ENTIRE LIABILITY AND THE VENDOR'S EXCLUSIVE REMEDY IN CONNECTION WITH THIS AGREEMENT FOR DAMAGES FOR ANY CAUSE AND REGARDLESS OF THE CAUSE OF ACTION, WHETHER IN CONTRACT OR IN TORT, INCLUDING FUNDAMENTAL BREACH, NEGLIGENCE, STRICT LIABILITY OR ANY OTHER LEGAL THEORY, SHALL NOT EXCEED IN THE AGGREGATE AN AMOUNT THAT IS EQUAL TO THE SERVICES FEES PAID UNDER THE PARTICULAR STATEMENT OF WORK UNDER WHICH THE CLAIM AROSE.

5.1.4 IN NO EVENT SHALL THE CUSTOMER OR THE VENDOR, ITS AFFILIATES AND EACH OF THEIR RESPECTIVE DIRECTORS, OFFICERS, EMPLOYEES AND SHAREHOLDERS, BE LIABLE FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, EXEMPLARY, PUNITIVE, OR SPECIAL DAMAGES WHATSOEVER, INCLUDING BUT NOT LIMITED TO FOR LOST REVENUE OR LOSS OF PROFITS, LOSS OF BUSINESS, LOSS OF DATA, FAILURE TO REALIZE EXPECTED SAVINGS, OR COST OF SUBSTITUTE GOODS OR SERVICES ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT, EVEN IF IT HAS BEEN ADVISED OF THE LIKELIHOOD OF THE OCCURRENCE OF SUCH LOSS OR DAMAGE OR SUCH LOSS OR DAMAGE IS FORSEEABLE AND NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY

5.2 Intent. The parties hereby confirm that the waivers and disclaimers of liability, releases from liability, limitations and apportionments of liability, and exclusive remedy provisions expressed throughout this Agreement shall apply even in the event of default, negligence (in whole or in part), strict liability or breach of contract of the person released or whose liability is waived, disclaimed, limited, apportioned or fixed by such remedy provision, and shall extend to such person's affiliates and to its shareholders, directors, officers, employees and affiliates.

5.3 Remedies. Where remedies are expressly afforded by this Agreement, such remedies are intended by the parties to be the sole and exclusive remedies of the Customer for liabilities of the Vendor arising out of or in connection with this Agreement, notwithstanding any remedy otherwise available at law or in equity.

6 EXPIRATION AND TERMINATION

6.1 Events of Default. Each of the following events shall constitute an "Event of Default":

6.1.1 The Vendor shall fail to observe, perform or comply with any material term, covenant, agreement or condition of this Agreement which is to be observed, performed or complied with by the Vendor, if such failure continues uncured for thirty (30) calendar days after the Customer gives the Vendor written notice of the failure and the specific nature of such failure.

6.1.2 The Vendor shall commit any fraud, misrepresentation, breach of fiduciary duty, willful misconduct, or intentional breach of any material provision of this Agreement.

6.1.3 The Vendor is adjudged bankrupt, makes a general assignment for the benefit of its creditors or a receiver is appointed on account of the Vendor's insolvency.

6.1.4 The Vendor undergoes a change in control which adversely effects the Vendor's ability to satisfy some or all of its obligations under the Agreement in the discretion of the Customer (except that no internal re-organization of the Vendor with an affiliated company shall be deemed a change in control);

6.1.5 If the Vendor assigns this Agreement without consent of the Customer (except that this subsection shall not apply to an assignment by the Vendor to an affiliated company where the affiliated company assumes all of the rights and obligations under the terms of this Agreement).

6.2 Termination Upon Event of Default. In addition to any other available legal or equitable rights or remedies, upon an Event of Default by the Vendor, the Customer shall have the right to terminate this Agreement upon written notice to the Vendor.

6.3 Expiration. Unless extended as provided for herein, this Agreement shall naturally expire on receipt of the Statement of Completion from the Customer. The expiration of this Agreement under this term shall neither affect nor require the termination of the License and Support Agreement.

6.4 Payment Upon Termination. Upon a termination of this Agreement, the Customer shall pay to the Vendor the part of the Compensation which would otherwise be payable to the Vendor with respect to the Services which had been completed as of the date of termination, less the amount of all previous payments with respect to the Compensation.

6.5 Termination by Vendor. Vendor may terminate this Agreement only upon the breach by the Customer of a material provision of this Agreement such as the Customer withholding payment for more than 30 days beyond due date.

7 GENERAL PROVISIONS

7.1 Nondiscrimination by the Vendor. The Vendor represents and agrees that the Vendor, its affiliates, subsidiaries, or holding companies do not and will not discriminate against any subcontractor, Vendor, employee, or applicant for employment because of race, religion, color, sex, handicap, national origin or any other protected classification under federal law. Such nondiscrimination shall include, but not be limited to, the following: employment, upgrading, demotion, transfers, recruitment, recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

7.2 Rights to Employ Other Vendors. The Customer reserves the right to employ other Vendors in connection with this Project.

7.3 Conflicts of Interest; Prohibited Interests.Vendor maintains and warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for Vendor, to solicit or secure this Agreement. Further, Vendor warrants that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for Vendor, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, Customer shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of Customer, during the term of his or her service with Customer, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

7.4 Subcontracting. The Vendor shall not subcontract any portion of the Services except as expressly stated herein, without prior written consent of the Customer. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

7.5 Waiver. No waiver of any default shall constitute a waiver of any other breach or default, whether of the same or any other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by other parties shall give the other any contractual right by custom, estoppel, or otherwise.

7.6 Notices. Any notice required or permitted to be given by any party pursuant to this Agreement shall be given by means of electronic message. The notice shall not be conclusively deemed given and received until a representative from the receiving party has responded to the initiating party by email within five (5) business days. Notice shall be deemed given and received on the date that the receiving party's representative contacts the initiating party. In the event that the receiving party fails to respond to the initiating party by email, the initiating party may subsequently give notice in writing by prepaid registered post. If the prepaid registered post is sent within ten (10) business days after the initiating party sent the initial electronic message, the notice shall be deemed given and received on the original date that the initiating party sent the initial electronic message. If the prepaid registered post is sent more than ten (10) business days after the initiating party sent the initial electronic message, the notice shall be deemed given and received on the date that the prepaid registered post was sent by the initiating party. The electronic message or prepaid registered post shall be addressed, in the case of Vendor to:

CityView	and in the case of the Customer, to:
Attention: Susan McCormick	Attention:
Address: 4464 Markham St., Suite 1202	Address:
Victoria, BC V8Z 7X8	
Phone: 800.665.5647	Phone:
Email: SMcCormick@harriscomputer.com	Email:

7.7 Authority to Enter Agreement. Each Party has all requisite power and authority to conduct its business and to execute, deliver and perform all of its obligations under this Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right and authority to enter into this Agreement so as to bind each respective Party to perform the conditions contemplated herein.

7.8 Severability. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

7.9 Governing Law and Venue. This Agreement shall be construed in accordance with, and governed by, the laws of the State of Montana. Venue for any suit between the parties arising out of this Agreement shall be in the State of Montana, Yellowstone County. Any lawsuit brought to enforce this Agreement shall be brought in the appropriate court in State of Montana. The Parties hereby waive the right to trial by jury in any action, proceeding or counterclaim filed by any party. This Agreement expressly excludes any applicable Uniform Commercial Code and the United Nations Convention on Contracts for the International Sale of Goods and any legislation implementing such Convention, if otherwise applicable.

7.10 Days. Any term in this Agreement referencing time, days, or period for performance shall be deemed to be calendar days and not work days.

7.11 Entire Agreement. This Agreement contains the entire agreement of the Customer and the Vendor, and supersedes any prior or contemporaneous written statements or agreements between the Customer and the Vendor. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing by both Parties. Provisions of a Customer purchase order or similar document are not applicable to the extent that they conflict with the terms of this Agreement. Under no circumstances shall the provisions of a purchase order supersede those of this Agreement. For further clarification, the parties agree that the Software License and Support Agreement being entered into between the parties concurrently with this Agreement is a separate agreement and is binding in its own right and upon its own terms.

7.12 Binding on Assigns. Each and all of the covenants and conditions of this Agreement shall be binding on, and shall inure to, the benefit of the successors and assigns of the respective parties.

7.13 Survival. The parties recognize and agree that in addition to any sections or obligations that explicity state as such, Sections 2.10, 2.12, 3.5, 4, 5, 6.4 and 7.9 of this Agreement shall survive the cancellation, termination, or expiration, of this Agreeement.

7.14 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original and which collectively shall constitute one instrument.

7.15 Captions. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment or describe the scope, content or intent of this Agreement.

7.16 Construction. Since the Parties or their agents have participated fully in the preparation of this Agreement, the language in all parts of this Agreement shall be construed simply, according to its fair meaning and not strictly for or against any party.

7.17 Cooperation/Further Acts. The Parties shall fully cooperate with one another in attaining the purposes of this Agreement. In connection therewith, the Parties shall take any additional further acts and steps and sign any additional documents as may be necessary, appropriate and convenient to attain the purposes of this Agreement.

7.18 No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

7.19 Incorporation of Recitals, Schedules and Exhibits.

7.19.1 The "Recitals" constitute a material part hereof, and are hereby incorporated into the Agreement by reference as though fully set forth herein.

7.19.2 The "Schedules" and "Exhibits" constitute a material part hereof, and are hereby incorporated into the Agreement by reference as though fully set forth herein.

7.20 Allocation of Risk. Customer acknowledges that the limited warranties, disclaimers and limitations of liability contained in this Agreement are fundamental elements of the basis of bargain between Customer and Vendor and set forth an allocation of risk reflected in the fees and payments due hereunder.

7.21 Force Majeure. Neither party shall be liable for delay or failure in performance resulting from acts beyond the control of such party including, but not limited to, acts of God, acts of war or of the public enemy, riots, fire, flood, or other natural disaster, acts of government, strike, walkout, communication line or power failure, failure in operability or destruction of the Organization's computer (unless by reason of the negligence of a party to this Agreement) or failure or inoperability of any software other than the Software. Any applicable delivery schedule shall be extended by a period of time equal to the time lost because of any such delay.

7.22 Pricing. Pricing in Vendor's Price Proposal and in this Agreement has been submitted in confidence and contains trade secrets and/or privileged or confidential commercial or financial information that would result in a competitive disadvantage if disclosed without prior permission by Vendor ("Trade Secret"). A Trade Secret includes, but is not limited to, any formula, pattern, device, or compilation of information that is used in one's business, which gives him/her an opportunity to obtain an advantage over competitors who do not know or use it. Since it would harm Vendor if any of our Trade Secrets were known to our competitors, it is Vendor's policy that neither the Price Proposal nor this Agreement be disclosed to any party outside of the party addressed as the recipient of this Agreement. Customer shall have the restricted right to disclose the entire contract dollar amount; however, this disclosure may not include itemized data herein to the extent provided in the resulting contract.

7.23 Professional Services Fees. Customer agrees to pay Vendor the professional services fees in the amounts set forth in ATTACHMENT A Payment Milestones and Project Deliverables, in this Agreement. Those amounts are payable in accordance with CityView's Compensation policy in paragraph 4. Customer acknowledges that the fees stated in the ATTACHMENT A are based on good-faith estimates of the amount of time and materials required for the Customer's implementation. Should Vendor's estimates be invalidated as a result of new or different information coming to light, Vendor will advise the Customer of any discrepancy and its implication. Any required adjustment will be addressed in a change order.

IN WITNESS WHEREOF the Parties have executed this Agreement to be effective on the Effective Date by their duly authorized representatives.

ACCEPTED	ACCEPTED
CityView Authorized Signature:	Customer Authorized Signature:
Print name: Todd Richardson	Print name:
Title: Chief Financial Officer	Title:
Date:	Date:

LIST OF ATTACHMENTS

ATTACHMENT A - Payment Milestones and Project Deliverables

ATTACHMENT B - CityView Software License and Support Agreement

ATTACHMENT C - CityView Service Level Agreement

ATTACHMENT D - Statement of Work

ATTACHMENT E - Project Plan

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ATTACHMENT A Payment Milestones and Project Deliverables

Software Licensing	Deliverables	Payment Milestone	Payment Terms
Software Licenses Include: 85 CityView Application Client Licenses - Full Read/Write 1 CityView Server 1 CityView Esri ArcGIS Mapping Extension 1 CityView Portal (licensed for Permits, Planning/Development, Code Enforcement and Business Licensing) CityView Mobile Licensed for 23 users (Permitting) CityView Mobile Licensed for 9 users (Code Enforcement) 1 CityView Supported EDMS Integration Extension (Questys) 1 CityView MS Outlook Add-in 1 CityView MS Word Add-in 1 CityView MS Exchange Extension 1 CityView (Invoice Cloud) Payment Processor Extension 1 CityView Configuration Console Solutions: CityView Property Information CityView Permits & Inspections CityView Planning CityView Code Enforcement CityView Licensing CityView Cashiering CityView Electronic Plans Review	CityView will: • Set up as a client on FTP & CityView Connect • Provide documentation to download the latest version of CityView off the FTP & CityView Connect site • Send the licensing key for CityView Licenses • Provide documentation to download the Solutions from the FTP & CityView Connect site	$174,600 (List Price is $350,100 includes Harris Software for Life discount of $175,500)	Invoiced on execution of the contract and due net 30 days
Total Licensing		**$174,600**	

Solution Implementation	Deliverables	Payment Milestone	Payment Terms
Remote Infrastructure Review	Remote review of client's hardware & software infrastructure. Provide questionnaire to customer for completion. Study of hardware and software infrastructure in context of optimization for CityView. Provision of hardware and software infrastructure report.	$2,800	Invoiced on delivery of infrastructure report, due net 30 days
Project Kickoff, online Process Mapping (onsite & remote components)	Project kick-off and confirmation of initial project plan. CityView Select process mapping with online workbooks and other digital materials, including up to 6 Subject Matter Experts (SMEs) per session. Online workbook completion for Property Information, Permits & Inspections, Planning, Code Enforcement, Licensing, Cashiering. Includes up to 5 person days on site for customizations & custom workflows. Deliverable is the Scope Document with completed online process mapping answer sheets, other digital materials provided by CityView & completed by customer and, where applicable, customizations & custom workflows definition.	$35,350	Invoiced on commencement of online Process Mapping and due net 30 days

Installation (remote) and Environment Management	Initial Installation of CityView environments (production & test) on client site. Test to ensure proper operation. May require on site setup determined at Kickoff Meeting. Management of environment through upgrades etc through the life of the implementation. Includes up to 3 installs. Deliverable is successful set up of CityView in Production and Test environments on client site.	$4,200	Due upon completion of the remote Initial Installation
Data Mapping/Interfaces (can include onsite & remote components)	Provide customer with data mapping templates and instructions for completion. Validate data conversion and interface requirements and cost. Includes 6 person days onsite. Deliverable is signed-off data mapping and interface documentation.	$16,800	Invoiced upon comencement of data mapping and due net 30 days
Configuration	Configuration based on completed Scope Document. Deliverable is CityView-hosted development environment ready for review & validation & configuration refinement.	$75,163	50% invoiced upon commencement of the configuration and due net 30 days; and, 50% invoiced upon scheduling of the first review & validation session and due on or before the first review & validation session.
Data Conversion (estimate to be confirmed upon review of the data required for conversion)	Initial Data Conversion. Deliverable is CityView-hosted development environment ready for data conversion validation testing.	$32,200	Invoiced upon scheduling of the first review & validation session and due on or before the first review & validation session
Customizations and Integrations	Create any customizations and interfaces agreed to in the scope and provide reference documentation for client. Currently this includes (1) Batch export to CitySuite; (2) Six (6) spatial queries. Deliverable is CityView-hosted development environment ready for remote review & validation session of customizations and interfaces.	$12,579	Due upon commencement of customizations and integrations
Remote Review Sessions for Validation and Refinement	Perform remote review sessions, focusing on configuration and workflow, data conversion, customizations and interfaces (where applicable). If it is determined that additional reviews are required outside what is stated in the Statement of Work, an estimate will be provided. Gather validation feedback. Identify in-scope vs. out of scope feedback. Implement any in-scope refinements arising out of the validation. Complete in-scope refinements arising from two week final client-acceptance testing. Deliverable is final, end-user-training-ready environment. Written acceptance by client is required.	$52,413	50% invoiced on the first remote review session and due net 30 days; 50% invoiced upon completion of in-scope validation refinements and due net 30 days.

Training (onsite unless otherwise specified)	20 days end-user training for: • CityView Basics (up to 100 students) • Permits & Inspections (up to 40 students) • Code Enforcement (up to 20 students) • Planning (up to 10 students) • Licensing (up to 10 students) • Cashiering (up to 10 students) • CityView Mobile (up to 40 students) • CityView Portal (up to 10 students, remote) 6 days advanced-user training for: • CityView Reporter (up to 4 students) • Configuration & Maintenance (up to 6 students) • System Administrator (up to 4 students, remote)	$47,645	Invoiced upon the first day of user training and due net 30 days
Data Update / Install (Remote)	Final data update/conversion to get current data into client database for go-live. Must be the same scripts used in initial data conversion. Data must be verified by both CityView and Client before go-live. Sign off required. Deliverable is final data conversion for Go-live.	$1,400	Invoiced on the first day of Go Live Facilitation and due net 30 days.
Onsite Go Live Facilitation	5 days of on site facilitation to provide over-the-shoulder guidance and training to users	$10,500	Invoiced on the first day of Go Live Facilitation and due net 30 days.
Project Management	Ongoing management of all implementation services. Project Management is included based on the proposed scope of the project. Should delays by the customer occur, or scope changes result in the need for additional project management, time may be billed at $175/hr upon authorization through the change control process.	$53,725	50% due upon commencement of data collection, 50% balance due upon scheduling of go-live.
Travel & Expenses	Budget for travel and related expenses for services to be conducted on customer's site (budget assumes 8 person trips and 46 days spent on site). If additional travel is mutually agreed to be warranted, this will be charged at cost of flights, accommodation and expenses plus $65/weekday ($110/weekend day) per diems & US$85/h travel time.	$39,120	Invoiced and due as incurred
Contingency	Contingency (100 hours) for additional process mapping sessions, UAT review sessions, business rules, spatial queries, scheduled processes and/or travel expenses for onsite services. Requires a change order approved by the City of Billings.	$17,500	Invoiced upon comencement of contingency services and due net 30 days
Total Services		**$401,395**	

Mandatory Annual Software Maintenance	Deliverables	Payment Milestone	Payment Terms
Annual Software Maintenance (year 1 – subject to annual revision)	Provides: • All major and minor software upgrades • Unlimited technical support; • Unlimited access to the CityView FTP site • Unlimited access to the CityView Connect • Support for stated interfaces • Support for in-scope, CityView-delivered customizations to product and Select configuration	**$88,476**	Due upon Initial Installation

Notes:

- Above prices do not include taxes
  Data conversion/interface costs are estimates and will be validated at the end of data conversion mapping. If validation reveals that price changes are necessary, Vendor will not proceed with these services until change orders are raised and agreed to by both parties.
  No customization to the CityView Solutions is assumed other than as specified above. Customizations are estimates and will be validated as part of the data collection and scoping phase. Should any enhancement requests be made or customizations be required, these will be charged at the then current hourly rates as set out by the vendor. If validation reveals that price changes are necessary, Vendor will not proceed with these services until change orders are raised and agreed to by both parties.
  Annual Maintenance fees are subject to annual increase.

ATTACHMENT B CityView Software License and Support Agreement

ATTACHMENT C CityView Service Level Agreement

The purpose of this Exhibit is to provide our customers with information on our standard coverage, the services which are included as part of your annual software support, a listing of call priorities, an outline of our escalation procedures and other important details.

CITYVIEW reserves the right to make modifications to this document as required; provided, however, CITYVIEW shall not reduce the scope of support provided hereunder without the prior consent of the Customer.

Contract Term: 1 Year (renewable annually)

Support Channels: Web, Email or Telephone

Support Requests Allowed: Unlimited

Who Can Report: Individuals who are trained in the use of CityView can report issues to Customer Support.

Hours of Coverage: Coverage hours are 6:00 a.m. to 6:30 p.m. Mountain Standard Time from Monday through Friday, excluding CityView Technical Support observed holidays. (Only those statutory holidays that coincide between Canada and the United states are observed by CityView Technical Support.)

Accessing Support: The preferred method of opening a support incident is to use our CityView Connect Feedback mechanism within the software. Telephone support requests should be preceded by filing a support request within CityView Connect web site, including a detailed problem description. Telephone support requests will be answered live during business days, though staff may be involved serving other customers. If your call is not answered live, please leave a message, including the support request tracking number you received from the electronic filing, your name and phone or pager number. Messages are typically responded to within two hours.

Auto Acknowledgement: CityView Connect will assign a case number, accessible from the CityView Connect Feedback Status web page. Email and telephone correspondence will also result in cases being created and those will be available for review through the CityView Connect Feedback Status web page. Whenever the status of your incident changes, an email notification will automatically be sent to the individual that opened the call.

Request Response Time: A technical support engineer will respond to all requests within the time frames specified in Table 1. Business hours are 6:00 a.m. to 6:30 p.m. Mountain Standard Time from Monday through Friday, excluding CityView Technical Support observed holidays. Only those statutory holidays that coincide between Canada and the United States are observed by CityView Technical Support. We process requests in the order of their priority followed by order of submission.

What we will do if we don't hear back from you?: If we don't hear back from you in ten business days, we will close your support request and mark it as "Closed / No response from customer."

Resolution of Bug-Related Requests: We will keep your request open and follow up when a fix is available in a production release. We will also contact you if we post an experimental build that will help with your problem.

What We Need to Help You? CityView wants to be as responsive as possible to your support needs. To accomplish this goal, the CityView customer support staff relies on your knowledge, self-sufficiency, and thoroughness during the troubleshooting process. You reap the benefits from this effort — it allows CityView to focus on the more difficult problems and make the product more robust. It also helps control the amount CityView charges for support.

- Knowledge: You should be experienced in the installation, operation, and maintenance of the hardware, desktop, and network operating systems, and applications in your environment before you install CityView.

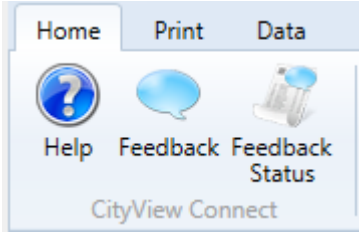
- Self-sufficiency: Please be as self-sufficient as possible when you encounter problems. You can do this by referring to technical documentation for your environment and by searching our CityView Connect Help site to determine if your issue is addressed before you submit it to our customer support staff.

- Complete information: As with any troubleshooting process, accurate and timely resolution depends on information. When you request support, please fill in all relevant fields in the request form, provide a detailed problem description, and attach any appropriate log files. Please note that using the CityView Connect Feedback mechanism within the product records most of this information automatically; therefore, it is the preferred way to submit a request to support because it guarantees we get this information with minimal effort from you. Unfortunately, when the request information is incomplete, it will take longer to resolve your issue.

- Preparation: If you call us for support, be prepared to provide the same level of information as is requested on the request submission form. You can help reduce the time to resolution by completing the online support request form and attaching files as directed. Then, simply provide us with the request number when you call. In addition, please have immediate access to the computer(s) on which CityView products are running.

How to Access Support CityView offers several methods of accessing support described below. Please note that for Priority 1 (see Table 1) issues, customers are encouraged to submit their incident online and then follow up via CityView's toll-free phone number:

CityView Connect is the best way to receive support for our product. This feature is available from the Home tab of the ribbon in CityView Workspace as well as in many of our add-on products.



CityView Connect Feedback (preferred method) If there is a feature you are having trouble using, or, if there is a feature you really like, please let our team know about it. Within CityView, use the Feedback button to let us know about your question or inquiry. If you have a feature request for our team, please use this method to let us know what you would like to see in the product. The information can also include screenshots and documents to help describe your feedback.

CityView Connect Help The Help button will redirect your internet browser to our CityView Connect Help site (http://cityviewhelp.iharriscomputer.com/CityViewCMS). The site is available for customer self-service, and is comprised of a searchable content management system and downloadable updates, including links to our release notes and latest features.

CityView Connect Feedback Status Our CityView Connect Feedback Status link redirects to our Connect Feedback website (http://cityviewsupport.harriscomputer.com/connect). This site will allow users to log new support incidents and check the status of previously submitted incidents on a 24 x 7 basis. Please contact our support group by telephone or email if there are preferred individuals who should be able to review all site calls.

Telephone Support Telephone technical support is available between the hours of 6:00 a.m. and 6:30 p.m. Mountain Standard Time on regular business days. Customers can contact us toll-free at 1.866.988.8324. CityView technical support will respond to telephone inquiries using the Service Level Agreement provided in Table 1 below.

Email Support Email support is available by reaching our support team at cityviewsupport@harriscomputer.com

Please note that any suggestions for enhancements to CityView that you submit will become the property of CityView. CityView may use this information for any CityView business purposes, without restriction, including for product support and development. CityView will not use information in a form that personally identifies you.

Limitations

CityView Support helps to identify and resolve issues with CityView's software. This Support begins as soon as the implementation project gets underway and may be provided by CityView Technical Support or R&D, depending on the circumstances. From time to time, an issue may manifest itself in CityView software but its true cause lies in a third–party product, or in the customer's infrastructure. CityView is happy to spend the time to investigate such issues and resolve them when they are within CityView. Should it be determined that the issue lies elsewhere, time may be billed at $175/hour, plus a $300 administration fee, upon authorization by the customer.

The following are not covered by CityView's Standard Support Agreement, but may be available as separate services on a time and materials basis:

- Services required due to misuse of CityView maintained software;
- Services required due to software corrections, customizations, or modifications not developed by CityView;
- Services required by the Customer to be performed by CityView outside of CityView's regular business hours;

- Services required to resolve or work-around problems that cannot be reproduced in CityView's support environment;

- Services which relate to tasks other than maintenance of the Customer's existing implementation and configuration of CityView, including but not limited to, enhancing or adapting CityView for specific operating environments;

- Services requested by the Customer to implement software updates provided by CityView.

Table 1 Service Level Agreement

Priority	Definition	Initial Response Time*	Commitment (CityView and Customer)	Examples
1 (High)	Operation/Service down or critically impacted. Business process impacted. No known workaround.	2 Hours	CityView and customer will commit necessary resources to fix problem or obtain a workaround.	Users cannot login Business process halted
2 (Medium)	Operation affected, but not down. Business process is not affected. Workaround may be available.	4 Hours	CityView and customer will commit resources during normal business hours to resolve issue or obtain workaround.	Cannot print Cannot process payments Application response is exceptionally slow
3 (Normal)	Moderate to negligible impact. No impact to business.	24 Hours	CityView and customer will commit necessary resources during normal business hours to restore operation to satisfactory levels.	Non-critical feature not working Feature works but requires user intervention
4 (Info.)	Request for information, documentation issues, and enhancement requests.	48 Hours	Request-dependent.	Help file clarification Form design not in production

* Response time targets are during business hours only.

Obtaining More Information Information about our support programs may be obtained by contacting the CityView support team at 1.800.665.5647, or via email at cityviewsupport@harriscomputer.com.

ATTACHMENT D Statement of Work

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Schedule "D"
Statement of Work

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II. Background & Objectives

The City of Billings has used the CitySuite (Innoprise) system for community development for many years. The system does not currently meet the needs of the City of Billings community development department. CitySuite will continue to be used for its finance functionality. The new solution should be a modern and complete Community Development solution that includes the following:

- Permitting
- Projects
- Code Enforcement
- Licensing
- All modules integrated with GIS for land records.
- Intuitive Online Citizen Access portal where citizens can easily apply, inquire, schedule, and pay for services online.
- Robust ePlan review module with preferred Bluebeam integration.
- Mobility software
- Available to outside agencies for reviews
- Integrate with the City's current Financial System and Enterprise Content Management solution

After evaluation of responses to the City's RFP, CityView was selected to provide and implement the new Community Development solution. The goals of the new community development solution are stated by the City as:

- Function as a long-term solution
- Increase efficiency of City Staff
- Increase effectiveness of City Services
- Be user friendly for customers and staff
- Be easily configurable and dynamic as needs change
- Provide a positive user experience for customers
- Partner with an organization that provides responsive customer service to solve problems

III. Scope

The Project scope:

1. Install CityView Property Information, Permits and Inspections, Planning, Code Enforcement, Business Licensing, and Cashiering as well as CityView Portal (licensed for Property Information, Permits & Inspections, Planning, Business Licensing, and Code Enforcement), CityView Mobile (for Permits & Inspections and Code Enforcement) and CityView Electronic Plans Review (which requires licensing Bluebeam Revu (Not included in our proposal as the assumption is the City has sufficient licenses in place)).
2. Install CityView integrated extensions including CityView Esri ArcGIS Server mapping extension, CityView Supported EDMS Extension (Questys), CityView MS Word Add-in, CityView MS Outlook Add-In, CityView MS Exchange Extension, CityView Payment Processor (Invoice Cloud) Extension, and CityView Configuration Console. See Section **VI. Technical Environment** for supported versions of MS Outlook and MS Word.
3. Collect Customer-specific data through a series of remote data collection sessions for lookup table values, fees, letters, workflow-specific values (assigned to, required dates, responsible departments, resource groups, email triggers), reviews, inspections, submittal requirements, business types and classifications, renewal periods and processes, expiration dates and processes, violations and corrections codes, and other related values for Permits & Inspections, Planning, Code Enforcement, and Business Licensing. This data will be collected, providing the CityView Project Team relevant documentation, such as fee schedules and letter templates, and by the Customer's completion of the CityView workbook for each specific CityView solution.
4. Collect Customer-specific requirements through a series of onsite (5 days) data collection sessions for a total of up to five (5) custom workflows, or equivalently effort-intensive changes to the CityView Select workflows (equal to 60 hours) across the products licensed. The five (5) custom workflows include two (2) for Permits & Inspections, one (1) for Planning, one (1) Code Enforcement, and one (1) for Business Licensing.
5. Provide a hardware and software infrastructure questionnaire for completion by the Customer. Review questionnaire response and provide Infrastructure Assessment Report on any possible deficiencies in hardware and/or software infrastructure as far as suitability for optimal running of CityView is concerned.
6. Configure CityView Property Information, Permits & Inspections, Planning, Code Enforcement, Business Licensing, Cashiering, Portal, Mobile, and Electronic Plans Review using the data collected in CityView's web-based configuration workbook as well as other digital materials provided by CityView. This will include the following:
    a. Lookup table data.
    b. Custom data fields for specific data capture requirements. The assumption is a maximum of 20 custom fields per area of functionality (i.e. Property Information, Permits and Inspections, Planning, Business Licensing, and Code Enforcement Enforcement). Additional fields can be added through budget validation, change order, or by the Customer once the configured system is delivered.
    c. One-time configuration of fees specific to the permit, project, case, and license types being tracked through the system.

d. Refinements to the CityView Select workflows, including the assigned to, required dates, email notifications, responsible departments and resource groups. This task also includes connection or disconnection of existing sub-workflows based on the Customer's requirements.

e. Configuration of up to five (5) custom workflows two (2) for Permits & Inspections, one (1) for Planning), one (1) for Code Enforcement, one (1) for Business Licensing or equivalently effort-intensive changes (equal to 60 hours) to CityView Select workflows.

f. Adjustment of the existing CityView scheduled processes for license renewals and permit expirations. These include; LC Add Delinquency Fee, LC Business Late Fee (Interest), LC Business Late Fee (Penalty), LC Business License Renewal, LC Business License Renewal - Tax Exempt Businesses, LC Merge and generate renewal notices, Permit Expiration: Set Permit Status to Expired, Permit Application Check Invalid Licenses, Permit Expiration: Add Generate Expiration Warning Notice Activity, Permit Expiration: Add Generate Expiration Notice Activity, and Permit Expiration: Add Progress Inspection Activity

g. Configuration of up to twenty (20) letter templates for Permits & Inspections, twenty-five (25) letter templates for Planning, fifteen (15) letter templates for Code Enforcement, five (5) for Business Licensing, five (5) for engineering, and three (3) letter templates for Cashiering (73 total letters). The itemization of these numbers may be subject to change but will not exceed 73 letters.

h. Additional configuration (workflows, letters, etc.) as required or desired by the Customer and mutually agreed to through written change order. The City of Billings has included 100 hours for contingency should additional data collections sessions, workflows and/or UAT reviews be required. A written change order is required to use the contingency budget.

i. Spatial Queries - CityView accomplishes spatial queries using its business rules engine. Most spatial queries are simple to create and can even be added by your system administrator(s) post-go live! Until we know the particulars of your maps and your business requirements, we cannot know if there are any spatial queries that will require non-standard configuration or customizations; therefore, this agreement accounts for 6 spatial queries. Estimate will be confirmed during project scoping and can be increased through mutually agreed change order.

7. Capture Customer's relevant historical, electronic data as defined in the following table and convert this into CityView. ***Costs are estimates to be confirmed upon review of the data.***

Type of Electronic Information	**Requested Conversion Item**	**Source**
Licensing	All Business Licenses, charges and receipts, and classification codes.	Harris ERP CitySuite
Code Enforcement and Inspections	All cases, case actions, case violation information, generic inspection information, case cash receipts information, user setup and code files	Harris ERP CitySuite
Permitting data	All building, engineering, and utility permits	Harris ERP

	with associated information including general permit information, application names, miscellaneous information, structure setup, application tracking, permit setup, cash receipts and charges, application fees, application documents, inspections results	CitySuite
Planning and Zoning	All project information, project/location cross reference; planning action information, key date, project letter, and meeting document information; zoning, allowable use, and project receipt information and code information.	Harris ERP CitySuite

No other data sources are assumed to be involved. The City of Billings does have legacy utility permit data in an AS400 system that they may choose to convert and import into CityView. CityView will provide an estimate as part of the project, but a change order will be required for this work as it is outside the scope of the project.

CityView will convert the data as it is in the source database. However, if there is data that does not match the format of the field (e.g. alpha characters in a numeric field), or if there is inconsistent information, CityView either will not convert that data or the inconsistencies will be converted as is. CityView will report any data anomalies found during the conversion process.

8. Configure the interface to Billings' Electronic Document Management System (Questys) using CityView's standard EDMS Integration Framework. Once the development work is completed, CityView will configure the integration framework for integration with the Customer's EDMS, for posting electronic documents from CityView to the Customer's EDMS and dynamically retrieving them from Customer's EDMS.

9. Develop property integration with the Billings' central parcel data using CityView's property integration tool. CityView will load Parcel, Address, Owner, Structures (buildings), Parent Parcels, Roads and Road Segments, Parks and Park Elements, Trails and Trail Landmarks, and Zoning as part of the property integration, subject to the availability of the data in Billings' data source.

10. Set up the export for exporting cash receipting information to Billings' General Ledger system (Harris ERP CitySuite) from CityView Cashiering. This is an estimate and will be finalized prior to Scope sign-off, once all the export requirements have been reviewed.

11. Implement user security settings according to customer completion of organizational role spreadsheets defining the out the box organizational roles inherent in the solutions.

12. Deliver pre-configured reports for Permits and Inspections, Planning, Code Enforcement, (Business) Licensing, and Cashiering including the following reports:

Permits & Inspections	Planning	Licensing	Code Enforcement
✓Application Review Tickler ✓Average Daily Inspections ✓Building & Safety Revenue Report ✓Certificate of Occupancy Listing ✓Deposits and Bonds Summary ✓Escrow (By Revenue Account #) ✓Fee Paid in Full ✓Inspection Detail ✓Inspection Outcome ✓Inspection Schedule ✓Inspections To Do ✓Inspections by Inspector ✓Outstanding Fees ✓Permit Inspection Trend ✓Permit Status Summary (By Contractor) ✓Permit Status Summary (By Status) ✓Permit Status Summary (By Type) ✓Permit Time Spent ✓Permit Turn-Around Detail Report ✓Permit Value ✓Permitting – Punch In-Out Report ✓Public Works Permit Status Summary ✓Review – Decision Date ✓Review Turnaround Time ✓Portal Permits Entered Today	✓Deposits and Bonds Summary ✓Escrow (By Revenue Account #) ✓Expired Projects ✓Monthly Project Status Report (sorted by Date Entered) ✓Monthly Project Status Report (sorted by Project Number) ✓Outstanding Plan Reviews ✓Plan Review Time ✓Planner Projects ✓Planning Activities ✓Planning Application Details ✓Planning Punch In-Out Report ✓Project Applications ✓Project Expirations ✓Project Fees ✓Review Turnaround Time ✓Scheduled Hearings ✓Submittals Report (Sorted by Planner) ✓Portal Projects Entered Today	✓Business Status ✓Deposits and Bonds Summary ✓Did Not Report Gross Earnings ✓Emergency Contacts ✓Escrow (By Revenue Account #) ✓Excise Tax ✓Fees Paid in Full ✓Inactive Business Licenses ✓One Day Business Licenses ✓Outstanding Fees ✓Past Due Licenses ✓Tax Exempt Businesses ✓Total Amount Billed ✓Portal Licenses Entered Today	✓Cases Follow-up ✓Case Status ✓Case Summary ✓Compliance Report ✓Deposits and Bonds Summary ✓Escrow (By revenue Account#) ✓Incident History ✓Inspection Schedule ✓Inspection To Do ✓Officer Activity by Case ✓Officer Activity by Inspection ✓Portal Cases Entered Today ✓Reports created with CityView Application Builder (ActiveReports) ✓Reports created with CityView Reporter (based on Microsoft technology) ✓Requires MS SSRS (SQL Server Reporting Services)
Cashiering	**Other**		
✓Daily Cash Out (By Fee Type) ✓Daily Cash Out (By Payment Type) ✓Daily Cash Out (By Payment Type) With Fee Types ✓Daily Cash Out (By Receipt) ✓Daily Cash Out (By Revenue Account Number) ✓Daily Cash Out for Cashier (By Payment Type) ✓General Cashiering Report ✓Payment Detail ✓Reversals ✓Portal Payments Entered Today	✓Audit Report ✓Distribution List Report ✓Fee Maintenance ✓Portal Contact Email Lookup		

13. Perform the installations and upgrades of the environment (production and test) through the life of the project. This includes the provision of 3 installs:

    - Initial Installation
    - User Acceptance testing
    - Go-Live delivery

    All installs are completed remotely. The assumption is that Billings has provisioned for any infrastructure changes detailed in the Infrastructure Assessment report and that the infrastructure used for the Initial Installation will be unchanged throughout the life of the project. Should there be changes, additional costs may apply where environment management efforts are increased. Should additional installs be required, these will be mutually agreed through the change order process.

    Each install includes installation of a clean CityView environment, including:
    - Management Server
    - Application Server
    - Workspace Server
    - CityView Mobile, Portal and/or Integration Server as licensed

    Initial Installation does not include the configuration of Microsoft SQL Server Reporting Services (SSRS) reports, connection to ArcGIS Server, configuration of the Electronic Document Management systems integration framework and Payment Processor integrations, where included under contract. These configurations are performed during the installation for User Acceptance Testing.

    All installations require CityView Technical Support to have direct access (VPN or RDP) to the virtual server(s) to perform this task within the allocated budget. CityView's Project Manager will request any necessary "network access" documents at the start of the project, so that these can be signed prior to the Initial Installation. If direct access cannot or will not be provided, the access method will be discussed with the project team and managed through the change order process.

    CityView is not responsible for installing or configuring any other software or components, e.g. Network Security, IIS configurations, SSL Certificates, Server communication including external traffic related to Portal. Infrastructure support requested to assist with or troubleshoot issues in these areas may attract additional costs.

14. Conduct up to three (3) remote validation and review sessions, for each of Permits and Inspections, Planning, Code Enforcement, and Licensing (Business) with the appropriate subject matter experts ("SMEs"). Each session is two to three (2-3) hours. Any additional sessions required will be mutually agreed to, and a change order will be raised. Additional corrections and modifications will be captured and corrected from each session. Additional sessions are available at $700 each but will require a change order from the contingency hours to be approved by the City of Billings.

15. Conduct thirty-three (33) days of user training consisting of (31) days onsite and (2) days of remote training. This will include:

    a. Twenty-two (22) days of end user training including Mobile and Portal.

    b. Six (6) days of advanced user training (onsite and remote) to include configuration (3 days onsite), CityView Reporter (2 days onsite), and CityView System Administrator Training (1 day remote).

c. Five (5) days of onsite Go-Live Facilitation to ensure comfort with the new system.

16. Ongoing support and maintenance of the software under the CityView Software License and Support Agreement.

Exclusions:

1. Provision of hardware, databases and third-party software.
2. Setup and support of network infrastructure supporting CityView.
3. Quantities, of the following items, that are in excess of those defined in "Scope (Inclusions)", are specifically excluded, unless addressed by a change order:
   - Letter configuration
   - Custom data fields
   - Spatial queries
   - Training
   - Customizations and interfaces
   - Custom workflows
   - Custom reports
   - Batch/scheduled processes
4. Non-standard configuration – standard configuration would be what is provided in the "Inclusions" above and what comes preconfigured in the system. Examples of non-standard configuration would include: modifying record-level security from what is pre-defined; defining organizational role security criteria other than those defined in the out of the box organizational roles (e.g. read-only access to some sheets, read-write to others); creating batch processes other than those defined in the product for permit expirations and license renewals; creating business rules defining specific outcomes that are tied to specific users of the system only (e.g. message box reminding of a process that needs to be followed but where that message box is only invoked where a specific users is logged into the system). While these are not included in the Project's scope, the configuration tools are provided for Customer to undergo such configuration itself.
5. CityView provides the integration with third-party payment processing systems to accept online payments. CityView does not provide third-party payment processing systems but the integration of CityView with such processors, is included. CityView customers are required to obtain their own payment processor license though agreement with the selected vendor. An integration to Invoice Cloud is included.
6. Customizations and interfaces other than those specified above or agreed to through change order. Should any 3rd party interfaces/integrations require licensing or services costs from the 3rd party, such costs are the responsibility of the City.

Assumptions:

- Data conversion assumes a single source of data. This estimate will be confirmed upon review of the data.

- Fee schedules were not provided prior to development of the price estimate for this project. Therefore, CityView's assumptions of the effort to configure fees are subject to review of the complete requirements. For example, if you have Impact Fee schedules or Development Charges, we will not have assumed that and those may result in additional costs. CityView is happy to review this with Customer prior to contract signing, to give a firm estimate of the effort to configure all fees.
- The software implementation is based on CityView's understanding of the number of "responsible departments" managing the processes within each product. Budgeted effort is allotted to various aspects of the implementation based on this number. For example, if the project to implement CityView Permits & Inspections includes scope for building permits, encroachment permits and fire permits, and each of these is managed separately by a different responsible department, then the budget estimate is based on 3 responsible departments needing independent sessions for data collection, validation & refinement and end user training. If, however, all of those permit types were managed by the same people under one Customer Service Centre, then this would be classed as 1 responsible department and the budgeted effort for data collection, validation and refinement and end user training is lower.

  CityView's understanding of the Customer's responsible departments is as follows:

  - Permits and Inspections (3 departments – Building, Engineering & Fire Prevention), Planning (1 department), Business Licensing (1 department), and Code Enforcement (1 department).

IV. Work Approach

The implementation will involve five phases: Project Planning, Scheduling and Data Collection; Configuration; Review and Validation; User Acceptance Testing; End User Training and Go-live Support.

City of Billings sign off is required before initiating a new phase. This provides key milestones in the Project to review progress, confirm objectives, and detail the activities and timelines for the next phase. Sign off involves acceptance that all pertinent deliverables have been made and confirmation of the budget and timeline for the next phase.

Phase 1: Project Planning, Scheduling and Data Collection

Project Kickoff

The CityView Project Manager will review all documentation with respect to the implementation in order to prepare the materials for the Project kickoff and conduct the official project kick-off.

CityView will prepare the Project Plan which will include a draft project schedule.

Remote Infrastructure Review

CityView will analyze the Billings' existing infrastructure to identify any potential areas that may result in sub-optimal performance. CityView's Infrastructure Review Specialist will verify remote accessibility, available bandwidth and techstack compatibility and advise the City's network specialists of the hardware and software prerequisites required to optimize the performance of the Customer's system. CityView will conduct this review remotely, off-site.

Should CityView Workspace be required at remote Customer facilities (offsite facilities, not directly connected to LAN, i.e. where performance could be an issue), CityView latency\load testing will need to be done to check performance of CityView at these remote sites.

Initial Installation

CityView will conduct a trial installation for the purposes of testing the network infrastructure for use of CityView, to provide training for the network administrators on its installation, and to provide an environment for testing integrations dependent on the Customer's other systems. The development environment hosted by CityView, however, will still be the principal environment for configuration, validation and refinement.

Product Walkthroughs/Process Mapping

CityView will provide the City of Billings with facilitated access to online data collection workbooks, as well as guidelines on how to complete the workbooks. This is accompanied by walkthroughs/demonstrations of the pertinent CityView products to provide the City of Billings' SMEs with an understanding of the workings of each of the products and their data requirements for configuration.

The walkthroughs ensure the City of Billings' users:

1. Learn the basics of the activity-based workflows.
2. Learn how to complete the online workbooks and/or other digital materials provided by CityView.
3. Learn how to provide the data for Billings' fees, letters, lookup tables, and scheduled processes named above.
4. Understand the data mapping process.

5. Process Mapping sessions are also conducted and designed to impart the skills Billings' SMEs require to complete their homework assignments. Users are provided with an in depth knowledge of CityView table structures and the formats required to streamline the data collection process. Each session will be from two (2) to four (4) hours, depending on the product. Sessions will be held for each of CityView Permits and Inspections (two (2) sessions), Planning (two (2) sessions, Code Enforcement, and Business Licensing.

Data collection will involve remote and onsite services. Onsite time will be devoted to five (5) days for the collection of the specifics for up to five (5) custom workflows to be created as well as six (6) days for the definition of data conversion and interface requirements. CityView has also included two (2) days for the CityView Project Manager to be onsite. A total of thirteen (13) days of onsite time is accounted for.

This stage is also used to better understand the customization requirements.

The main deliverable at the end of the Data Collection phase is the "Scope Document." The Scope Document will reference, where applicable, documentation that needs to be included in the implementation, such as RFP functional requirements, the answer sheet from the online data collection workbooks, other digital materials that were provided by CityView and completed by the City of Billings, data mapping documents, and interface/customization design documents.

Budget Validation

Once all of the data is collected from the City of Billings, the CityView Project Manager (the "CityView PM") will review requirements in accordance with this Statement of Work and the other Contractual Services Agreement documents to identify anything that is not accounted for in the scope. The CityView PM will also validate any estimates made as part of this proposal, including:

1. Data conversion requirements.
2. List of customizations and interfaces

If budget validation reveals that any estimates provided were insufficient, the CityView PM will inform the City of Billings of such and prepare appropriate change order requests. The next steps will not commence until sign off on budget validation and data collection occurs. This protects both parties against the risk of unclear expectations.

Phase 2: Configuration

Data Conversion

Data conversion will commence once both parties are comfortable with the output of the data mapping exercise. CityView's specialist will create the scripts that parse, derive, and translate the source data into the ideal format for CityView. To reduce the time and effort associated with this phase CityView requires that the Customer provide data in one of the following formats: SQL Server, .mdb, .dbf, or .txt. Documentation must accompany any databases provided in .txt format so that our data conversion specialists do not have to infer the format of the file is (particularly in the case of non-delimited .txt files.) The initial data conversion will run the scripts to provide a means for verification of correctness during the validation stage of the Project. CityView will complete a final iteration (using the same scripts) immediately prior to go-live.

Data Conversion Assumptions

Data migration services are priced based on the following general assumptions:

1. Data has been cleaned according to the suggested guidelines.
2. Both parties have reviewed and signed off data mapping before proceeding to data conversion.

3. CityView will perform one complete data load prior to validation testing, one complete refresh prior to End User Training and Go-live Support, and one complete refresh at go-live. CityView will make all other fixes using targeted scripts. CityView can perform additional complete refreshes if the parties mutually agreed through a written change order.
4. The City of Billings provides data in one of the required formats: SQL Server, .mdb, .dbf or .txt. Documentation must accompany any databases provided in .txt format so that our data conversion specialists do not have to infer the format of the file is (particularly in the case of non-delimited .txt files.)
5. CityView will complete the final iteration using the same scripts. Should changes occur that affect the scripts, a change order will be required prior to any delivery.

Configuration

CityView will configure the CityView products based on industry best practices and with the data collected and signed off from Phase 1: Data Collection. CityView will create a single development environment and the Implementation Specialist will lead the configuration of that environment. This will involve the following components:

1. **Letter Template Development** – CityView's Word Add-in will be used to create up to 73 letter templates according to electronic samples provided by the City of Billings with data merge tags defined. Letter samples must be provided in MS Word format. The Customer is provided the letter generation tools for its SMEs to create additional letters to meet additional or future requirements.
2. **Fees, Valuation, Work Items, Classifications** - All the fees are configured in the City of Billings' CityView environment. Fee configuration is a one-time load. Should the fee schedule provided to CityView be changed or updated prior to go live, and additional configuration is required, a change order will be required.
3. **Activities Workflow** – All the CityView Select workflows will be configured with the City of Billings specific requirements for assigned to, required dates, email notifications, responsible departments and resource groups. In addition, existing sub-workflows may be removed, or added to the main workflow, depending on Billings' specific processes. Should the required changes to the CityView Select workflows be significant and go beyond the refinement activities mentioned above, additional costs may apply through mutually agreed change order. CityView will configure up to five (5) custom workflows or equivalently effort-intensive changes to the CityView Select workflows.
4. **Custom data fields** - Custom data fields to meet the City of Billings' specific data capture needs will be defined for each pertinent table where they are required and configured accordingly, along with the business rules to apply these data fields where appropriate.
5. **Lookups** – All lookup data defined during Phase 1 Data Collection, is entered into the system.
6. **Security** – Users are assigned to the roles and given permissions that are pre-defined in the products, based on information collected during data collection. Should additional user-level and record level security be required other than as defined in the solution's organizational roles, additional costs may apply.
7. **Batch Rules and Scheduled Processes** – the named CityView Select batch rules and scheduled processes will be refined according to the requirements for permit expiry and license renewal.

Customizations

Customizations, both those in the scope of work and any agreed to as a result of data collection and change order will be undertaken at this point.

Interfaces

Interfaces, both those in the scope of work and any agreed to as a result of data collection and change order will be undertaken at this point.

Quality Assurance (QA)

CityView undertakes quality assurance activities throughout each of the above phases (Data Conversion, Configuration, Customization and Interfaces). All customizations and interfaces are tested by CityView's QA Team prior to the applicable software build being released to the City of Billings. The quality of the configuration and data conversion are reviewed by a peer review committee which includes the CityView Project Team, members of CityView's research and development staff and management, and occasionally the City of Billings' SMEs.

Phase 3: Review and Validation

The CityView PM will work with the City to establish the Review and Validation Plan, i.e. to determine when certain review and validation sessions will be given and who should attend. The development environment will be hosted at CityView's US data centers (OrionV in Pittsburg).

Review and Validation

CityView will undertake a series of three (3) remote review and validation sessions with Customer's SMEs, for each of Permits and Inspections, Code Enforcement, Planning, and Business Licensing, to work through the validation of the configuration based on the data collection materials and scope document.

These sessions will be led by CityView implementation specialists. Eventually, the SME's will be expected to lead some sessions for each product. By the final session the City of Billings' SMEs will have reviewed and validated the bulk of the configured system and be able to:

- Navigate the system through Billings-specific processes and workflow.
- Generate and test fees.
- View and validate look up tables.
- Generate and test letters and documents that have been configured.
- Use scenario-based examples to test and validate automated business rules

Review and Validation will be conducted against the development environment, hosted by CityView. During the Review and Validation sessions CityView will document any changes, corrections, or deficiencies for further action. A customer feedback mechanism is provided within the environment for immediate feedback and reporting of issues to our implementation specialists and developers as it is expected the City of Billings' SMEs will conduct additional reviews without the CityView Implementation Specialist present.

In Scope Refinements

In scope corrections from the process of Review and Validation will be conducted. If out of scope issues are raised through Validation, these will be handled through approved change orders.

Phase 4: User Acceptance Testing

User Acceptance Testing

On completion of the third Review and Validation session, the City of Billings will have a period of three (3) weeks for final User Acceptance Testing on its own completely installed test system. The CityView Implementation Specialist will monitor Billings' feedback and continue to make any in scope corrections. Provided the acceptance criteria have been met, the City of Billings is asked to formally accept the delivered solution for go-live.

Phase 5: End User Training and Go-live Support

Final Environment

After the final environment receives City of Billings sign off, CityView will perform a data conversion to establish an environment that can be used for training purposes.

User Training

CityView conducts on-site training for all of the front line and advanced users identified in the training plan.

Final Conversion Run

Immediately prior to go-live, CityView will conduct the final data conversion for Go-Live.

Go-live

During go-live, CityView will be onsite for five (5) days of onsite go-live facilitation where an implementation specialist will be available to help the users with questions as they arise, easing their concerns and complementing their training. It is recommended that the City of Billings consider having an additional CityView resource onsite to support the staff on CityView software during the first weeks after go-live. Budget for this is not included here. The CityView and the Billings' project teams will discuss this to determine the City of Billings' needs prior to scope sign-off.

During go-live facilitation the CityView Project Team will work with the City to record any known issues. The CityView Project Team is responsible for the resolution of these known issues. See Project Acceptance section IX for more information about post go live process.

The Pre- and Post-Implementation Support Plan is comprised of a strategy for transitioning to Support and then the Support and Maintenance Agreement itself. During the first six (6) weeks after go-live, the CityView Project Team will begin to familiarize and transition the Project to CityView's Technical Support Group. At the end of six (6) weeks the CityView PM will arrange a formal hand-off involving the City of Billings, the CityView PM and the CityView Technical Support Team formalizing the transition of any new defects, bugs and support issues to the Technical Support Team.

IV1 Communication plan

The CityView Communication Plan includes:

- A 1 hour bi-weekly, or 30 minute weekly, status meeting with the CityView Project Manager or designate as mutually agreed, through the life of the project.
- Communication with Implementation staff (IS) as provided for in the data collection and validation sessions, and reasonable engagement beyond these sessions to clarify information collected and answer questions. Requests for dedicated time, or recurring meetings involving IS staff, may incur extra costs.

IV2 Training plan

The training program is designed to provide your end users with the ability to use CityView for their day to day activities and your Subject Matter Experts (SMEs) with the skills to maintain your solution. The table below details the training plan.

Training Plan

Course	Objectives		
CityView End User Training (onsite)	This course is designed to train the City of Billings' users on the business use in order to fulfill their daily work activities. The course provides specific instruction on how to navigate and complete tasks within CityView. It will cover tasks such as completing an application, adding contacts, attaching files, tracking activities and outcomes, applying and paying fees, producing correspondence, mapping basics, and running reports. Users are able to: 1. Understand the key concepts that make up the business process. 2. Be able to navigate and complete tasks relevant to day-to-day activities. 3. Be able to walk through a business activity-based workflow.		
	Duration: 20 days*	**Users: End Users as defined below**	**Maximum#: 10/session**
Configuration & Maintenance Training (onsite)	This course is focused on enabling users to configure, maintain and evolve their business process within the CityView solution. Concepts that will be covered include Letter Generation, maintaining your Activity Based Workflow, Fee Maintenance, Holiday Configuration and Maintaining Lookup values. Users will be able to: 1. Create and modify Letters. 2. Create and modify Fees. 3. Improve and evolve the Activity Workflow. 4. Keep your system current by updating Lookup tables.		
	Duration: 3 days	**Users: Advanced**	**Maximum#: 6**
CityView Reporter Training	CityView's fully integrated ad-hoc report designer provides a quick and intuitive way for non-technical subject matter experts to create their own reports. In this course, students will learn about creating detail reports and pivot reports, as well as how to get the most out of the out of the box reports that come with the CityView system. Additional topics may include: complex report writing, views, and on-form expressions		
	Duration: 2 days	**Users: Advanced**	**Maximum#: 4**
CityView System Administrator Training (remote)	This course is designed to provide administrators responsible for managing CityView with the general knowledge of how to install and upgrade versions of CityView, change user rights and manage security. The advanced course will go into additional detail on the architecture of the CityView platform as well as how to maintain the CityView Portal.		

	Course participants will walk through typical system maintenance and troubleshooting examples, which will teach them the tools, techniques and terminology applicable to CityView, enabling them to not only support the business users in their organization but also to communicate more effectively with CityView's Technical Support team. They will be exposed to our best practices approach for Security Maintenance; and, they will learn the processes for installing and upgrading the CityView environments. Students will be instructed in the use of the appropriate aspects of CityView CityView Configuration Console, and they will gain an understanding of the architecture behind CityView. Additional topics that may be covered include: configuration of Microsoft Exchange, Web Server settings, LDAP settings, Mapping, and Document Management settings.		
	Duration: 1 day	**Users: Advanced**	**Maximum#: 4**
CityView Mobile End User Training (onsite)	This training will focus on the highly intuitive CityView Mobile.		
	Duration: 1 day	**Users: TBD**	**Maximum#: 10**
CityView Portal Instructional Training (remote)	This training will focus on the highly intuitive CityView citizen Portal, to provide a select group of City users with the knowledge of how to navigate Portal processes so that they can answer citizen questions on the use of Portal.		
	Duration: 0.75 days	**Users: TBD**	**Maximum#: 10**
Go-live Facilitation Assistance (onsite)	Five days of go-live facilitation where an implementation specialist will be available to help the users with questions as they arise, easing their concerns and complementing their training (as described in the Work Approach above).		
	Duration: 5 days	**Users: All**	**Maximum#: N/A**
Premium Online Learning – advanced training (optional)	CityView offers an online-only option for all advanced training. This allows up to 6 students to have access to online learning content instead of "live" sessions with a trainer. The advantages are: access to more content for a full year, which can also be renewed with annual maintenance to support your ongoing learning needs, staff turnover, etc. Speak to your "CityView PM" if you are interested in swapping the "live" training, included above, for Premium Online Learning. Note: live training does not include access to recorded sessions. CityView only provides recordings of training as part of Premium Online Learning.		

Training is provided on Customer-provided hardware.
* 20 days End user training divided as follows:
CityView Basics Training 10 x ½ day sessions (5 days total)

Permits and Inspections 4 x 1 ½ day sessions (6 days total)

Planning 1 x 1 ½ day session (1 ½ days total)

Code Enforcement 2 x 1 ½ day session (3 days total)

Business Licensing 1 x 1 ½ day session (1 ½ days total)

Cashiering 1 x ½ day session (½ Day total)

Electronic Plans Review 4 x ½ day sessions (2 days total)

IV3 Matrix of Responsibilities and Work Products

The following table provides a summary of the Project. Responsibility and the lead for each step in the Project are defined and the deliverables received by Customer are presented.

Step	Responsibility	Lead	Deliverables
Project Kickoff	CityView	CityView PM	Hosted Development Environment, Project Plan
Infrastructure Review	CityView	CityView Infrastructure Review Expert	Infrastructure Review Document
Initial Installation	Share	CityView PM	Client-site installed initial Environment
Data collection, including Data Mapping and customization/interfaces analysis	Share	CityView PM	Signed-off Scope Document, including Budget Validation
Configuration	CityView	CityView PM	Configured Development Environment, ready for Validation & Refinement
Data Conversion	CityView	CityView PM	Configured Development Environment, ready for Validation & Refinement
Customizations and Interfaces	CityView	CityView PM	Implemented functionality in Hosted Development Environment, ready for Validation & Refinement
Review and Validation Sessions	Share	CityView PM	Completed Validation sessions
Refinements based on Review and Validation sessions	CityView	CityView PM	Development Environment for Final Acceptance Testing
User Acceptance Testing	Billings	Billings PM	User acceptance of the fully delivered system based on test scripts
User Training (including advanced training)	Share	CityView Trainer	Completed training
Go-live	Share	CityView PM	Live production environment

IV4 Documentation

Documentation is available through CityView Connect, CityView's on-line content management system. This is the source for the most updated CityView information at any time. The City of Billings can search for a particular topic or browse through the menu items. The Product Training Guides will step the City through a full training session for a particular topic.

CityView Connect is accessible directly and within the CityView modules. By clicking the Help button, direct access is provided to the content in CityView Connect.

Documentation is targeted to three main groups: business users, system administrators and application developers. Documentation is provided at every level of training, focused on the enabling objectives of the training in question.

CityView Connect is the main source of documentation for Billings throughout implementation of the Project and beyond. With each CityView release, detailed release notes document the changes to the release both for new features, feature changes, and bug fixes. Any exceptions or changes for installation and upgrade are also noted.

CityView offers the following documentation:

- System technical documentation
- System end user's documentation
- On-line Help Desk documentation
- System/Architecture diagrams
- Scope Documentation including – signed-off data collection materials

V. Post Implementation Support

Detailed in Schedule C, CityView Service Level Agreement.

VI. Technical Environment

Information is provided for reference in the following pages regarding recommended servers, database sizing considerations, third party software, and compliancy tables. This is followed by a diagram depicting a typical installation. For all the most recent specifications please refer to CityView Connect - https://cityviewhelp.iharriscomputer.com/CityViewCMS/index.php/supported-technologies

Operating Systems*

Interface	Supported OS Versions	Editions	Minimum Requirements
CityView Configuration Console	Windows 10	32 and 64 bit, Home, Pro and Enterprise Editions	.NET Framework 4.8 required - download link
	Windows 8, 8.1	32-bit and 64-bit editions	.NET Framework 4.8 required - download link
CityView Mobile*	iOS (iPhone, iPad, iPod)	4 or higher (tested to iOS 14.3)	CityView Mobile is a browser-based interface, so devices will require an internet connection and a web browser. Local storage must be enabled. **Important**: TLS certificate required. About Windows Surface devices: these devices will run CityView Mobile, but you will not be able to directly access the camera for photos or video. This is a Windows security issue and is not controlled by CityView. **Optional Hardware:** For areas with poor coverage, some customers have used **vehicle cellular signal boosters** to enhance connectivity. Though we (CityView) do not claim to support or endorse any one product, this unit has been recommended by our customers: weboost Drive 4G-M
	Android	2.3 or higher	
	Windows Phone 7 or higher	7 or higher	

*CityView Mobile is an optional add-on service to use CityView through a customized browser application. Each module is licensed for CityView Mobile separately. CityView Mobile is optimized for use in the field on a small screen; it is a supplement to, and not a substitute for a full version of CityView Workspace.

Server Specifications

All applications require a Management and Application Server

Servers	Supported OS Versions	Minimum Requirements
CityView Management Server	Windows Server 2019 Windows Server 2016 Windows Server 2012 R2 Windows Server 2012	• Required for all environments • Windows Server with 2GHz Xeon processor recommended • 8 Gigabytes (GB) of RAM or higher recommended • 300 megabytes (MB) of available hard disk space • URL Rewrite for IIS is required and included in the installation package. Users need to accept the installation.
CityView Application Server	Windows Server 2019 Windows Server 2016 Windows Server 2012 R2 Windows Server 2012	• Required for all environments • Windows Server with 2GHz Xeon processor recommended • 8 Gigabytes (GB) of RAM or higher recommended • 500 megabytes (MB) of available hard disk space • 64-bit

Servers	Supported OS Versions	Minimum Requirements
CityView Workspace Server	Windows Server 2019	• Required for customers that purchase the CityView browser-based interface • 2GHz 8 core Xeon or Opteron processor recommended • 32 Gigabytes (GB) of RAM or higher recommended • 10 Gigabytes (GB) of available hard disk space • Note that an SSL/TSL certificate is required to run Workspace. • Standard edition – WebSockets enabled • URL Rewrite for IIS is required and included in the installation package. Users need to accept the installation. • Workspace requires a 64-bit Application Pool in IIS.
	Windows Server 2016	
	Windows Server 2012 R2	
	Windows Server 2012	
CityView Portal Server	Windows Server 2019	• Required for customers that purchase CityView Portal, online public interface for any module. • A separate CityView Portal license is required for each online module • Windows Server with 2GHz Xeon processor recommended • 16 Gigabytes (GB) of RAM or higher recommended • 4 Gigabytes (GB) of available hard disk space • Note that an SSL/TSL certificate is required for CityView Portal/Mobile • CityView Portal requires a 64-bit Application Pool in IIS.
	Windows Server 2016	
	Windows Server 2012 R2	
	Windows Server 2012	
CityView Mobile Server	Windows Server 2019	• Required for customers that purchase CityView Mobile interface for any module. • A separate CityView Mobile license is required for each online module • Windows Server with 2GHz Xeon processor recommended • 16 Gigabytes (GB) of RAM or higher recommended • 10 Gigabytes (GB) of available hard disk space • Note that an SSL/TSL certificate is required for CityView Portal/Mobile • CityView Mobile requires a 64-bit Application Pool in IIS.
	Windows Server 2016	
	Windows Server 2012 R2	
	Windows Server 2012	

Servers	Supported OS Versions	Minimum Requirements
CityView Integration Server	Windows Server 2019	• Required for Gmail integration • Required for any environment using CityView Public API • Windows Server with 2GHz Xeon processor recommended • 8 Gigabytes (GB) of RAM or higher recommended • 10 megabytes (MB) of available hard disk space
	Windows Server 2016	
	Windows Server 2012 R2	
	Windows Server 2012	

*When communicating with external sites such as ArcGIS Online and payment vendors, CityView will use the default security protocol configured in the OS. This could be TLS 1.1, 1.2 or 1.3. The version of TLS supported by the CityView Web Servers depends on the OS and IIS configuration.

Data Sizing Projections

There are several services that are typical in our deployment strategy:

1. **SQL Server** – can be scaled to include failover clusters. Typical day-to-day operation of CityView will not tax the server as most queries will pull less than 10 records per table at a time. This service works directly with Management Server, Application Server and Portal server processes. Typical permit applications require 1MB of disk space.

2. **CityView Management Server** – this is a service that runs in IIS, typically processing login requests, and configuration settings for the software. The only time where the service impacts performance on a server is when a build of the application occurs, typically during maintenance periods. All services need to be able to communicate with this server.

3. **CityView Workspace Server** – this is a service that runs in IIS and provides the server side processing for the primary Workspace browser user interface most staff will use. This service needs sufficient hardware resources to handle the load. If performance is not ideal, it is certainly possible to have multiple servers deployed to handle load balance or latency concerns.

4. **CityView Application Server** – this service handles general server side application processing not handled by more specialized servers. This includes scheduled processes, letter generation and document access.

5. **CityView Mobile Server** – Mobile Server IIS service acts as a gateway to the software for field staff users, and directly queries SQL Server during operation. There is an extremely small footprint for the service, and small memory/CPU overhead. If performance is not ideal, it is certainly possible to have multiple mobile servers deployed to handle load balance or latency concerns.

6. **CityView Portal Server** – Portal Server IIS service acts as a gateway to the software for browser and mobile users, and directly queries SQL Server during operation. There is an extremely small footprint for the service, and small memory/CPU overhead. If performance is not ideal, it is certainly possible to have multiple portal servers deployed to handle load balance or latency concerns.

7. **Document Management/Content Management Server** – often handled by third party services, e.g. SharePoint, Laserfiche, TRIM, etc. This can also be defined as a Windows file share (SMB) where we typically recommend 5MB of space per permit for file storage (PDF, DOC, JPG).

.NET Framework

Required for all servers and machines running CityView Configuration Console or Desktop.

Supported Versions	Notes
.NET Framework 4.8	Required

Database Technologies

Microsoft SQL Server is required for all CityView clients.

Supported Versions	Editions	Recommended Hardware
SQL Server 2019	32-bit and 64-bit editions, Express and higher	• Processor: 2+ GHz Dual Core processor (Intel Xeon or AMD Opteron) • Memory: 32 GB • Storage: RAID-5, 4 (3 + 1 Hot Spare) x 73GB 15K RPM Ultra 320 SCSI (or substitute SSDs for better performance) • Network Adapter: Gigabit Ethernet Adapter • Power Supply: Redundant Power Supplies
SQL Server 2017		
SQL Server 2016		
SQL Server 2014		
SQL Server 2012*		

*Official support ended in 2017. SQL Server 2012 extended support will end on July 12, 2022.

Browsers*

For CityView customers that purchase CityView Workspace. Note that servers for all CityView web-based interfaces require TLS certification and an HTTPS address.

Workspace Workspace has been designed to work with desktop browsers. Staff mobile users should be using the CityView Mobile interface, which also supports disconnected mode (security certificate required).		
Supported Browsers	**Required Settings**	**Notes**
Google Chrome*	Required for Workspace on all browsers: • JavaScript must be enabled • Cookies must be enabled • Ad Blockers must be disabled • Pop-ups must be enabled (or not blocked)	CityView Workspace (internal use) **does not** currently support browsers on mobile devices. Staff mobile users should be using the CityView Mobile interface, which also supports disconnected mode. **Important - Internet Explorer No Longer Supported in Workspace** - Microsoft has discontinued development of Internet Explorer and recommends Edge. Microsoft Edge is not available for Windows 7 or Windows 8.1. Customers still on those operating systems should use either Firefox or Chrome for the full CityView Workspace interface experience.
Microsoft Edge* Windows 10 required		
Mozilla Firefox		

*Recommended browsers

Portal Portal has been designed to work with desktop and mobile browsers		
Supported Browsers	**Version**	**Notes**
Internet Explorer (deprecated)	11	Portal servers require a TLS certificate (https) and a 64-bit IIS Application Pool
Microsoft Edge	40 and up Windows 10 Mobile	
Google Chrome	Desktop (tested version 73) and Mobile	
Mozilla Firefox	Desktop (tested version 66) and Mobile	
Opera	Tested version 58	
Safari	9, 13 and up* MacOS, iOS, iPad	*A bug in Safari and embedded browsers on MacOS 10.14 and all browsers on iOS 12 may cause issues with certain payment gateways. This has been fixed in current versions. Invoice Cloud, Paymentus, Heartland, MSB Nexus (with Hosted PayPage) are not affected.

Mobile Mobile has been designed to work with mobile browsers		
Supported Browsers	**Version**	**Notes**
Safari	10 or higher	CityView Mobile is highly compatible with many mobile browsers for phones or tablets.
Firefox	57 or higher	Firefox and Chrome update automatically. As of publication, the current version is supported.
Chrome	63 or higher	As of Firefox version 62 and Chrome version 67, these browsers no longer allow insecure websites to access the browser Application Cache. This is where the pages for disconnected mode are stored. Mobile Disconnected Mode will no longer run when using HTTP. Your browser will give a No Internet connection error. To be able to use disconnected mode, you need to host CityView Mobile using HTTPS.
Opera		

Android		Note that these browsers update automatically, so trying to retain a previous version is not a practical solution.

Virtual Inspections
Contractors using their mobile phones for inspections will need to have one of the Twillio supported browsers: https://www.twilio.com/docs/video/javascript#supported-browsers

Bluebeam Revu

For customers that purchase Electronic Plans Review. Bluebeam Revu is needed for document markup. It is not required to view flattened documents with the mark-up in place.

Supported Versions	Editions	CityView Interface	Notes
Revu 2021 **Revu 20.1 & 20.2** **Revu 2019.1.16, 2019.1.20, & Revu 20** **Revu 2019** **Revu 2018***	• **Core & Complete** • **Revu eXtreme** all document comments and markups are flattened before the document is returned to the customer for corrections • **CAD & Standard** versions can be used by users who will be marking up documents, but not be initiating or finalizing the markup process, or for Workspace users.	Workspace	Bluebeam Revu is required for CityView Electronic Plans Review (EPR) functionality. Bluebeam Revu can also be used to view, create or manipulate PDF documents, independently of CityView. • Bluebeam Revu licenses are required *For customers upgrading to version 2018: If you have a Bluebeam Open or Enterprise License, Bluebeam will validate your license every time you launch, prepare or flatten documents. It is normal to see a "License Seat Acquisition" message.

Google Applications

Supported	Notes
Google Calendar integration	License required
G-Suite integration	License required
Gmail utilization	No license needed – Integration Server required

Microsoft Exchange

For CityView customers that purchase Microsoft Exchange integration

Supported Versions	Notes
Office 365 Exchange	Supported with Web Services API
Exchange 2019	
Exchange 2016	
Exchange 2013	
Exchange 2010	

Microsoft Outlook

For CityView customers that purchase the Microsoft Outlook integration Add-In

Supported Versions	Editions	Notes (VSTO deployment)
Office 365	Installed	Office 365 online (browser-based) versions are not supported.
Outlook 2019	32-bit and 64-bit	**IMPORTANT:** CityView Integration Server is now required. Office 365 online (browser-based) versions are not supported. "Click-to-Run" versions prior to version 2019 are not supported by CityView. **Note:** Because CityView currently uses Visual Studio Tools for the Outlook (VSTO) add-in, Centralized Deployment of Office add-ins is not supported. See https://docs.microsoft.com/en-us/microsoft-365/admin/manage/centralized-deployment-of-add-ins?view=o365-worldwide
Outlook 2016		
Outlook 2013		
Outlook 2010		

Microsoft Word

For CityView customers that purchase the Microsoft Word integration Add-In, the requirements differ for users who will generate the base letter templates and users that just need to make edits to letters before sending, after they have been generated by the template. Most users will just need the Letter Editing requirements.

Note that Office 2019 is supported on Windows 10 but isn't supported on Windows 7 or Windows 8.1.

Letter Editing

Once a letter is generated from a template, the content of the letter can be edited via the Word Add-In. These are the supported versions for letter editing.

For Letter Editing (manifest deployment)		
Supported Versions	**Editions**	**Notes**
Office 365	Installed and online	See Word Add-in for Workspace for configuration information.
Word 2019	32-bit and 64-bit	"Click-To-Run" version is required for Word 2016 and supported for 2019
Word 2016		

Template Editing

Users in the Letter Configuration organization role can customize letter templates used to generate letters/correspondence. These are the supported versions for template configuration.

For Template Letter Editing (VSTO deployment)		
Supported Versions	**Editions**	**Notes**
Office 365	Installed client only	Office 365 online (browser-based) versions are not supported.
Word 2019	32-bit and 64-bit	"Click-to-Run" versions prior to version 2019 are not supported by CityView. **IMPORTANT:** Because CityView uses Visual Studio Tools for Office (VSTO) add-ins, Centralized Deployment of Office add-ins is not supported. See https://docs.microsoft.com/en-us/microsoft-365/admin/manage/centralized-deployment-of-add-ins?view=o365-worldwide
Word 2016		
Word 2013		
Word 2010		

Mapping/GIS Technologies

For CityView customers that purchase the GIS/mapping integration (Esri only)

Supported Versions	Editions	Notes
ArcGIS Online		• Supported • Required for CityView Mobile Route Planning • Esri requirement: TLS 1.2 certificate required
ArcGIS Server v11 **ArcGIS Server v10.9** **ArcGIS Server v10.8.1** **ArcGIS Server v10.7.1** **ArcGIS Enterprise v10.6** **ArcGIS Enterprise v10.5** **ArcGIS Server v10.4** **ArcGIS Server v10.3.1**	• 32-bit and 64-bit editions, Express and higher. • Workgroup or Enterprise Capacity Level servers (Standard, Advanced). • Server Basic version **not** supported.	• TLS certificate required. • ArcGIS Engine v9.3 and v9.2 ArcGIS Reader v9.3 and v9.2 - legacy support; no significant enhancements will be implemented. *** Feature Service Layers** required for editing maps through CityView.
ArcGIS Server v10.2.2		

Document Management Systems

Optional integration for CityView customers who are using one of the following document management systems. Additional license required to integrate with CityView. If no other integration is configured, CityView will use its native DMS.

System	Supported Versions	Notes
Laserfiche	**9, 10, and 11 (including all minor versions)**	https://www.microsoft.com/en-ca/download/details.aspx?id=48145 The Laserfiche libraries that CityView uses and ships with will work with an instance of Laserfiche 11 Server.
Microsoft SharePoint	**2016, 2013, 2010, SharePoint Online**	
OnBase	**OnBase Foundation Enhancement Pack 3 (EP3)**	Supports CityView/OnBase API

System	Supported Versions	Notes
Questys		
PaperVision	78, 79	
ImageNow (Perceptive Content)	6.7	
Alfresco	5.2	
FileHold	15.2.0	

Payment Processing

CityView Portal supports optional integration with numerous Payment Processing systems (Payment Gateways). You must be licensed to implement this integration. * Preferred gateway in Canada. **Preferred gateway in U.S.

Security Note: The PCI Data Security Standard requires that merchants use TLS1.2.

Supported Gateways	Notes
Paymentus*	**Supports eCheck/ACH payment if customer account has set this option with their payment vendor. Shopping cart supported conditionally.**
Invoice Cloud**	**Supports eCheck/ACH payment if customer account has set this option with their payment vendor. Shopping cart supported.**
Heartland	
Acculynk	
PayPal's PayFlow Pro	Payflow Pro v4.3
iTransact	
Moneris (Hosted Pay Page)	
PayGOV	
Bambora (formerly Beanstream)	Shopping cart supported.
MSB Nexus	Web API "May 2017" version, MSB Nexus "Hosted Payment" Gateway method
BIS Online	
Authorize.Net	Supports eCheck/ACH payment if customer account has set this option with their payment vendor.

SMS/Text Messaging

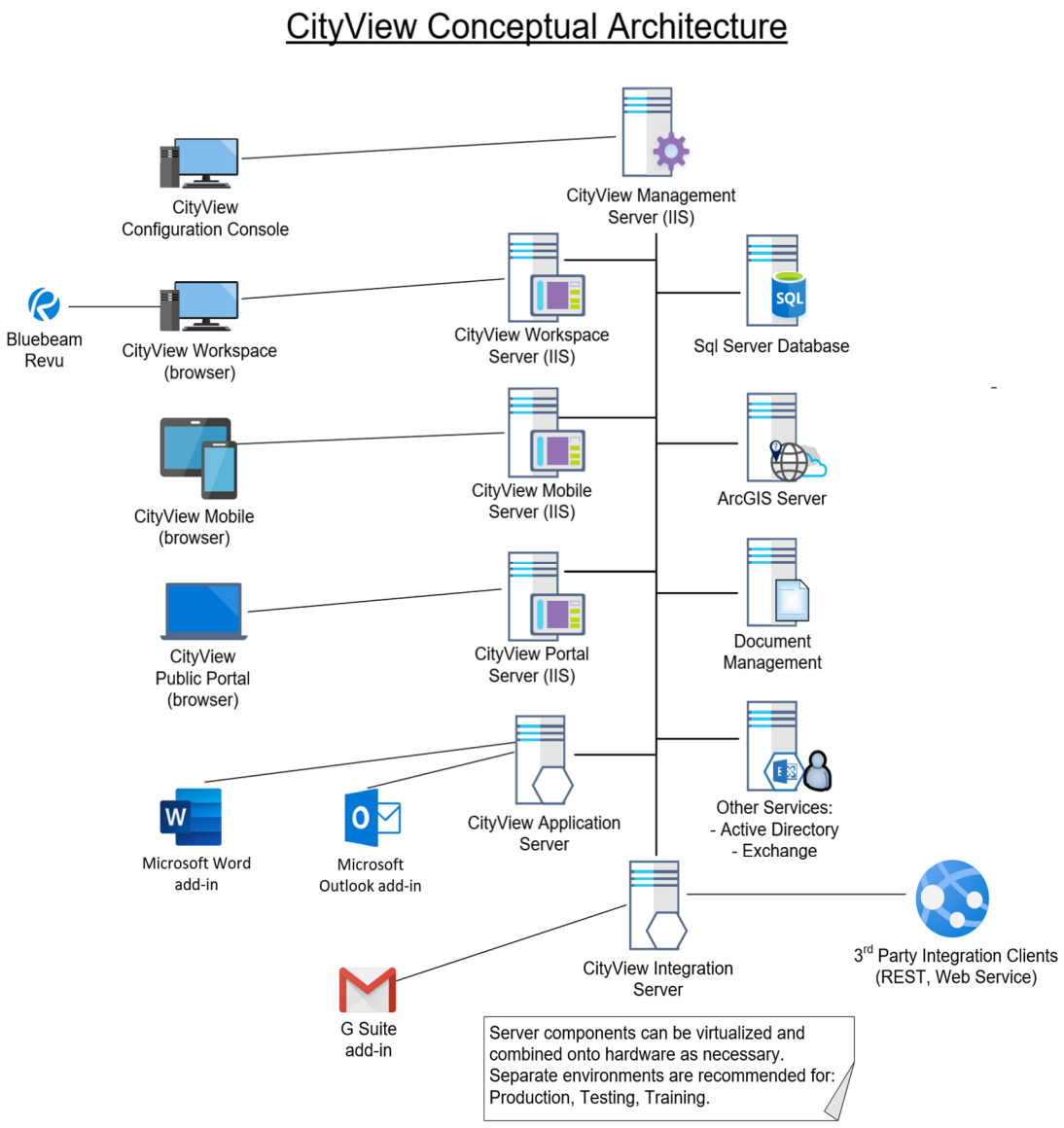
CityView customers with modules that are licensed for Mobile can use the following service to send text messages.

Supported Versions	Notes
Twilio	Configuration information.

Reporting Technologies

CityView supports optional integration with the following reporting systems.

Supported Versions	Editions	Notes
SSRS 2016	32 -bit and 64-bit editions, Express and higher	Valid TLS certificate required 1.2 or higher required on server for Workspace.
SSRS 2014	32 -bit and 64-bit editions, Express and higher	
SSRS 2012 R2	32 -bit and 64-bit editions, Express and higher	
SSRS 2012	32 -bit and 64-bit editions, Express and higher	



Note: The CityView websites (Workspace, Portal and Mobile) require TLS for security. In addition, embedded content like the City's SSRS Report Server and the ArcGIS Map Server (where your map service is deployed) needs to be SSL enabled. As such, you will need to provide a valid TLS certificate. The two available options are to purchase a signed certificate by a verified TLS Certificate provider. This is the preferred option. Alternatively, a self-signed TLS certificate can be created. The self-signed option requires manual creation of the certificate as well as manual installation of the certification on all client devices.

VII. Roles & Responsibilities

Below is a description of the roles and responsibilities of each of the resources in the Project.

Your ***CityView project team*** is comprised of:

- ***Executive Sponsor***
- ***Project Manager,***
- ***Implementation Specialist/Trainer,***
- ***Infrastructure Analyst,***
- ***Data Conversion/Interface Specialist,***
- ***Application Development Team,***
- ***Quality Assurance Team.***

Executive Sponsor

The Executive Sponsor has the overriding responsibility for the outcome of the project in terms of project success and fiscal responsibility. The Executive Sponsor's responsibilities include:

1. Monitor the progress of the project
2. Empower the CityView Project Manager and the core project team to make decisions
3. Be the senior decision-maker for anything outside the authority of the Project Manager, as well as a senior executive and mediator for escalated issues
4. Support the Project Manager in accomplishing the implementation goals
5. Maintain an active relationship with the City of Billings.

Project Manager

He/she is involved in both the facilitation of the project as well as hands-on work in each project phase to ensure that requirements are met and project deliverables are clearly defined. The responsibilities include:

1. Be the primary point of contact for the Billings' Project Manager
2. Ensure successful delivery of CityView's tasks
3. Participate, where necessary, in gathering of the business process requirements
4. In coordination with the City of Billings' Project Manager, create the project schedule and keep this schedule up-to-date throughout the project
5. Coordinate the scheduling of tasks for the implementation according to the project schedule
6. Manage the CityView project resources
7. Provide brief bi-weekly status update to the City of Billings' Project Manager
8. In coordination with the City of Billings' Project Manager, co-conduct the project Kick-off meeting
9. Review and approve CityView's data collection scope documents for Sign-off
10. Seek sign-off on all CityView deliverables and approval documents from the City of Billings" Project Manager
11. In coordination with the City of Billings' Project Manager, manage scope change control
12. Assist the Billings Project Manager in defining the training and Go-Live plans

13. Support City of Billings in the Go-Live preparation steps
14. Hold review & status meetings with Billings resources
15. Facilitate and provide timely resolutions to issues and concerns as it relates to CityView resources, project issues, etc.

Infrastructure Analyst & Development Environment Manager

The CityView infrastructure analyst (IA) works with the City to review the City of Billings' hardware and software infrastructure as it pertains to the optimum functioning and performance of CityView. Typically, the IA is also our Manager of Support and as such carries responsibilities of managing the customer's hosted development environment, facilitating updates and installs and troubleshooting issues. Responsibilities include:

1. Prepare and distribute the Infrastructure Review Questionnaire to the City of Billings, for collection of appropriate information required to analyze hardware and software infrastructure
2. Handle any questions and seek clarification on any items in ensuring the information received is complete, for the purpose intended
3. Assess the suitability of the infrastructure and deliver the Infrastructure Review report
4. Provide guidance on hardware sizing, third party software, Esri map development and configuration, installation guidelines
5. Coordinate initiation of the Billings' hosted Development Environment and manage this throughout the project, including updates and merges
6. Together with the City of Billings' technical administrator, coordinate installs at the client site
7. Deliver the System Administrator Training

Implementation Specialist/Trainer

The Implementation Specialist/Trainer (IS) will work closely with the City through on-site visits, follow up calls, training, and demonstrations in order to define the scope of the configuration effort. The IS configures your CityView environment and prepares the environment for the onsite activities. Typically, the IS's also deliver the end-user training and Go-live assistance. Responsibilities include:

1. Provide progress status to the CityView Project Manager
2. Perform the data collection and work with the City of Billings' Subject Matter Experts (SMEs) to understand and collect the business requirements
3. Work with the SMEs in designing the CityView Activities workflows
4. Provide best practices recommendation and solutions where applicable
5. Compile the data collection documents for the scope document
6. Configure the Software based on the scope documents
7. Unit test the configuration
8. Provide configured system to Application Developer Team Lead and QA Team lead for configuration review and testing
9. Provide validation and acceptance testing support
10. Work with the City of Billings' SMEs to log Validation feedback and correct misconfiguration items
11. Work closely with the CityView, Developers and QA Lead to answer any business-related question that might arise

Often the IS's are also the Trainers as they are qualified as such, and they have the best understanding of the City of Billings' configured environment going into the training. Trainers have the following responsibilities:

1. Provide training to the different City of Billings groups as follows:
    i. Subject Matter Experts
    ii. Advanced Users
    iii. End Users
2. Provide electronic copies of training materials where applicable
3. Provide electronic copies of training sessions' agendas
4. Leverage adult learning methodology and teaching techniques while documenting and escalating any concerns to the implementation Project Managers

Data Conversion & Interface Specialist/s

Responsible for analysis, design and testing of the interfaces between CityView and any 3rd party applications or databases. Responsible for the data conversion tasks of Organization's data sources. List of responsibilities include:

1. Evaluate interfaces functionality requirements
2. Provide recommendations on interfacing approaches
3. Identify Interfaces issues
4. Perform the analysis of the required interfaces
5. Evaluate a sample data structure provided by the City of Billings to which CityView must create an interface
6. Create the design documentation of the required interfaces
7. Manage interfaces design documents and revise according to the City of Billings' review and comments
8. Forward the interfaces' design documents to the CityView Project Manager for review and approval
9. Unit test the interfaces to ensure they meet the specifications outlined in the design documentation
10. Work closely with the CityView Developers to answer any technical related question that might arise
11. Provide training support to the City of Billings' Technical Experts regarding the interfaces
12. Evaluate sample data structure from which CityView will be converting electronic data
13. Provide data conversion analysis with the City of Billings' Data Conversion Expert
14. Provide recommendations on data conversion approaches
15. Provide data conversion mapping review and assistance
16. Identify conversion issues
17. Develop data conversion scripts according to the final mapping documents
18. Perform the preliminary cut data conversion
19. Unit testing the preliminary cut data conversion
20. Modify data conversion scripts based on test results if necessary
21. Perform any other agreed on intermediary cuts of data conversion
22. Setup the production ready cut and briefly unit test the production ready cut data conversion
23. Provide assistance to the City of Billings' Data Conversion Expert in loading the preliminary cut of the converted data and test it

24. Communicate directly with the City of Billings' Data Conversion Expert on any data conversion related issue / question

Application Development Team

Reporting to the CityView Project Manager, the Developers will be responsible for the development of any assigned custom reports or customization requirements. Below is a list of responsibilities to be performed by the Developers:

1. Create in-scope custom reports and unit test them
2. Create in-scope customizations and unit test them
3. Create in-scope interfaces and unit test them
4. Provide customizations and interfaces to the QA Team for unit testing
5. Periodically review the ISs configuration for adherence to best practices and efficiencies and provide guidance and oversight where necessary

Quality Assurance Team

Responsible for testing the quality of your CityView solution and any customizations and interfaces. They use a combination of automated and manual testing on your environment. Bug Tracker Tools, Unit Testing, and Manual Test Cases are used in a strategic test plan that results in a stable, error free application for delivery. Responsibilities include:

1. Maintain QA environments on the same version as the City of Billings' Development Environment for parallel testing and troubleshooting
2. Log test results, log issues in detail and provide issues logs to Application Development team
3. Provide unit testing as detailed within roles above
4. Provide advice on timing and readiness of version releases.

We envisage the ***City of Billings' project team*** is comprised of:

- ***Executive Sponsor***
- ***Steering Committee***
- ***Project Manager,***
- ***Subject Matter Experts (SMEs),***
- ***Data Conversion Expert,***
- ***Technical Analysts/Experts,***
- ***Database Administrator,***
- ***Systems and Network Administrators,***
- ***Testers (often the same people as the SMEs),***
- ***Application Administrators***
- ***Trainers***
- ***End Users***

City of Billings Executive Sponsor

The Executive Sponsor provides the vision of the project in alignment with the City of Billings' corporate short term and long-term goals and objectives. The Executive Sponsor's responsibilities include:

1. Participate on the project Steering Committee
2. Promote the project throughout the City of Billings
3. Monitor the progress of the project
4. Monitor the overall City of Billings impact
5. Empower the City of Billings Project Manager and the core project team to make decisions
6. Make timely decisions
7. Maintain the authority to set priorities, approve overall scope and settle issues / priorities that significantly affect the project and the City of Billings
8. Support the Project Managers in accomplishing the project goals
9. Provide a vision of the City of Billings' goals
10. Maintain an active relationship with CityView Management

City of Billings Steering Committee

Should the City of Billings wish to form a Steering Committee for the project (internal to the City of Billings), the Steering committee typically develops the vision for the project in alignment with the City of Billings' short term and long-term goals and objectives. The Steering committee is suggested to be composed of the City of Billings Project Sponsor(s), the City of Billings' Executive Sponsor and the City of Billings' Business Leads. The Steering committee has the following responsibilities:

1. Attend Steering Committee meetings
2. Set priorities
3. Approve scope and scope changes
4. Resolve escalated issues
5. Provide strategic guidance to achieve the define project goals
6. Promote the project throughout the City of Billings
7. Commit the required resources to the project and approve new ones when required
8. Monitor the project progress
9. Monitor the overall City of Billings impact
10. Approve extensions to project timeline or addition of new City of Billings resources to resolve City of Billings -side delays
11. Empower the City of Billings Project Manager and the core project team to make decisions
12. Generate timely decisions
13. Conduct periodic review of project progress
14. Make strategic decisions to manage business and project risks
15. Support both Project Managers to accomplish project goals
16. Have an active relationship with CityView management

City of Billings Project Manager

The City of Billings Project Manager is responsible for the overall City of Billings deliverables and the day-to-day management of the project. This resource is the primary liaison between the CityView Team, the City of

Billings' project team and the Steering Committee. Both Project Managers will work together to meet the objectives, address issues, facilitate resolution and participate in active management of the teams. Below is a list of responsibilities to be performed by the City of Billings' Project Manager:

1. Manage all City of Billings resources for project related activities
2. Manage the project (budget, timeline, quality, risks, scope, issues, deliverables, etc.) in cooperation with CityView's Project Manager
3. Communicate project status to the Steering Committee, the Executive Sponsor and the project team leveraging updates from CityView's status updates
4. Participate in the Steering Committee meetings
5. Create, maintain, manage and refine the project schedule with all its elements in cooperation with the CityView Project Manager
6. Maintain project standards especially Scope & Status reporting
7. Prepare, organize and co-conduct with the project kick-off meetings
8. Manage the delivery and coordination of City of Billings project tasks
9. Manage all project deliverables in coordination with CityView's Project Manager
10. Manage and streamline the issue management process in conjunction with CityView Project Manager
11. Manage project deviations and take necessary corrective actions
12. Participate in gathering of the City of Billings' business process requirements when required
13. Plan, manage and execute the Acceptance Test efforts
14. Plan, manage and execute the end user training efforts
15. Provide timely reviews and potential sign-offs on all project deliverables approval documents as presented by the CityView Project Manager
16. Review and accept project milestones
17. Manage the logistical activities of the end user training
    a. Training facilities
    b. Students booking
    c. Scheduling of sessions
    d. Monitoring and logging the end user attendance
18. Capture the end user feedback
19. Responsible for internal & project communication
20. Provide guidance to project team members
21. Lead the Go-Live preparation planning
22. Participate heavily in the Go-Live preparation tests
23. Must provide Go / No Go Decision throughout the project phases
24. Must be present for Go-Live

City of Billings Subject Matter Experts

The Business Experts own the business process within their functional areas since they perform these day-to-day business processes. These people collectively form the knowledge base of the City of Billings' business process requirements. Such resources will be involved in the Data Collection, as well as approval of the Scope Documentation and testing and acceptance of the configured system. They will further verify that the new configured system meets the City of Billings' business requirements as outlined in the Scope Documentation. They will participate in making decisions regarding the business processes and they will help both Project Managers manage the project scope and all the associated deliverables. Below is a list of responsibilities to be performed by the SMEs

1. Attend data collection & validation training sessions
2. Participate in appropriate project team meetings
3. Work with the CityView IS to provide input into the analysis of the business requirements and review the Scope Documentation
4. Work with the CityView IS to validate the configuration through validation testing
5. Develop appropriate validation test cases based on business scenarios
6. Assist the City of Billings' Data Conversion Expert in data conversion validation & acceptance
7. Assist in the development of user procedures
8. Assist the project team in defining user access levels and privileges
9. Assist the project team in the Go-Live support planning
10. Provide end user post implementation Go-Live support where applicable
11. Assist the City of Billings' Project Manager in problem resolution
12. Support End User Training and documentation preparation
13. Must be present for Go-Live

City of Billings Data Conversion Expert

The Data Conversion Expert will be involved with the CityView Data Conversion Specialist in analyzing, mapping, loading and testing the different cuts of data conversion. This resource must possess a strong knowledge of the existing data sources that will be converted from both the user and database ends of the existing systems that need to be converted. This resource will also learn about the database structure and the integrated tables (from data mapping documents provided by CityView) as this knowledge will help them relate to their existing data sources. This resource will also review and finalize the data mapping documents and will test the data once the preliminary cut is completed by CityView. Below is a list of responsibilities to be performed by the City of Billings' Data Conversion Expert:

1. Act as the primary contact for CityView Data Conversion Specialist
2. Acquire knowledge from the CityView Data Conversion Specialist as analysis & mapping is performed
3. Understand the database structure through knowledge transfer and documentation provided by CityView
4. Provide file layouts, where available, for existing data sources
5. Provide data sources in an agreed to format
6. During the analysis, provide documentation pertaining to the current systems (existing user manuals, etc.) if available
7. Lead the analysis of the existing data sources as they relate to the database

8. Finalize and approve the data mapping documents once prepared and delivered by the CityView Data Conversion Specialist
9. Test and potentially accept the preliminary data conversion cut and any other subsequent data conversion cuts whether performed by CityView or the City of Billings' resources
10. In coordination with the Database Administrator, prepare any other database environments that might be required for data cuts
11. In coordination with the Database Administrator, prepare the production database for the final cut data load
12. Work in conjunction with CityView to identify and possibly resolve conversion issues by directly communicating them to the project team, CityView, users and management
13. Participate in the Go-Live preparation planning
14. Should be present for Go-Live

City of Billings Technical and Advanced (Power) Users

These resources are involved with the CityView resources to learn the report writing tool and system configuration. They *could* assist in these two functions once knowledge transfer is accomplished. Once trained they will have access to the tools to support the end users with any future configuration enhancements to the system. These resources could also work in conjunction with CityView to lead the interfaces (third party integrations) **analysis, definition and acceptance** testing. Below is a list of responsibilities to be performed by the City of Billings' Technical Experts:

1. Attend required Advanced training sessions (Configuration, Reporter Training)
2. Acquire the necessary knowledge from the CityView resources through training sessions and documentation
3. Participate in the analysis, design and acceptance testing of all interfaces to 3rd party systems (potentially)
4. Should be present for Go-Live
5. Other responsibilities depending on the degree of participation encouraged by the City of Billings

City of Billings Database Administrator

This resource will be responsible for setup and maintenance of the different databases (Testing/ Training and Production) during the initial project phase and for any subsequent requirement. Below is a list of responsibilities to be performed by the City of Billings' Database Administrator:

1. Setup the initial databases in conjunction with CityView resource(s)
2. On-going database configuration, monitoring, tuning and troubleshooting of the database environments
3. Manage production database growth
4. Provide support to the project team during the project implementation as identified in the project schedule
5. Manage the performance of the database
6. Establish and maintain database security and coordinate with application administration the application security levels
7. Include the databases in the normal backup routines and add them to the recovery management plan

8. Coordinate activities with City of Billings network and workstation administrators
9. Manage and execute database installation and upgrade patches
10. Participate in user access rights and privileges planning, definition & testing

City of Billings Systems & Network Administrators

These resources will be required to provide assistance to the project team on an as needed basis. Below is a list of responsibilities to be performed by the City of Billings' Systems & Network Administrators:

1. Prepare servers for initial software setup and configuration
2. Provide setup of servers and provide network connectivity
3. Setup required peripherals for the different environments
4. Provide setup of clients' workstations if required
5. Setup testing environments as requested by the City of Billings' Project Manager
6. Participate in Go-Live preparation tests
7. Should be present for Go-Live

City of Billings Trainers

City of Billings trainers will be used to provide the following: Trainers have the following responsibilities:

1. Provide End User training to the different City of Billings groups.
2. Provide electronic copies of training materials where applicable
3. Provide electronic copies of training sessions' agendas
4. Leverage adult learning methodology and teaching techniques while documenting and escalating any concerns to the implementation Project Managers

City of Billings End Users

These resources will be trained on the proposed products. Below is a list of responsibilities to be performed by the City of Billings' End Users:

1. Attend and actively participate in the appropriate training sessions provided by CityView
2. Understand existing business processes as well as the project scope at a reasonable level of detail
3. Have good Windows navigation skills

VIII. Schedule

The project plan will be defined by the Project Managers as an initial step in the project. Start date will take into account each party's current schedule of activities. Please note CityView's implementation resources are currently booked 120-150 days in advance. The City will be added to CityView's schedule after a signed agreement is received.

IX. Project Acceptance

After delivery of the fully configured solution, we expect the City to undertake acceptance testing using self-generated testing scenarios. Should the testing identify any defects, CityView will provide in-scope fixes at no additional charge in parallel to, or immediately subsequent to, the acceptance testing.

After all fixes deemed essential for go-live are provided and retested, the code will be frozen and deployment will commence. Provided the acceptance criteria have been met, the City will be asked to formally accept the delivered solution for Go-live. Following go-live the CityView project team will work with the City to record any known issues. The project team is responsible for the resolution of these known issues. Thirty (30) days after Go Live CityView will request the Statement of Completion that substantiates the product has been delivered and is being used successfully in a live, production environment to accept permit applications, generate fees, record fee payments and generate correspondence associated with permit processing.

During the first 4 weeks after go-live, the project team will begin to familiarize and transition the project to the Technical Support group. At the end of 6 weeks the Project Manager will arrange a formal hand-off involving the City, the CityView Project Manager and the CityView Support group formalizing the transition of any new defects, bugs and support issues to the Support team.

X. Change Order Management

To ensure timely and effective delivery of the project, the scope will be tightly managed. Project change control procedures will be reviewed with the team at the beginning of the project to ensure that they are clearly understood. This review helps establish a common understanding of the need for project change control and the mechanics for implementing any changes to the scope of the project. Any alterations to the project scope, budget, or schedule will be documented and authorized via the Change Control process.

A Change Control refers to any modification and/or new development deviating from the baseline established in the Statement of Work and Scope Document. It includes changes to the software, database, training, consulting services, or related processes. Each modification (or group of modifications) to the Contract, Statement of Work, or Scope Document must be documented and approved by a Change Control Form. All potential changes are compared against the project baseline in terms of functionality, schedule, cost, upgrade capability, maintainability and resources. Change Control requests can be raised by any member of the CityView or City of Billings Project Teams.

The following steps will be followed with any changes to the baseline system:

- The change control process will begin with a team member identifying a function or design alternative not already identified as part of the baseline system or a function that is part of the baseline but because of design issues may impact cost, schedule, or resources
- The person requesting the change will complete a Change Control Form and forward it to the appropriate Project Manager to determine cost, resources, and schedule impact, and the PM will forward the request on to their counter-part. Once these are determined, approval by the CityView Project Manager and City of Billings Project Manager is required.
- Once approved (or denied), the change request is entered into the change control log and is placed on the agenda of the next Joint PM meeting

Any impact to the cost, schedule and/or resources will be elevated to City of Billings Project Sponsor and CityView Project Manager for their review and approval.

Sample Change Order Document

Change Order / Quotation

CHANGE ORDER DESCRIPTION	
Request Date	**Quote Number**
Client/Project	**Valid Until**
Requestor	**Created By**
Description of the Requested Services	
Impact Assessment: Estimate impact to budget, work effort and schedule.	
Total Cost Estimated $	**Planned Delivery Date**
Payment Terms	

APPROVALS			
	PRINT NAME	**SIGNATURE**	**DATE**
For Customer			
For CityView			

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XI. Issues & Problem Resolution

An issue refers to any matter that requires someone to make a decision, and about which no agreement has been reached or can be routinely reached. Typically, issues impede project progress until they are resolved. Change Control items may become issues if they're not dealt with quickly, but Change Control items are specific to the process of authorizing design changes that impact scope, schedule or budget whereas issues can be related to anything about the project that needs to be decided.

The CityView Project Manager will maintain an issue log and will assign responsibility for the resolution of project issues and reports progress to City of Billings' Project Manager and the CityView Project Team. Any Project Manager or team member can submit an issue for logging and resolution. Most project issues are expected to be resolved within the overall Project Team. If the issues are not resolved to the satisfaction of the Project Team, they may need to be escalated to the Project Executive Sponsor or appropriate level.

Typical project situations requiring escalation include conflicting resource demands threatening project staffing, group dependencies not being met, scope disagreements and issues with functionality of the project's deliverables nearing release time.

Escalation Process:

CityView escalation levels in the order listed below:

1. Project Manager
2. Manager, Implementation Services
3. VP, Professional Services
4. Executive Vice President

City of Billings escalation levels in the order listed below:

1. Project Manager
2. Steering Committee
3. Executive Sponsor

XII. Matrix of Requirements

CityView's RFP response to the City of Billings, MT Request for Proposal (RFP) for Community Development Software – August 26, 2022 – **Scope of Work** are provided hereto and attached herein by reference

Please find below and on the following pages CityView's response to the City's Scope of Work.

Describe in detail the overall functionality of the Community Development software:

Requirement	Meets Requirements Yes / No	Comment
Does the software package offer a complete automated solution from citizen initiation to back-office software and mobile software to a final product that the citizen is able to easily access? Describe the process.	Yes	CityView provides your constituents and contractors the convenience of working with the City 24/7 without having to leave their homes and offices. The CityView portal offers access to public facing information and interactive services to registered and non-registered users. The CityView Portal is designed for public use in a variety of ways including: ease of use, security, and general functionality. Using the CityView Portal, citizens and contractors can initiate code cases, apply for and pay for permits, check permit status, requests inspections and meetings, view public information regarding specific properties, and much more. The design is consistent with typical, intuitive web browser use and is browser-agnostic. CityView workflows automate common business processes to save you time. Our workflow tools help you manage and track assignments including defining deadlines. They automatically generate subsequent activities to create a record of your business processes and ensure accountability. CityView Mobile allows City staff to easily access key functionality from the field using devices such as iPhones, iPads, Android devices, and Windows tablets from a browser based user interface.
The City requires a paperless system. Describe the software's workflow process for routing reviews and inspections. How is it configurable?	Yes	CityView's Electronic Plans Review solution combines electronic submission, version control and workflow capabilities with the functionality of Bluebeam Revu for document review and markup.
GIS is an integral part of any new Community Development software for the City of Billings. Describe how the software is integrated with GIS.	Yes	CityView's integration with Esri's ArcGIS Server assimilates mapping and spatial analysis into your everyday business activities whether in the office, in the field and publicly. Staff can quickly locate a job location on a map; measure

		distance, boundaries and areas, create adjacent and buffered spatial queries for mailing lists, kick-off permit and other processes from the map and spatially analyze the surroundings of subject properties and project footprints. Maps can be utilized to: • Embed into reports, letters and forms, e.g. so that inspectors can see where their inspections for the day are located throughout the City • Allow users to select properties based on GIS information and then use the selection to send notices, updates or other letters to the contacts on the properties. • View search results on a map or search spatial attributes from the map. • Use Esri Feature Service layers to draw temporary locations which can then be used in CityView's integration with Esri's ArcGIS Server or ArcGIS Online to assimilate mapping and spatial analysis into the everyday business activities of CityView users in the office, in the field, and publicly. • Flag activities of interest for other users to see e.g. planned route for overloaded vehicle, street closure for maintenance etc. • Run spatial queries to automate the business process.
Can GIS attributes merge into Community Development software? Our goal is to have one place to store common information needed by multiple departments.	Yes	Yes, typically through spatial queries.
Is the software integrated with Microsoft Office for email and calendar functions? Are these functions available online as well? Describe the Microsoft Office integration with the software. Are emails customizable?	Yes	The CityView Outlook Add-in is a browser-based integration between CityView and Microsoft Outlook. The Outlook add-in is an interactive integration between CityView and an individual user's Outlook email and tasks. The CityView Outlook Web Add-in can be configured for use in Outlook via office.com or your installed version of Outlook. Yes, emails are customizable.
Does your software meet these requirements?		
Ability to schedule/accept/track meeting requests in Outlook.	Yes	

Ability to send emails and communicate through Outlook in program with Outlook plug-in.	Yes	
Ability to attach emails and attachment files from Outlook directly into permit file with Outlook plug-in.	Yes	
An inspection-scheduling feature to easily assign and schedule inspections between multiple inspectors and an option to be integrated with Outlook calendar.	Yes	Technically, the scheduling functionality occurs in Microsoft Exchange. Calendars are viewed through MS Outlook.
Does the software provide the ability to generate automatic emails and/or notifications to staff when plans are approved so they may instruct applicants to pay fees or whatever next steps may be?	Yes	This is managed through workflow, but emails can also be generated if so desired. The email to the applicant to request the payment of fees so the permit can be approved is generated by the system and can be edit by City staff.
Do the individual modules "talk" to each other? For example: will the permit module know whether a contractor has an active Business License and stop the contractor from getting a permit? Can we view all cases, licenses, permits, and projects in a common area so a user knows what has happened on a particular property?	Yes	Yes, including in CityView Mobile in the field.
The software needs the ability to set time limits and track time for application reviews and permit inspections. Does your program have the ability to log time spent for reviewing applications, plans and permits and completing inspections for each step in the process?	Yes	Yes, and report on it as needed. Emails can be generated to notify management when tasks are overdue.
The software needs to automatically update statuses as projects, cases, licenses, and permits work their way through the process. System should not enable work on a subsequent step until all current reviews are completed as defined by user. Describe how the software handles updating statuses.	Yes	This is primarily managed through workflow in CityView. Some "scheduled processes" such as Expired Permits scheduled process can update the status of a permit.
Applications can cross multiple parcels. Does your system allow multiple	Yes	

addresses to be entered on an application?		
Does your system utilize a common Cash Receipting function that is available for all modules?	Yes	Yes, and CityView has an option with the Invoice Cloud payment gateway for an integrated point of sale solution.
Does software include dashboard functionality for each module? Provide details on how dashboards work with your product.	Yes	Dashboards are unique to users but do have module specific functionality depending upon the user's role in the system. User dashboards are the starting point where every CityView session begins. From the dashboard, you can access your To Do List, maps, inspection scheduling, history of previous work, and reports and more. The title bar also provides access to key functions like Searching and access to CityView Connect (CityView's online documentation).
Access to data is important. What reporting capabilities does the software include and are reports customizable?	Yes	CityView provides out of the box reports for each module, as well as a user-friendly reporting tool (CityView Reporter and ad hoc queries), and the ability to link SSRS reports to the users' catalog that allows the City staff to develop any necessary reports needed. Yes, reports are customizable.

Describe in detail how the software interacts with customers through the use of a public portal:

Requirement	Meets Requirements Yes / No	Comment
Describe what technology your public portal uses. Explain how you keep the technology current and protected from security threats.		CityView Portal uses Microsoft's MVC Platform running under IIS as the technology, and we do regular 3rd party penetration testing to keep current with security concerns.
Describe the functions that a customer can accomplish using your public facing customer portal for each module.		Customers can manage their Portal account including updating contact information, link their Portal account to a business or contractor license and more. They can manage all business interactions with the City under My Items (dashboard).
Permits	Yes	Users can apply for permits including submitting items electronically, estimate fees, request an inspection, request a meeting, search for an application, and pay fees. Users can also save application in process.
Projects	Yes	Users can apply for projects including submitting items electronically, estimate fees, request a meeting, search for an application, submit appeal or hearing comments, and pay fees. Users can also save projects in process.

Code Enforcement	Yes	Users can submit complaints including pictures of concerns, search for cases, and check on the status of a complaint.
Business Licensing	Yes	Users can apply for a business license including uploading submittals for an application, can search for a business, renew a license and pay fees.
Are property search and mapping capabilities included to make locating properties and identifying permits, projects, cases, and licenses easy for the public and our staff? Does your system use a "partial word" search and other advanced searching functions?	Yes	Yes, property search and mapping capabilities are included. As for search a user only needs to start typing what they know of a query, i.e., "main" will return results with the word main in it.
Are administrators able to customize the look and configure messages within the customer portal?	Yes	CityView uses cascading style sheets to "customize" the look and feel of the CityView Portal to match the City's website. Messages can be configured by administrators on the Portal.
Does the project/permitting application process allow for a review/acceptance phaseprior to creating a project record?	Yes	Yes, it is a step in the workflow. This also allows the City to track abandoned or incomplete applications.
Does the public portal allow for large file uploads? Please elaborate on file size and type capabilities. Does it accommodate single page and multipage files? Can we specify required naming conventions? Can the customer attach multiple files at a time?	Yes	Yes, the City determines the file size and types that can be uploaded. Single and multipage files can be accommodated. The City can include recommended naming conventions on the Portal. And yes, customers can attach multiple files at one time.
Are Automatic e-mail notifications generated as projects and permits progress? If so, does the program have the ability to have multiple contacts listed and select who gets emails based on the phase of the project (application, review, permit issuance, construction)?	Yes	Emails notifications are generated as part of workflow for permits and projects.
The City of Billings currently uses Invoice Cloud as our online payment processor for Accounts Receivable and Utility Billing. We would like to continue using Invoice Cloudfor these services and add Community Development payments into this same payment processor, if possible.		
Does your software currently integrate with Invoice Cloud?	Yes	CityView has an out-of-the-box integration to Invoice Cloud. In addition, CityView has an (optional) point of sale integration for counter payments with Invoice Cloud.

What do you currently use for your online payment processor?	Yes	Invoice Cloud is one of two preferred payment providers with CityView.
Once fees are paid, what is the process for the applicant to download the approved plans/documents for printing?		When fees are paid, City staff will issue the permit or project and approved plans/documents are pushed to the Portal where they can downloaded and printed.
Does your system provide the ability to manage/integrate agendas and meetings and provide online meeting capabilities for public hearings?	Yes/No	CityView has hearing/meetings functionality included. We can integrate with a City solution also. No online meeting capabilities.
Is the customer able to provide an eSignature if required when submitting applications?	Yes	Assumption is the customer will acknowledge legal language as part of the application submittal process.

Describe how your software provides for electronic plan review by addressing the following items. Your response must touch on all items identified, but respondents are encouraged to provide additional information if applicable:

Requirement	Meets Requirements Yes / No	Comment
BlueBeam software sets the standard for plan review and collaboration and the City is committed to using BlueBeam as part of its solution. Is your permitting and workflow management solution able to fully integrate with BlueBeam? This will streamline the review process with the concurrent review capability and workflow. Please describe, in detail, how the software incorporates the use of BlueBeam.	Yes	Yes. CityView's Electronic Plans Review solution combines the exceptional submittal, approval routing, version control and workflow capabilities of CityView with the capabilities of Bluebeam Revu, so you can circulate, mark up and review documents, plans and construction drawings. CityView is a Bluebeam Alliance Partner with a fully integrated EPR solution with Bluebeam since 2013.
If your software is not integrated with BlueBeam, explain the measuring capabilities including the ability to measure curved paths and routes.	n/a	
Is an audit trail and version comparison for plan review included? We need the ability to pull the review layer from the previous and overlay or compare two plans to see changes.	Yes	
Does the plan review program have scheduling, tracking, and workflow capabilities?	Yes	Electronic Plans Review is fully integrated solution within CityView.
Does the plan review program allow for opening multiple sheets of a plan set and multiple plan sets concurrently from the program?	Yes	Yes, they open in Bluebeam Revu.

Can this software solution automatically generateletters or emails from summary of correction items and send to applicant or edit and then send?	Yes	Yes, CityView can auto-generate a summary letter and then email the letter to the applicant or other stakeholders. The Correction Notice is generated in Word where it can be edited using CityView's Microsoft Word Add-In. When the letter is printed, it is also emailed to the applicant, pushed to the Portal for retrieval later should the applicant need to and also pushed to Questys (document management solution) all by workflow.
Is an option to log time spent for reviewing and timeframe for each step in the process included?	Yes	
Does the project/permit status automatically change as the project moves through the process and review steps? Can automatic updates be sent if requested by the project contact?	Yes/Yes	
Please describe how the software, through use of an online portal easily facilitates the submission of revisions and new plan sheets to incorporate into the plan set.		CityView's electronic plans review solution manages the versioning of revisions along with the workflow associated with the process. The end-user only needs to follow the steps in the Portal to complete submission of revisions.
Does the software provide the ability to add an approval stamp to all sheets and 'flatten', or lock, image so mark-ups cannot be edited?	Yes	Technically, the stamping is a function of Bluebeam Revu but CityView manages the stamping process so that a stamp can be applied with interfering with approved plans or marked up plans.

Describe how your software incorporates mobile features designed for field use, offsite inspections, reviews, and code violations:

Requirement	Meets Requirements Yes / No	Comment
Does the mobile program give full access to our inspectors and enforcement officers in the field with a full-feature program made for mobile devices?	Yes	CityView Mobile allows city field staff to easily access key CityView functionality from devices such as iPhones, iPads, Android devices, and Windows tablets. Users can: • Access their inspections to-do lists for the day and view them on a map. • Set inspection order and notify contractors through portal of the inspectors' route • Complete inspections in the field. • Time inspections with a start/stop clock • Automate SMS messages to contractors ahead of inspectors' arrival. • Route planning

		• Integrate with the GPS of the mobile device • Look up contractors to display the status of their licenses. • Perform permit searches to check for status and outstanding fees. • Perform property searches to check for valid permits, code cases etc.
Is the mobile application integrated with GIS? Explain.	Yes	CityView Mobile uses GIS data in a number of different ways. (1) To view inspections on a map (2) Routing for most efficient method (3) To identify nearby permits, projects and code cases dynamically in the field.
Is a 'disconnected mode' feature provided when data service is not available?	Yes	CityView uses advanced mobile device technology to run seamlessly even in situations with little or no connectivity (i.e. "disconnected mode") ensuring inspectors can continue working even when: • Conducting inspections in areas with limited or intermittent cellular or WiFi coverage • Losing connectivity moving between floors in a structure on a job site • Any situation in which transferring data between the mobile device and the CityView server will be difficult or impossible CityView Mobile will seamlessly move between connected and disconnected mode as the device loses and regains its connection.
Does the software time inspections to track workload?	Yes	
Are inspectors able to schedule inspections in the field from the mobile application?	Yes	
Should allow for multiple sorting options on workflow such as time, address or urgency.	Yes	
Should be integrated with outlook to send notice of approval, corrections, correction lists and finals to pertinent contractors and city personnel.	Yes	Integrated to the City's mail server to facilitate these types of communications.
Does the software generate correction items list to email to contractor/owner and save a copy in the permit file for anyone to reference?	Yes	
Are there 'voice to text' capabilities?	No	This is a function of the device. CityView Mobile uses the "voice to text" capabilities of your device.
Does the software include easy photo upload or the ability to take photos	Yes	

directly from application to add to an inspection record?		
Are attachments available to be viewed through mobile for all applications?	Yes	Assumes a data connection is available.
What mobile devices are recommended and/or supported for staff using this application in the field? Include information about operating systems, screen size, touch screens, input devices, etc.		CityView Mobile is device agnostic. A modern browser is all that is required. Tablets such iPads or Android devices are the most commonly used by CityView customers.
Permits:		
Permit records must be able to distinguish between multiple departments using the permit module. We currently issue Building, Planning, Engineering, and Utility permits through our Permitting system. Describe how this is accomplished in your system.		Controlled through security (user's role), workflow, and business rules.
System must be able to calculate fees based on multiple criteria. Explain how fees can be configured.		CityView's "Flex Fee" system ensures that appropriate fees are always charged by enabling the ongoing maintenance of fee schedules and valuation tables. CityView supports flat, incremental, percentage and range percentage-based calculations. Fees will be automatically calculated, and business rules will automate which fees get added to each application. If CityView Cashiering is being used, fees can be configured so that payment amounts will be distributed to appropriate general ledger accounts based on the fee definition.
The system should provide the ability to duplicate an existing permit application and all associated information to a new permit application at a different location (without manual rekeying of the data)	Yes	CityView Cloning option is used to copy an entire application one or more times, or only specific parts of the application, as appropriate.
System must have the ability a track and ensure contractors have appropriate licensing before allowing them to apply for permits. Describe how the software manages contractor information.	Yes	CityView includes contractor validation. There are two methods of automated contractor validation: General Validation - This will validate for this issuance for every Licensee every time they are added to an application, regardless of type. This setting can be used for Bond, Workers Compensation, Liability, or similar issuances that may be tracked for every contractor, regardless of trade. It should not be used to track specific issuances for specific contract types. Specific Validation - CityView can also be configured to check for specific issuances for

		specific permit types (e.g. Plumber's License for a Plumbing permit, etc.). This method is used to validate the contractor's trade permits against the type of work they are doing. This method will check when you add the contractor as a contact (assuming permits were added for the application type by default) and when you add permits to the application.
System must be integrated with an ePlan review software. Our preference is BlueBeam integration. Please describe how the permit software integrates with an ePlan review software.	Yes	CityView's Electronic Plans Review solution combines the exceptional submittal, approval routing, version control and workflow capabilities of CityView with the capabilities of Bluebeam Revu, so you can circulate, mark up and review documents, plans and construction drawings. CityView is a Bluebeam Alliance Partner with a fully integrated EPR solution with Bluebeam since 2013.
Based on classification, permits must meet criteria before permits are issued including fees being paid and reviews completed. How is your system configuredto allow permits to only be issued after meeting this criteria?	Yes	Through workflow and business rules. For example, permits cannot be advanced in the workflow until fees are paid unless a supervisor with appropriate security advances the application forward. Other examples include conditions can be set as part of the planning process and a permit related to the planning application cannot be issued until the condition is satisfied.
System must allow for customized Permits. We currently issue permits from different departments based on permit classification. Describe the process to createcustomized permits.	Yes	Through workflow, business rules and attribute field groups. Attribute field groups (or AFGs) are logical groupings of Attribute Fields that display together. For example, a number of different data entry fields that are only pertinent to Septic Permits. There is no point in having all those fields displayed on the Permit Application screen all the time because they will be left blank for other application types. You would only want them to appear when the Permit Type is set to "Septic" and display them together with a logical heading to identify them as fields relating specifically to septic permits.
Does system allow for customized Certificate of Occupancy?	Yes	Most documents in CityView are Word templates. The CityView MS Word Add-in allows users with designated "configuration" rights to modify and create letter templates for use within the CityView business processes. This Add-in is a rich editing environment allowing users to work in a product that they are already very familiar with: Microsoft Word. CityView workflow generates these templates and the

		Certificate of Occupancy can be modified using Word.
Does your system track bonds? Can cash bonds be accepted and refunded through your system?	Yes	The system can track bonds. Cash bond payments can be accepted in the system. The refund process is also possible but additional details are needed to fully agree with the requirement.
Inspections:		
Is a user able to schedule inspections online and send inspection requests to specific inspectors based on zones and qualifications, and/or to an 'in box' where inspections can be assigned by staff?	Yes	Yes, users can request inspections using the CityView Portal. Inspections are assigned based upon City business rules (inspector qualifications) and spatial (zones). Inspections can also be assigned manually if so desired.
Describe how your system schedules inspections. Can inspections be re-assigned?	Yes	See above on scheduling inspections. Yes, inspections can be re-assigned either individual or in bulk.
Is there a calendar scheduling option for inspections? Can we customize it to remove available inspection times when inspectors are out of the office?	Yes	CityView has a MS Exchange Extension that allows inspectors to block times when they are not available for inspections.
Can users make and edit inspection checklists as needed?	Yes	
Are customers or users notified by text or email of inspections scheduled, accepted, completed, etc?	Yes	
Can correction notices be automatically generated and emailed to users upon inspection completion?	Yes	
Is there a route mapping option to create the best route for inspectors?	Yes	
Can inspections be automatically assigned based on zone, qualifications, etc?	Yes	See response above.
Can inspections be automatically assigned to the same inspector that was there previously? Especially for re-inspections?	Yes	
Projects:		
Does the system provide automated system to generate email, letter or text/SMS form notifications in mass? Example: Automatically send email to all stakeholders with results of public hearing.	Yes	
System must be integrated with an ePlan review software. Our preference is		CityView's Electronic Plans Review solution combines the exceptional submittal, approval

BlueBeam integration. Please describe how the permit software integrates with an ePlan review software.		routing, version control and workflow capabilities of CityView with the capabilities of Bluebeam Revu, so you can circulate, mark up and review documents, plans and construction drawings. CityView is a Bluebeam Alliance Partner with a fully integrated EPR solution with Bluebeam since 2013.
System must be able to calculate fees based on multiple criteria. Explain how fees can be configured.		CityView's "Flex Fee" system ensures that appropriate fees are always charged by enabling the ongoing maintenance of fee schedules and valuation tables. CityView supports flat, incremental, percentage and range percentage-based calculations. Fees will be automatically calculated, and business rules will automate which fees get added to each application. If CityView Cashiering is being used, fees can be configured so that payment amounts will be distributed to appropriate general ledger accounts based on the fee definition.
Projects can go through several different review processes. Can a group of review steps be added as needed during the review process? Provide details on how the reviews are configured and applied to project types.	Yes	Reviews are assigned based upon application type but can also be assigned based upon spatial data, i.e.,. historical district. Review steps can added on the fly, too, as needed.
Describe the reporting options for the Projects module.		CityView provides out-of-the-box reports for the Project module, as well as a user-friendly reporting tools (CityView Reporter and ad hoc queries), and the ability to link SSRS reports to the users' catalog that allows the City staff to develop any necessary reports needed. Out-of-the-box reports are customizable by the City.
Licensing:		
System must be able to calculate fees based on multiple criteria. Explain how fees can be configured. Can penalties for late payments be applied?		CityView's "Flex Fee" system ensures that appropriate fees are always charged by enabling the ongoing maintenance of fee schedules and valuation tables. CityView supports flat, incremental, percentage and range percentage-based calculations. Fees will be automatically calculated, and business rules will automate which fees get added to each application. If CityView Cashiering is being used, fees can be configured so that payment amounts will be distributed to appropriate general ledger accounts based on the fee definition. And yes, penalties or late payment fees can be applied.

System must allow for customized notices and licenses. Describe the process to create customized forms for licensing.		Customized forms based upon classification are created through attribute field groups and business rules. Notices are managed using CityView's MS Word Add-In.
Based on classification, licenses must meet criteria before licenses are issued including fees being paid and reviews completed. How is your system configured to allow licenses to only be issued after meeting this criteria?		Through workflow and business rules. Licenses cannot advance (be issued) in the workflow until reviews are completed and fees are paid.
Does renewal process create new license record based on current year license record?	Yes	
Describe the renewal process.		
Can the business opt for emailed notices instead of paper notices?	Yes	Yes, many CityView customers see close to a 100% of renewals take place online. Notices are emailed rather than printed.
Can the business complete a questionnaire online?	Yes	
Is business notified through email or online the status of the renewal?		They are emailed but the information is available online, too.
Can the business print license online once renewal is complete?	Yes	
Can the business request vehicle permits online?	Yes	
Does system keep track of bonds held by businesses? Can expiration letters be sent to businesses based on expiration date?	Yes/Yes	
Describe the reporting options for the Licensing module.		CityView provides out-of-the-box reports for the Licensing module, as well as a user-friendly reporting tools (CityView Reporter and ad hoc queries), and the ability to link SSRS reports to the users' catalog that allows the City staff to develop any necessary reports needed. Out-of-the-box reports are customizable by the City.
Code Enforcement:		
Does the system have the ability to accommodate user-defined document templates for City-identified case types?	Yes	The CityView MS Word Add-in allows users with designated "configuration" rights to modify and create document templates for use within the CityView business processes. This Add-in is a rich editing environment allowing users to work in a product that they are already very familiar with: Microsoft Word.
Does the system have the ability to print notice letters or violation hangers in the field listing specific code violations,	Yes	Yes, to all of the questions. Printing typically requires a Bluetooth printer in the field.

impending actions/dates, etc? Can these notices be electronically signed and printed from a mobile device? Can they be emailed?		
Describe the reporting options for the Code Enforcement module.		CityView provides out-of-the-box reports for the Licensing module, as well as a user-friendly reporting tools (CityView Reporter and ad hoc queries), and the ability to link SSRS reports to the users' catalog that allows the City staff to develop any necessary reports needed. Out-of-the-box reports are customizable by the City.

Describe the technical options available for the software platform:

Requirement	Meets Requirements Yes / No	Comment
Solution Platform: Are your proposing an in-house hosted or cloud solution? For either solution, production and test environments are required. If in-house solution, then what are the server requirements for hosting your solution? (# of servers, types of servers, performance requirements, etc)		We are proposing an in-house solution so the City can take advantage of the Software for Life program that Harris offers to current customers. An option to host in the cloud is available. See our separate Price Proposal. For technical details please refer to Section 3.1
What Operating Systems are required/supported?		For technical details please refer to Section 3.1
What are the estimated storage requirements?		For technical details please refer to Section 3.1
What is required to support the outward facing services?		For technical details please refer to Section 3.1
Cloud-Based Solution:		
What are the optimal bandwidth recommendations for end-points running your solution?		For technical details please refer to Section 3.2
Where is your cloud solution hosted?		Pittsburgh, PA. Expedient is CityView's hosted provider.
Will our data remain on U.S. soil or possibly hosted in other countries?		City data will remain on U.S. soil.
How often are systems/services unavailable?		Minimal. We make best efforts to maintain uptime during Business Hours, as defined in our support and maintenance agreement. During regularly scheduled, software and platform update cycles, it is expected that the application can be down for a few hours per month. These updates, to improve functionality,

		security and stability, will be scheduled during off hours.
Who is responsible for maintaining the upgrades to your data information system, the server operating system(s), database maintenance, server health, security settings? In other words, do you offer a full SaaS hosted solution?		With our hosted solution, CityView includes for two (2) upgrades per year. The City will not be required to download and install upgrades. Expedient maintains infrastructure including operating system, database health, server settings and security. Yes, we offer a full SaaS hosted solution.
How would city IT staff access the database(s) for reporting and query purposes?		CityView provides out of the box reports for each module, as well as a user-friendly reporting tool (CityView Reporter and ad hoc queries), and the ability to link SSRS reports to the users' catalog that allows the City staff to develop any necessary reports needed. Reports are customizable. For cloud based/hosted clients, CityView provides a read-only replication for reporting that is synchronized every 10 minutes. A full database backup is provided once a month. Additional options can be negotiated at additional costs.
Will the production data and all backups remain within the borders of the United States of America? If not, in what other countries will the cloud-hosted data and backups be stored?	Yes	Yes, all data remains in the US.
Provide information on your backup strategy, redundancies, and disaster/recovery		For our hosted solution, Expedient does all the backups and restores of the data for CityView and we then apply it to the City's environment. (nightly full backups of the City's environment are taken) Backups are not provided to the City except in accordance with the terms of the subscription agreement. CityView knows the importance of a Business Continuity Plan and has experience returning customers to normal operations after a severe incident. Priority goes to the Production environments, restoring essential services such as phone, email, etc. Communication is crucial.
What security measures and precautions are in place to protect our cloud-hosted data from a Cybersecurity attach such as ransomware?		All CityView endpoints have malware, antivirus, and security policies in place to limit CityView users network and file access internally, limited to authorized devices. All data is encrypted. A comprehensive patch process ensures endpoint machines acquire necessary security updates. Our IT teams ensure endpoint machines can be

		readily quarantined and isolated if necessary. Please see section 3.2.21 for additional details regarding CityView hosting by Expedient.

Please describe system requirements:

Requirement	Meets Requirements Yes / No	Comment
Does your software work in a Windows 10 environment?	Yes	
Is the system browser based or do endpoints require a client for your solution?		Browser based using HTML5 technology.
Describe your software licensing model. Is your software licensed per workstation, per user, concurrent licensing, no separate licensing required, etc.?		Per concurrent user and modular (functionality based) for premise. We have included a hosting option should the City desire to move the system to the cloud.
The City of Billings is requiring that software uses Microsoft SQL Server for its database. Does your software meet this requirement?	Yes	
How is the data on your system secured?		CityView Security is threaded throughout the application stack and technologies. Security is predominantly role-based and can be inherited as well as controlled at the user-level. Security can be applied to application objects such as Data Entry Forms, Reports, Searches, Filters, etc., as well as data through the use of Database Connections. Record security can also be applied and overridden, e.g. by a supervisor user. CityView has been integrated with Active Directory/LDAP since 2003, providing single sign-on. It is very straightforward to enable LDAP authentication in CityView. Users in Security will have the exact same login ID as their Active Directory login name; and, in turn, that same ID will be used when configuring the list of "employees" on the Employee Maintenance This allows you to store additional information about the employee but still have it tie back to the login credentials, so that you can do things like determine the department, supervisor, or hourly rate of the currently logged in user. Virtually every feature in CityView can be secured. The out-of-the-box organization roles

		define appropriate access based on the user's role(s). Custom organization roles can also be defined that inherit rights from the out-of-the-box roles but provide better mapping onto your Active Directory "groups". CityView also has the concept of Record Security, whereby it is not so much the user or the type of data that is being secured but rather the data is being secured once it is in a particular state. For example, you would normally want Code Enforcement officers to be able to modify the details of a case, but perhaps once that case is "Closed", you want it to be secured from any further edits. Similarly, maybe you want to make sure that only certain people can see the name of the Complainant on a case, but anyone is allowed to see any other Contacts listed on that case.
Does your system collect and/or store any Personally Identifiable Information (PII)? If yes, what security measures are in place to protect this data?	No	No, CityView does not store credit card or SSN information. For credit card payments we integrate to PCI compliant processors.
What versions of Microsoft Office suites do you recommend and/or support? MS Office 2016, MS Office 2019, O365 G1, O365 G3, other?		CityView Word Add-In and Outlook Add-In work with all of the version listed.

Describe how your software interfaces:

Requirement	Meets Requirements Yes / No	Comment
The City of Billings currently uses CitySuite by Harris for its financial system. It is required that a Community Development software must interface all financial transactions to it including all payment, charge, and refund transactions. Describe how this process is identified and accomplished.		CityView will use a batch export or an API integration. We are sister company to CitySuite by Harris and will work closely with Harris ERP staff to ensure the best integration possible.
Do you have built interfaces to other customers using CitySuite Financials, Accounts Payable for refunds, and CIS for Accounts Receivable?	No	
The City of Billings currently uses Questys as the enterprise content management system. Attachments that are stored in software need to		CityView has a current integration to Questys. It is an out-of-the-box integration using our DMS framework. We have included in our proposal.

automatically be stored in our document imaging solution as well. In addition, we need to be able to access these documents from the Permitting module. Describe how your software would integrate to it.		
The City of Billings is fully invested in GIS and expects a fully integrated GIS solution. If GIS is not directly integrated with Community Development software, explain how addressing, ownership, and parcel information from our existing ESRI addressing/parcel information would update/synchronize to the software.		CityView has an API integration to Esri ArcGIS. We treat mapping/GIS data as first-class data in the system.
Provide costs for developing and maintaining needed interfaces to CitySuite and Questys.		Estimated cost for an integration to CitySuite is $10,900. Questys is an out-of-the-box integration and is maintained as an integration in our document management framework.

Please describe product implementation:

Requirement	Meets Requirements Yes / No	Comment
Project Management – Describe the implementation methodology including analysis, requirements definition, key milestone, system testing, system launch and the estimated duration of the project.		Please refer to Section 4 for CityView's Implementation methodology including project management.
Key Project Team members should be listed in the proposal narrative and with accompanying resumes.		Please refer to Section 1.2 and Appendix A.
Occasionally, people do not work well together when expectations or methodology are not aligned for various reason. What is the escalation path if the City requests different team members for the project management or implementation team?		A clear escalation procedure and path is defined and agreed to by both parties. CityView escalation levels are presented in the order listed below: 1. Project Manager 2. VP, Professional Services 3. Senior VP, Customer Success 4. Executive Vice President Suggested City escalation levels are as follows, in order: 1. Project Manager 2. Steering Committee

		3. Executive Sponsor
City Roles and Responsibilities – Describe the resources needed from the Cityduring installation, configuration, and testing.		Please refer to Section 4.2.2 and 4.2.2.1
Training - Describe the training needed including the training format (online, classroom, instructor led, train the trainer) and time requirements for each type of training.		Please refer to Section 4.4
Integration to other software systems - How does your company go about defining the interfaces required to meet our needs and providing a scope that includes initial and on-going costs for these interfaces?		The CityView Implementation approach focuses on refining a comprehensive, fully featured product designed from industry best practices, to align with your business. This is an efficient process with the configuration tools that have become the hallmark of CityView's offering for 40 years. During implementation, Step 1 - Process Mapping, interface requirements will be defined. The main deliverable at the end of the Process Mapping step is the Scope Document. The Scope Document will reference, where applicable, documentation that needs to be included in the implementation, such as RFP functional requirements, responses to CityView Administrator that were provided by CityView and completed by the City, data mapping documents, and interface design documents.
A test environment is required. Describe how your test environment functions andhow frequently the test database is refreshed with production data.		A test/training environment is installed at the customer site during the implementation, primarily for purposes of testing the hardware infrastructure but also to provide a sandbox database for customer use if desired and as training for the customer administrators. This test database is overridden with the production-ready environment prior to go-live. As part of the go-live efforts our support team ensures the customer has at least a test environment and a production environment installed and configured. No additional costs are incurred based on the above environments.
What is your anticipated timeline for implementation?		Approximately 18 months. Specifically, our project manager works with your project staff to develop an overall project plan, including time schedules, application implementation priorities, and any key issues identified that may affect the project schedule or progress.

Conversion of current data into new solution:

Requirement	Meets Requirements Yes / No	Comment
Describe the process your company would go through to import our existing data into your proposed solution.		Please refer to Section 4.3
Please let us know if your company has any experience in converting data from our existing Community Development Software from Harris into your proposed solution.		As a sister company to Harris ERP, we will have relational access for converting data that no other vendor will be able to duplicate. CityView has 40 years' experience implementing solutions for municipalities throughout the US and Canada and virtually every one of them has included a conversion of legacy data into the CityView system from a large variety of legacy formats. During this time we have experienced probably every permutation and combination of legacy data retention possible.

Maintenance and Support

Requirement	Meets Requirements Yes / No	Comment
Describe the support provided after the installation is complete for both an on premise and cloud-hosted solution		Please refer to Section 5
What types of Customer Service are available (help desk/online submission of service request)		Both help desk/online submission of service requests are available. Please refer to Section 5
Tell us about the Service Level Agreements/Response Times		Please refer to Section 5
What options do we have for Problem Escalation?		Please refer to Section 5
What are your Support Hours?		6:00 a.m. and 6:30 p.m. MDT on regular business days
How frequently does the software get updated?		One release every six to ten weeks; approximately 10 new versions of CityView per year. New releases of CityView are developed using our internal Research and Development department. Each new release of CityView contains all the features included in previous releases. All releases are supplied as part of your mandatory Annual Software Maintenance agreement (ASM).

Are there release notes describing functional updates when a new release is provided?	Yes	Yes through CityView Connect. Please refer to Section 4.5 for sample documentation.
If custom interfaces are built to other software systems,		
Does the Service Level Agreements/Response Times cover the custom interfaces?	Yes	
Is there a charge for reviewing, testing, and possibly updating the interface when your solution is updated? Explain the process.		This is covered under your Annual Software Maintenance agreement.
Is there a charge for reviewing, testing, and possibly updating the interface when the other solution is updated? Explain the process.		Additional costs may apply.
What sets you apart from other Vendors?		Please refer to Section 5.1

SOFTWARE LICENSE AND SUPPORT AGREEMENT

This Software License and Support Agreement between N. Harris Computer Corporation ("CityView"), and City of Billings, MT ("Licensee") is effective as of _____ (the "Effective Date").

Whereas N. Harris Computer Corporation and Licensee entered into a Contractual Services Agreement dated _____ for the provision of certain professional services through CityView (the "Contractual Services Agreement");

Whereas CityView proposes to license its software application to Licensee on the terms and conditions set out in this Agreement;

Whereas CityView desires to provide the Licensee with support and maintenance services related to its software application;

Whereas the Licensee has received the proper approvals such that it will license the software application;

Now therefore, the two parties agree to the following:

1 DEFINITIONS

1.1 Throughout this Agreement, except as otherwise expressly provided, the following words and expressions shall have the following meanings, and to the extent that any capitalized words are not defined in this Agreement but in either the Support and Maintenance Agreement or in the Contractual Services Agreement, then those words shall have the meaning ascribed to them in those respective agreements with priority being assigned to the Contractual Services Agreement and then to the Standard Support Service Level Agreement.4464 Markham St., Suite 1202, Victoria, BC V8Z 7X8 Canada

1.1.1 "Add-on" means an individual component of the software that provides a specific functionality.

1.1.2 "Agreement" means this Software License Agreement, including all of its Schedules and all instruments supplementing, amending or confirming this Agreement.

1.1.3 "Confidential Information" means the Software and all information or material that either party treats as confidential which is:

1.1.3.1 Marked "Confidential," "Restricted," or "Proprietary Information" or other similar marking,

1.1.3.2 Known by the parties to be considered confidential or proprietary, or

1.1.3.3 Which should be known or understood to be confidential or proprietary by an individual exercising reasonable commercial judgment in the circumstances.

1.1.4 Confidential Information does not include information to the extent that such information:

1.1.4.1 Is or becomes generally known to the public by any means other than a breach of the obligations of a receiving party hereunder;

1.1.4.2 Was previously known to the receiving party as evidenced by its written records;

1.1.4.3 Is rightly received by the receiving party from a third party who is not under an obligation of confidentiality; or

1.1.4.4 Is independently developed by the receiving party without reference to or use of the other party's Confidential Information which such independent development can be establish by evidence that would be acceptable to a court of competent jurisdiction.

1.1.5 "Configuration Console" is a set of tools used for the process of defining the values of parameters for the Software and automating the software. This includes but is not limited to Lookup table values, Fees, Letter templates, Activity-based workflows, custom data fields, organizational roles, business rules definable in the Software rules engine and expression writing.

1.1.6 "Completion of Services" means that the Software is fully operational and performing in conformity with the specifications set out herein. For purposes of this Agreement, Completion of Services will be deemed to have occurred on the date which the Organization commences using the Software as its predominate business system.

1.1.7 "Core Software" means that portion of the Software that provides the base functionality which, when installed and implemented, will always be in operation when the Software is in operation on the Designated Computer System.

1.1.8 "Event of Default" is deemed to have occurred if CityView:

1.1.8.1 Becomes insolvent, executes an assignment for the benefit of creditors, or becomes subject to bankruptcy or receivership proceedings,

1.1.8.2 Ceases business operations generally or

1.1.8.3 Ceases to market or make available maintenance or support Services for the Software during a period in which the Licensee is receiving support services pursuant to the Standard Service Level Support Agreement, or,

1.1.8.4 Has transferred all or substantially all of its assets or obligations set forth in this Agreement to a third party which has not assumed all of the obligations of CityView.

1.1.9 "Designated Computer System" shall mean the Licensee's platform and operating system environment which is operating the Software.

1.1.10 "Documentation" shall mean user guides, operating manuals, technical manuals, supporting materials, and other information relating to the use of the Software, whether distributed in print, magnetic, electronic, or video format.

1.1.11 "Maximum Concurrent Users" shall have the meaning ascribed to it in paragraph 3.

1.1.12 "Module" means a particular application component of the Software that provides general functionality.

1.1.13 "Project" means services to be provided pursuant to additional Modules or Add-ons (including Third Party Software) that are to be licensed to Licensee and which services are provided pursuant to a Short Form Contractual Services Agreement

1.1.14 "Software" shall mean the licensed CityView application software consisting of the Core Software, the Configuration Console, the Modules and the Add-ons, including any updates provided subsequent to this Agreement, and including all copies made by whomsoever produced. Third Party software are not included in the definition of software.

1.1.15 "Source Code" of the Software means the Software written in programming languages, including all comments and procedural code, such as job control language statements, in a form intelligible to trained programmers and capable of being translated into object code for operation on computer equipment through assembly or compiling, and accompanied by documentation, including flow charts, schematics, statements of principles of operations, and architecture standards, describing the data flows, data structures, and control logic of the Software in sufficient detail to enable a trained programmer through study of such documentation to maintain and/or modify the Software without undue experimentation.

1.1.16 "User" means an agent of Licensee who has been provided with permission by CityView to be a User or an employee of Licensee while that agent or employee is engaged in using the Software.

1.1.17 "Third Party Software" means any software applications and services that CityView or its service providers has licensed or purchased and provided access to or otherwise made available to Customer as part of the Services as well as any third party software that is required to be obtained by Licensee directly from the applicable third party vendor in accordance with paragraph 6.3 and 6.4.

2 SCHEDULES

2.1 The Schedules described below and appended to this Agreement shall be deemed to be integral parts of this Agreement.

2.1.1 SCHEDULE A - Description of Software, Software & Maintenance Fees, Payment Milestones and Deliverables

2.1.2 SCHEDULE B - Optional Escrow Services Languages

2.1.3 SCHEDULE C- Configuration Console Correct Usage Protocol

2.1.4 SCHEDULE D - CityView Standard Support Service Level Agreement

2.1.5 SCHEDULE E - Third Party Software

3 LICENSE

3.1 Subject to the terms and conditions of this Agreement, including without limitation the payment of the License Fees, CityView hereby grants the Licensee a non-transferable, non-exclusive and limited license to:

3.1.1 Use the Software on Licensee's Designated Computer System for its own internal business purposes or operations with access to third parties as reasonably necessary for the intended use and otherwise in accordance with the Documentation. The Software is in "use" on a computer when it is loaded into temporary memory (i.e., RAM) of that computer;

3.1.2 Copy the Documentation and copy the Software into any machine readable form for back-up, archival or training purposes in support of the Licensee's use of the Software on the Designated Computer System PROVIDED THAT:

3.1.2.1 The Licensee shall maintain a record of the number and location of copies made and to erase all such copies promptly when no longer in use or necessary;

3.1.2.2 The copies, together with the original, shall remain the property of CityView; and

3.1.2.3 The Licensee has not removed or obscured any copyright, trademark or other proprietary notices from the Documentation, Software and related materials supplied by CityView; and

3.1.3 Customize the Software using (specifically) the expression writing capabilities of the Configuration Console and such customizations using the Configuration Console are not subject to the restrictions detailed in paragraph 4.

3.2 The Software and related materials supplied by CityView are protected by copyright and trademark laws. Title, ownership rights and intellectual property rights in the Software and related materials supplied by CityView remain with CityView and any rights not expressly granted are reserved. Use of the Software and related materials supplied by CityView is subject to the applicable copyright laws and the express rights and restrictions of this Agreement.

3.3 The Software that is delivered to the Licensee includes all of the Modules, the Core Software, the Configuration Console and the Add-ons. The Licensee's use of these components is subject to the restrictions detailed in paragraph 4.

3.4 The number of Users who may access the Software at any one time is limited to the "**Maximum Concurrent Users**" as listed in SCHEDULE A. Any request to increase the number of Maximum Concurrent Users may entail additional license fees. The Licensee is not restricted in the number of employees or agents who may be permitted to use the Software. The restriction only applies to those accessing the Software at the same time.

3.5 The Software and/or some components may be licensed with the designation of "Read Only"; where this occurs the license permits users with view-only access to the Software but not the right to input, write or alter any data or information. Any applicable "Read Only" designation will be stated in SCHEDULE A and those aspects of the Software will be licensed as such.

3.6 The license rights granted herein and the other terms and conditions of this Agreement do not apply to any third party software listed in SCHEDULE A and SCHEDULE E to this Agreement. Such third party software is licensed pursuant to and subject to all of the terms and conditions set out in the applicable third party license agreements for such software. For greater certainty and without limiting the generality of the foregoing, CityView makes no warranties, express or implied with respect to the third party software, including without limitation, their merchantability or fitness for a particular purpose and CityView accepts no liability of any kind whatsoever with respect to third party software.

4 LICENSE RESTRICTIONS

4.1 Without limiting the generality of the License granted in paragraph 3 and any other restrictions listed in this Agreement, Licensee shall not, and will not allow, direct or authorize any other party, directly or indirectly, to:

4.1.1 Use the Software for any purpose other than in connection with Licensee's primary business or operations;

4.1.2 Disassemble, de-compile, reverse engineer, defeat license encryption mechanisms, or translate any part of the Software,

4.1.3 Attempt to reconstruct or discover the Source Code of the Software or to otherwise convert it into human readable code;

4.1.4 Modify or create derivate works of the Software;

4.1.5 Rent, lease, lend, or use the Software for timesharing or bureau use;

4.1.6 Allow a third party to copy, access, or use the Software;

4.1.7 Take any actions that would cause the Software to become subject to any open source or quasi-open source license agreement, or

4.1.8 Attempt to access a Module or Add-on for which a license has not been granted.

4.2 Licensee shall be wholly liable to CityView for any misuse of the Software and the restrictions in Paragraph 4.1 are absolute except as and only to the extent that this Agreement may expressly permit CityView to do otherwise.

4.3 Licensee requires a separate License for each environment into which the Software or any portion thereof is read in machine-readable form for operation on such Designated Computer System in a production environment.

4.4 The Licensee may only use the Software for which it has paid the license fees. Upon the payment of the applicable license fee Licensee shall be provided with the electronic key which will permit Licensee to use the components of the Software for which it has paid a license fee. The Licensee may at any time request a further license to use additional components, the use of which shall be subject to the payment of the appropriate license fee and the provision of an electronic key.

4.5 The Licensee may only use the Configuration Console where it has paid the appropriate license fee. Upon the payment of the applicable license fee, Licensee shall be permitted to use the Configuration Console subject to any restrictions that may be detailed in writing when such permission is granted.

4.6 Prior to the use of the Software for the initial and each renewal term, the use of the Software will be subject to the Licensee's receipt from CityView of an electronic key permitting access to the Software. The receipt of the key is subject to the renewal of the Standard Support Service Level Agreement (SCHEDULE D).The Licensee acknowledges that it will not be able to use the Software in any fashion without the use of the key and that it understands fully its obligations in order to receive each applicable key.

5 LICENSE FEES

5.1 The rights granted to Licensee hereunder are subject to the Licensee paying to CityView the following license fees:

5.1.1 A license fee to use the Software; license fee(s) in relation to the Modules for which the Licensee has requested access; and the license fee related to the Configuration Console, if requested by Licensee.

5.1.2 The appropriate license fees are detailed in SCHEDULE A and the Modules for which a license is provided and whether a license in the Configuration Console is provided are also listed in SCHEDULE A (including the details of the applicable license fees). The list of licenses for Modules and the Configuration Console may be amended from time to time by a Statement of Work that specifically references this Agreement and which amends SCHEDULE A by detailing those Modules that are being licensed or will no longer be licensed in accordance with the terms of this Agreement.

5.1.3 Where a Project is undertaken, the license fees applicable to the Software related to the Project shall be detailed in a short form Contractual Services Agreement

5.2 The failure to pay such license fees within ninety days of an invoice shall automatically terminate this Agreement despite any cure periods provided elsewhere herein and paragraph 9.1 shall apply.

5.3 In addition to the above required license fees, any services applicable to the installation, implementation, training or configuration of the Software (both at the time the initial license is granted and for any subsequent licenses) may require additional professional service fees for the provision of the applicable professional services both of which would be subject to this Agreement.

6 SUPPORT

6.1 In consideration of payment of the annual support and maintenance fee set out in SCHEDULE A (the "Support and Maintenance Fees"), CITYVIEW will provide:

6.1.1 Priority response on support requests regarding the Software, as described in the CityView Service Level Agreement Attachedas SCHEDULE D.

6.1.2 Remote diagnosis of operational issues related to the Software, provided that the Licensee has obtained, at its cost, the necessary software, hardware and instruction to allow CITYVIEW to provide such assistance.

6.1.3 Updates for the Software at no extra charge except for magnetic media and courier costs, these updates to include minor changes, enhancements, improvements, and problem resolutions;

6.2 In consideration of the services set out above, the Licensee agrees to pay the Support and Maintenance Fees in accordance with the payment schedule set out in SCHEDULE A. Despite anything in the support terms or this Agreement to the contrary, the Support and Maintenance Fees may be increased by CityView at the annual renewal time for Support and Maintenance and additionally if new modules are added to and become subject to this Agreement as described in paragraph 3.1.3 above.

6.3 As CityView has provided licenses for its Electronic Plan Review solution, which includes the integration with and combined functionality of BLUEBEAM Revu software pursuant to this Agreement, the Licensee agrees to purchase all subsequent support and maintenance services for the BLUEBEAM software directly from CityView. CityView agrees that Support and Maintenance Fees for the BLUEBEAM software shall not exceed the fees that would be charged by BLUEBEAM for equivalent support and maintenance services. Licensee agrees that CityView's support and maintenance services for the BLUEBEAM software are special and cannot be adequately provided by another third party because of the integration between the Software and BLUEBEAM software.

6.4 Where Licensee has existing BLUEBEAM REVU software at the time of entering into this agreement, or acquires such licenses from other sources, Licensee agrees to purchase support and maintenance for all BLUEBEAM REVU software exclusively from CityView.

7 CONTEMPORANEOUS AGREEMENTS

7.1 The parties agree that execution of the following agreements are conditions precedent to the effectiveness of this Agreement and that the following agreements shall be entered into no later than contemporaneously with the execution of this Agreement.

7.1.1 The Support and Maintenance Agreement which shall detail CityView's support obligations in relation to the Software; and

7.1.2 The Contractual Services Agreement which shall detail CityView's installation and implementation services for the Software.

7.2 Additionally, the Licensee shall have the option of entering into an Escrow Agreement. In the event that Licensee wishes to have the Source Code to the Software deposited in an escrow account for Licensee's benefit, Licensee shall sign the escrow language in SCHEDULE B and such terms shall apply to this Agreement. If executed, the Escrow Agreement shall govern the terms and conditions whereby Licensee could gain access to the Software source code for the purpose of maintaining and supporting the Software. Licensee shall be solely responsible for the costs associated with the Escrow Agreement as may be invoiced by CityView.

8 TERM AND TERMINATION

8.1 Unless terminated earlier in accordance with the terms hereof, this Agreement shall commence on the Effective Date and is for a duration of one (1) year from the onset of Annual Support and Maintenance (the "Initial Term"). After the Initial Term, this Agreement shall automatically renew for successive one (1) year periods (each a "Renewal Term") subject to CityView's then current price structure unless either party provides written notice to the other party of its intention not to renew within ninety (90) days of the end of the then current term. The Initial Term and each Renewal Term shall collectively be referred to as the "Term".

8.1.1 Prior to the completion of the Project, this Agreement may be terminated by Licensee at any time by providing CityView with notice only where the Licensee has terminated the Contractual Services Agreement in accordance with its terms. Otherwise, the Licensee may only terminate this Agreement prior to the completion of the Project where CityView has materially breached its obligations under this Agreement and failed to remedy them as permitted hereunder.

8.1.2 CityView may terminate this Agreement where Licensee fails to comply with its obligations of confidentiality set out in paragraph 11 or the obligations under paragraph 4.1 of this Agreement, whereby CityView must notify the Licensee in writing of such default (a "Default Notice"). Upon receipt of a Default Notice, the Licensee must correct the default at no additional cost to CityView, or issue a written notice of its own disputing the alleged default, in either case within ten (10) days immediately following receipt of a Default Notice.

8.1.3 If the Licensee fails to correct the default, or issue a notice disputing the alleged default, in either case within ten (10) days following receipt of the Default Notice, CityView may terminate the whole of this Agreement including the grant of license to the Software and in such case the Licensee will be responsible for payment to CityView of only that part of the fee earned by CityView for that part of the Services performed in accordance with the Contractual Services Agreement, unless that agreement states otherwise, up to the time of communication of such notice of termination to the Licensee and the entire License Fee for all Software that was fully installed on the Designated Computer System. Once a dispute has been settled, to the extent that any issues still remain unresolved in the Default Notice, Licensee shall have ten (10) days to remedy such breach following the date of the settlement of the other issues.

8.1.4 Despite the above, for any Default Notice alleging a breach of paragraph 4.1.3, CityView may terminate this Agreement at any time following the delivery of a Default Notice despite Licensee rectifying such default.

8.1.5 The Licensee may terminate this Agreement where CityView:

8.1.5.1 No longer provides the support services as detailed in paragraph 6 of this Agreement,

8.1.5.2 CityView has either declared bankruptcy or sought relief under the Companies' Creditors Arrangement Act, or under any similar types of legislation in other jurisdictions, and such declaration or relief has not been rectified within sixty (60) days of the date of filing, or

8.1.5.3 Where CityView has materially breached the provisions of this Agreement whereby Licensee must notify CityView in writing of such default (a "Licensee Default Notice").

8.1.6 Upon receipt of a Licensee Default Notice, CityView must correct the alleged default at no additional cost to Licensee within thirty (30) days immediately following receipt of a Licensee Default Notice. If CityView fails to correct the default within thirty (30) days following receipt of the Licensee Default Notice, Licensee may terminate the whole of this Agreement. Once a dispute has been settled, to the extent that any issues still remain unresolved in the Licensee Default Notice, CityView shall have thirty (30) days to remedy such breach following the date of the settlement of the other issues.

9 PROCEDURE FOLLOWING TERMINATION

9.1 If this Agreement is terminated for any reason except an Event of Default, then within thirty (30) days following such termination, the Licensee shall destroy/return the Software and any documentation to CityView, at CityView's absolute discretion, and the Licensee shall certify, under the hand of a duly authorized officer of the Licensee, that all copies of the Software and Documentation or any part thereof, in any form, within the possession or control of the Licensee have been destroyed/returned to CityView.

9.2 Upon the termination of this Agreement for any reason except for the terms set out in SCHEDULE B,the Licensee will not be entitled to access the Source Code through the escrow agreement where a valid escrow agreement exists.

9.3 Upon the termination of this Agreement for any reason whatsoever,

9.3.1 The parties agree that the Standard Support Service Level Agreement expires on its own terms, and

9.3.2 The confidentiality provisions shall survive and be binding on both parties for five (5) years from the date of termination.

10 CITYVIEW'S PROPRIETARY RIGHTS

10.1 The grant of the License herein contained permits the limited use of the Software by the Licensee. Title to and all property in the Software, its name, logo and computer stored data shall remain exclusively with CityView.

10.2 The Licensee hereby acknowledges that the Software and the Documentation is the property of CityView and that the Software constitutes a trade secret, and agrees to exercise due care and diligence in safeguarding the Software, the Documentation and CityView's proprietary interest.

10.3 The Licensee also acknowledges that any negligence or deliberate violation of this Agreement on its part which results in failure to protect CityView's proprietary interest in the Software shall actually and materially damage CityView.

10.4 In order to ensure compliance with the terms of this Agreement, CityView shall be entitled, upon reasonable notice to Licensee and subject to CityView's compliance with Licensee's reasonable security measures, to enter upon the Licensee's premises during normal business hours and require the Licensee to produce such information, records and documents as may be required to ascertain compliance.

10.5 CityView may revise or update the Software from time to time at its discretion.

11 OWNERSHIP OF SOFTWARE AND CONFIDENTIALITY OBLIGATIONS

11.1 The Licensee acknowledges that the Software contains proprietary information and Confidential Information of CityView which shall, at all times, remain the property of CityView and, in addition to its obligations outlined paragraph 4, the Licensee agrees to treat such Confidential Information in accordance with paragraphs 11.2 and 11.3 herein.

11.2 The Licensee will take the same care to safeguard the Software as it takes to safeguard its own Confidential Information of a like nature and such care shall not be any less than would be taken by a reasonable person to safeguard its own confidential information.

11.3 In order to assist Licensee with the protection of its proprietary information and Confidential Information and to enable CityView to ensure that the Licensee is complying with its obligations, Licensee shall permit CityView to visit during normal business hours any premises at which the Software is used or installed and shall provide CityView with access to its Software. CityView shall provide Licensee with reasonable notice of any such audit.

12 LIMITED WARRANTY OF PERFORMANCE

12.1 CityView warrants to Licensee that:

12.1.1 The Software shall function as described in the user documentation accompanying the Software from the Completion of Services if the Software is properly used in accordance with CityView's instructions and the terms of this Agreement.

12.1.2 The Software (including Software updates) will be provided via electronic delivery.

12.2 In the event an error is discovered in the Software outside the warranty period and the error can be reproduced by CityView, CityView will make reasonable commercial efforts to provide Licensee with a correction or suitable workaround in accordance with the terms of this Agreement. CityView reserves the right to correct any defects about which it is made aware and to produce Releases at a time of Cityview's own choosing and at CityView's discretion. Licensee's sole recourse in the event the Software does not conform to the applicable documentation is the repair and replacement of the Software.

12.3 The warranty above is void if the Licensee modifies the Software without the written consent of CityView. Examples of such modifications include, but are not limited to, the de-compiling and modifying of the source code, and tampering with the base set-up of the system.

12.4 For clarity, the parties agree that THE LICENSEE shall have the right to configure the Software using the Desktop configuration tools. Where a license for Configuration Console has been granted, THE LICENSEE shall have the right to use Configuration Console for expression writing in accordance with SCHEDULE C without voiding the warranties herein.

12.5 The Licensee assumes sole responsibility for the selection of the Software to achieve the Licensee's intended results, and for the installation, use and results obtained from the Software.

13 EXCLUSIONS TO WARRANTIES

13.1 CityView shall not be liable for any breach of the foregoing warranties which results from causes beyond the reasonable control of CityView, including:

13.1.1 Where the installation, integration, modification or enhancement of the Software has not been carried out by CityView or its authorized agent, or where Licensee has taken any action which is expressly prohibited by the Documentation or this Agreement;

13.1.2 Any use or combination of the Software with any software, equipment or services not supplied by or on behalf of CityView;

13.1.3 User error, or other use of the Software in a manner or in an operating environment for which it was not intended or other than as permitted in this Agreement;

13.1.4 Licensee's failure to install a new Update which has been released to remedy an error or bug, and which CityView has stated to Licensee is a required Update necessary for security purposes or for legislative compliance purposes or other reasons as CityView may determine is important in its sole discretion; or

13.1.5 Any other event of force majeure.

14 NO OTHER WARRANTIES

14.1 TO THE GREATEST EXTENT PERMITTED BY LAW, THE SOFTWARE IS LICENSED AND ALL OTHER MATERIALS AND SERVICES ARE PROVIDED TO THE LICENSEE "AS IS" AND THERE ARE NO WARRANTIES, REPRESENTATIONS OR CONDITIONS, EXPRESSED OR IMPLIED, WRITTEN OR ORAL, ARISING BY STATUTE, OPERATION OF LAW, COURSE OF DEALING, USAGE OF TRADE OR OTHERWISE, REGARDING THEM OR ANY OTHER PRODUCT, SERVICE OR MATERIAL PROVIDED HEREUNDER OR IN CONNECTION HEREWITH.

14.2 CITYVIEW, ITS LICENSORS AND SUPPLIERS DISCLAIM ANY IMPLIED WARRANTIES OR CONDITIONS REGARDING THE SOFTWARE AND ANY OTHER PRODUCTS, SERVICES AND MATERIALS PROVIDED HEREUNDER OR IN CONNECTION HEREWITH, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OF MERCHANTABLE QUALITY, MERCHANTABILITY, DURABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE OR NON-INFRINGEMENT.

14.3 CITYVIEW DOES NOT REPRESENT OR WARRANT THAT THE SOFTWARE SHALL OPERATE ERROR FREE OR IN THE COMBINATIONS SELECTED, THAT IT SHALL MEET ANY OR ALL OF THE LICENSEE'S PARTICULAR REQUIREMENTS, OR THAT ALL ERRORS OR DEFECTS IN THE SOFTWARE CAN BE FOUND OR CORRECTED.

14.4 NO AGREEMENTS VARYING OR EXTENDING ANY EXPRESS WARRANTIES SET FORTH IN THIS AGREEMENT SHALL BE BINDING ON EITHER PARTY UNLESS IN WRITING AND SIGNED BY AN AUTHORIZED SIGNING OFFICER OF CITYVIEW.

15 INTELLECTUAL PROPERTY INDEMNITY

15.1 In the event there is a third party claim against Licensee alleging that Licensee's use of the Software in accordance with this Agreement constitutes an infringement of a Canadian or United States patent, copyright, trade-mark or trade secret, CityView shall, at its expense, defend Licensee and pay any final judgment against Licensee or settlement agreed to by CityView on Licensee's behalf; provided that Licensee promptly notifies CityView of any such claim or proceeding and shall give CityView full and complete authority, information, and assistance to defend such claim or proceeding. This indemnity is only effective where:

15.1.1 Licensee has not made any admissions or begun settlement negotiations either prior to or after providing notice to CityView of the applicable claim except with CityView's prior written consent,

15.1.2 CityView shall have sole control of the defense of any claim or proceeding and all negotiations for its compromise or settlement, and

15.1.3 Licensee has not modified the Software in any manner whatsoever except with the prior written consent of CityView.

15.2 Any breach by Licensee of its covenants under this paragraph 15 shall nullify this indemnity but not the sole right of CityView to have full and complete authority of the defense to defend such claim or proceeding and of all negotiations related therewith. In the event that the Licensee's use of the Software is finally held to be infringing or CityView deems that it may be held to be infringing, Licensee agrees that the sole remedy available to it is that CityView shall, at CityView's election:

15.2.1 Procure for the Licensee the right to continue use of the Application Software; or

15.2.2 Modify or replace the Software so that it becomes non-infringing.

15.3 The foregoing states CityView's entire liability, and the Licensee's exclusive remedy, with respect to any claims of infringement of any copyright, patent, trade-mark, trade secret or other property interest rights relating to the Software, or any part thereof or use thereof. CityView's obligations under this paragraph 15 shall survive the termination and/or expiration of this Agreement.

15.4 Licensee may, at Licensee's sole cost and expense—which is outside the scope of this indemnity—retain counsel of its own choosing who shall be permitted to attend all settlement conferences and hearings or other court appearances (except where the court has specifically made an order against such attendance) related to the proceeding.

16 REMEDIES AND LIMITATION OF LIABILITY

16.1 The Licensee and CityView recognize that circumstances may arise entitling the Licensee to damages for breach or other fault on the part of CityView arising from this Agreement. The parties agree that in all such circumstances the Licensee's remedies and CityView's liabilities will be limited as set forth below and that these provisions will survive notwithstanding the termination or other discharge of the obligations of the parties under this Agreement.

16.1.1 EXCEPT FOR DAMAGES ARISING OUT OF (a) CITYVIEW'S BREACH OF ITS CONFIDENTIALITY OBLIGATIONS OR (b) INDEMNITY OBLIGATIONS PROVIDED IN PARAGRAPH 15, BOTH PARTIES AGREE THAT CITYVIEW's LIABILITY (UNDER BREACH OF CONTRACT, NEGLIGENCE, STRICT LIABILITY OR OTHER ALTERNATIVE LEGAL THEORIES), IF ANY, FOR ANY DAMAGES RELATING TO THIS AGREEMENT SHALL NOT EXCEED THE LICENSE FEES OR THE SUPPORT AND MAINTENANCE FEES, AS APPLICABLE, PAID TO CITYVIEW BY LICENSEE DURING THE THEN-CURRENT TERM OF THIS AGREEMENT.

16.1.2 IN ADDITION TO THE FOREGOING NEITHER PARTY SHALL BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, SPECIAL OR OTHER DAMAGES OF ANY KIND, INCLUDING BUT NOT LIMITED TO LOST REVENUE OR LOSS OF PROFITS, LOSS OF BUSINESS, LOSS OF DATA, FAILURE TO REALIZE EXPECTED SAVINGS, OR COST OF SUBSTITUTE GOODS OR SERVICES ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT, EVEN IF SUCH OTHER PARTY HAS BEEN ADVISED OF THE LIKELIHOOD OF THE OCCURRENCE OF SUCH DAMAGES AND NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY .

16.1.3 PARAGRAPHS 16.1.1 and 16.1.2 SHALL APPLY IN RESPECT OF ANY CLAIM, DEMAND OR ACTION BY A PARTY IRRESPECTIVE OF THE NATURE OF THE CAUSE OF ACTION UNDERLYING SUCH CLAIM, DEMAND OR ACTION, INCLUDING, BUT NOT LIMITED TO, BREACH OF CONTRACT OR TORT.

16.2 Where remedies are expressly afforded by this Agreement, such remedies are intended by the parties to be the sole and exclusive remedies of the Licensee for liabilities of CityView arising out of or in connection with this Agreement, notwithstanding any remedy otherwise available at law or in equity.

17 INTENT

17.1 The parties hereby confirm that the waivers and disclaimers of liability, releases from liability, limitations and apportionments of liability, and exclusive remedy provisions expressed throughout this License Agreement shall apply even in the event of default, negligence (in whole or in part), strict liability or breach of contract of the person released or whose liability is waived, disclaimed, limited, apportioned or fixed by such remedy provision, and shall extend to such person's affiliates and to its shareholders, directors, officers, employees and affiliates.

18 INJUNCTIVE RELIEF

18.1 The Licensee agrees that the breach of any term, provision or condition of this Agreement by the Licensee may cause irreparable damage to CityView in which case an award of damages may not be adequate relief to CityView. Therefore, the Licensee agrees that in addition to all the remedies available to CityView in the event of any breach of this Agreement by the Licensee, CityView shall have the right to obtain timely injunctive relief to protect its proprietary right.

19 COUNTERPARTS

19.1 This Agreement may be executed in counterparts (whether by facsimile or PDF signature or otherwise), each of which when so executed shall constitute an original and all of which together shall constitute one and the same instrument.

20 GOVERNING LAW

20.1 The validity and interpretation of this Agreement and each clause and part thereof shall be governed by the law of the State of Montana without reference to principles of conflict of laws. Venue for any suit between the parties arising out of this Agreement shall be in the State of Montana, Yellowstone County.

21 ENTIRE AGREEMENT

21.1 This Agreement contains all the terms and conditions agreed on by the parties hereto with regard to the matters dealt with herein, and no understandings or agreements, verbal or otherwise, exist between the parties except as herein expressly set out. This Agreement completely replaces all other software license agreements that may have been entered into between the parties (including all precursor entities, including those entities that have amalgamated with N. Harris Computer Corporation).

22 RIGHT TO ASSIGN

22.1 This Agreement and the rights and liabilities hereunder shall not be assigned by the Licensee unless consent in writing is obtained from CityView.

23 SUCCESSORS AND ASSIGNS

23.1 This Agreement shall inure to the benefit of and be binding upon the respective successors and permitted assigns of the parties.

24 SEVERABILITY

24.1 If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

25 WAIVER

25.1 No waiver of any default shall constitute a waiver of any other breach or default, whether of the same or any other covenant or condition. No waiver, benefit, privilege or service voluntarily given or performed by other parties shall give the other any contractual right by custom, estoppel, or otherwise.

26 FORCE MAJEURE

26.1 No default, delay or failure to perform on the part of CityView shall be considered a breach of this Agreement where such default, delay or failure is due to a force majeure or to circumstances beyond its control. Such circumstances will include, without limitation, strikes, riots, civil disturbances, actions or inactions concerning government authorities, epidemics, war, terrorist acts, embargoes, severe weather, fire, earthquakes, acts of God or the public enemy or default of a common carrier or other disasters or events.

27 MEDIATION

27.1 The parties agree to submit any claim, controversy or dispute arising out of or relating to this Agreement or the relationship created by this Agreement to non-binding mediation before bringing a claim, controversy or dispute in a court or before any other tribunal. The mediation is to be conducted by either an individual mediator or a mediator appointed by mediation services mutually agreeable to the parties. The mediation shall take place at a time and location which is also mutually agreeable; provided; however, in no event shall the mediation occur later than ninety (90) days after either party notifies the other of its desire to have a dispute be placed before a mediator. Such mediator shall be knowledgeable in software system agreements. The costs and expenses of mediation, including compensation and expenses of the mediator (and except for the attorney's fees incurred by either party), is to be shared by the parties equally. If the parties are unable to resolve the claim, controversy or dispute within ninety (90) days after the date either party provides the other notice of mediation, then either party may bring and initiate a legal proceeding to resolve the claim, controversy or dispute unless the time period is extended by a written agreement of the parties.

28 ALLOCATION OF RISK

28.1 Licensee acknowledges that the limited warranties, disclaimers and limitations of liability contained in this Agreement are fundamental elements of the basis of bargain between Licensee and CityView and set forth an allocation of risk reflected in the fees and payments due hereunder.

IN WITNESS WHEREOF, Licensee and CityView have executed this Contract as evidenced by dual signature below.

ACCEPTED	ACCEPTED
CityView Authorized Signature:	Licensee Authorized Signature:
Print name: Todd Richardson	Print name:
Title: Chief Financial Officer	Title:
Date:	Date:

SCHEDULE A DESCRIPTION OF SOFTWARE, SOFTWARE & MAINTENANCE FEES, PAYMENT MILESTONES AND DELIVERABLES

Software Licensing	Deliverables	Payment Milestone	Payment Terms
Software Licenses Include: 85 CityView Application Client Licenses - Full Read/Write 1 CityView Server 1 CityView Esri ArcGIS Mapping Extension 1 CityView Portal (licensed for Permits, Planning/Development, Code Enforcement and Business Licensing) CityView Mobile Licensed for 23 users (Permitting) CityView Mobile Licensed for 9 users (Code Enforcement) 1 CityView Supported EDMS Integration Extension (Questys) 1 CityView MS Outlook Add-in 1 CityView MS Word Add-in 1 CityView MS Exchange Extension 1 CityView (Invoice Cloud) Payment Processor Extension 1 CityView Configuration Console Solutions: CityView Property Information CityView Permits & Inspections CityView Planning CityView Code Enforcement CityView Licensing CityView Cashiering CityView Electronic Plans Review	CityView will: • Set up as a client on FTP & CityView Connect • Provide documentation to download the latest version of CityView off the FTP & CityView Connect site • Send the licensing key for CityView Licenses • Provide documentation to download the Solutions from the FTP & CityView Connect site	$174,600 (List Price is $350,100 includes Harris Software for Life discount of $175,500)	Invoiced on execution of the contract and due net 30 days
Total Licensing		**$174,600**	

Mandatory Annual Software Maintenance	Deliverables	Payment Milestone	Payment Terms
Annual Software Maintenance (year 1 – subject to annual revision)	Provides: • All major and minor software upgrades • Unlimited technical support; • Unlimited access to the CityView FTP site • Unlimited access to the CityView Connect • Support for stated interfaces • Support for in-scope, CityView-delivered customizations to product and Select configuration	**$88,476**	Due upon Initial Installation

Notes:

- Above prices do not include taxes
  Data conversion/interface costs are estimates and will be validated at the end of data conversion mapping. If validation reveals that price changes are necessary, Vendor will not proceed with these services until change orders are raised and agreed to by both parties.
  No customization to the CityView Solutions is assumed other than as specified above. Customizations are estimates and will be validated as part of the data collection and scoping phase. Should any enhancement requests be made or customizations be required, these will be charged at the then current hourly rates as set out by the vendor. If validation reveals that price changes are necessary, Vendor will not proceed with these services until change orders are raised and agreed to by both parties.
  Annual Maintenance fees are subject to annual increase.

SCHEDULE B OPTIONAL ESCROW SERVICES LANGUAGES – [NOT INCLUDED]

SCHEDULE C CONFIGURATION CONSOLE CORRECT USAGE PROTOCOL

SCHEDULE D CITYVIEW STANDARD SUPPORT SERVICE LEVEL AGREEMENT

The purpose of this Exhibit is to provide our customers with information on our standard coverage, the services which are included as part of your annual software support, a listing of call priorities, an outline of our escalation procedures and other important details.

CITYVIEW reserves the right to make modifications to this document as required; provided, however, CITYVIEW shall not reduce the scope of support provided hereunder without the prior consent of the Customer.

Contract Term: 1 Year (renewable annually)
Support Channels: Web, Email or Telephone
Support Requests Allowed: Unlimited
Who Can Report: Individuals who are trained in the use of CityView can report issues to Customer Support.
Hours of Coverage: Coverage hours are 6:00 a.m. to 6:30 p.m. Mountain Standard Time from Monday through Friday, excluding CityView Technical Support observed holidays. (Only those statutory holidays that coincide between Canada and the United states are observed by CityView Technical Support.)

Accessing Support: The preferred method of opening a support incident is to use our CityView Connect Feedback mechanism within the software. Telephone support requests should be preceded by filing a support request within CityView Connect web site, including a detailed problem description. Telephone support requests will be answered live during business days, though staff may be involved serving other customers. If your call is not answered live, please leave a message, including the support request tracking number you received from the electronic filing, your name and phone or pager number. Messages are typically responded to within two hours.

Auto Acknowledgement: CityView Connect will assign a case number, accessible from the CityView Connect Feedback Status web page. Email and telephone correspondence will also result in cases being created and those will be available for review through the CityView Connect Feedback Status web page. Whenever the status of your incident changes, an email notification will automatically be sent to the individual that opened the call.

Request Response Time: A technical support engineer will respond to all requests within the time frames specified in Table 1. Business hours are 6:00 a.m. to 6:30 p.m. Mountain Standard Time from Monday through Friday, excluding CityView Technical Support observed holidays. Only those statutory holidays that coincide between Canada and the United States are observed by CityView Technical Support. We process requests in the order of their priority followed by order of submission.

What we will do if we don't hear back from you?: If we don't hear back from you in ten business days, we will close your support request and mark it as "Closed / No response from customer."

Resolution of Bug-Related Requests: We will keep your request open and follow up when a fix is available in a production release. We will also contact you if we post an experimental build that will help with your problem.
What We Need to Help You? CityView wants to be as responsive as possible to your support needs. To accomplish this goal, the CityView customer support staff relies on your knowledge, self-sufficiency, and thoroughness during the troubleshooting process. You reap the benefits from this effort — it allows CityView

to focus on the more difficult problems and make the product more robust. It also helps control the amount CityView charges for support.

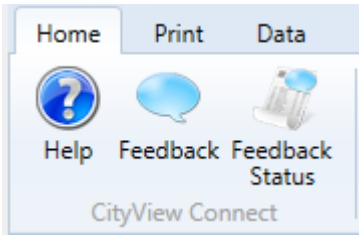
- Knowledge: You should be experienced in the installation, operation, and maintenance of the hardware, desktop, and network operating systems, and applications in your environment before you install CityView.

- Self-sufficiency: Please be as self-sufficient as possible when you encounter problems. You can do this by referring to technical documentation for your environment and by searching our CityView Connect Help site to determine if your issue is addressed before you submit it to our customer support staff.

- Complete information: As with any troubleshooting process, accurate and timely resolution depends on information. When you request support, please fill in all relevant fields in the request form, provide a detailed problem description, and attach any appropriate log files. Please note that using the CityView Connect Feedback mechanism within the product records most of this information automatically; therefore, it is the preferred way to submit a request to support because it guarantees we get this information with minimal effort from you. Unfortunately, when the request information is incomplete, it will take longer to resolve your issue.

- Preparation: If you call us for support, be prepared to provide the same level of information as is requested on the request submission form. You can help reduce the time to resolution by completing the online support request form and attaching files as directed. Then, simply provide us with the request number when you call. In addition, please have immediate access to the computer(s) on which CityView products are running.

How to Access Support CityView offers several methods of accessing support described below. Please note that for Priority 1 (see Table 1) issues, customers are encouraged to submit their incident online and then follow up via CityView's toll-free phone number:
CityView Connect is the best way to receive support for our product. This feature is available from the Home tab of the ribbon in CityView Workspace as well as in many of our add-on products.



CityView Connect Feedback (preferred method) If there is a feature you are having trouble using, or, if there is a feature you really like, please let our team know about it. Within CityView, use the Feedback button to let us know about your question or inquiry. If you have a feature request for our team, please use this method to let us know what you would like to see in the product. The information can also include screenshots and documents to help describe your feedback.

CityView Connect Help The Help button will redirect your internet browser to our CityView Connect Help site (http://cityviewhelp.iharriscomputer.com/CityViewCMS). The site is available for customer self-service, and is comprised of a searchable content management system and downloadable updates, including links to our release notes and latest features.

CityView Connect Feedback Status Our CityView Connect Feedback Status link redirects to our Connect Feedback website (http://cityviewsupport.harriscomputer.com/connect). This site will allow users to log new support incidents and check the status of previously submitted incidents on a 24 x 7 basis. Please contact our support group by telephone or email if there are preferred individuals who should be able to review all site calls.

Telephone Support Telephone technical support is available between the hours of 6:00 a.m. and 6:30 p.m. Mountain Standard Time on regular business days. Customers can contact us toll-free at 1.866.988.8324. CityView technical support will respond to telephone inquiries using the Service Level Agreement provided in Table 1 below.

Email Support Email support is available by reaching our support team at cityviewsupport@harriscomputer.com
Please note that any suggestions for enhancements to CityView that you submit will become the property of CityView. CityView may use this information for any CityView business purposes, without restriction, including for product support and development. CityView will not use information in a form that personally identifies you.

Limitations
CityView Support helps to identify and resolve issues with CityView's software. This Support begins as soon as the implementation project gets underway and may be provided by CityView Technical Support or R&D, depending on the circumstances. From time to time, an issue may manifest itself in CityView software but its true cause lies in a third–party product, or in the customer's infrastructure. CityView is happy to spend the time to investigate such issues and resolve them when they are within CityView. Should it be determined that the issue lies elsewhere, time may be billed at $175/hour, plus a $300 administration fee, upon authorization by the customer.

The following are not covered by CityView's Standard Support Agreement, but may be available as separate services on a time and materials basis:

- Services required due to misuse of CityView maintained software;
- Services required due to software corrections, customizations, or modifications not developed by CityView;
- Services required by the Customer to be performed by CityView outside of CityView's regular business hours;
- Services required to resolve or work-around problems that cannot be reproduced in CityView's support environment;
- Services which relate to tasks other than maintenance of the Customer's existing implementation and configuration of CityView, including but not limited to, enhancing or adapting CityView for specific operating environments;
- Services requested by the Customer to implement software updates provided by CityView.

Table 1 Service Level Agreement

Priority	Definition	Initial Response Time*	Commitment (CityView and Customer)	Examples
1 (High)	Operation/Service down or critically impacted. Business process impacted. No known workaround.	2 Hours	CityView and customer will commit necessary resources to fix problem or obtain a workaround.	Users cannot login Business process halted
2 (Medium)	Operation affected, but not down. Business process is not affected. Workaround may be available.	4 Hours	CityView and customer will commit resources during normal business hours to resolve issue or obtain workaround.	Cannot print Cannot process payments Application response is exceptionally slow
3 (Normal)	Moderate to negligible impact. No impact to business.	24 Hours	CityView and customer will commit necessary resources during normal business hours to restore operation to satisfactory levels.	Non-critical feature not working Feature works but requires user intervention
4 (Info.)	Request for information, documentation issues, and enhancement requests.	48 Hours	Request-dependent.	Help file clarification Form design not in production

* Response time targets are during business hours only.

Obtaining More Information Information about our support programs may be obtained by contacting the CityView support team at 1.800.665.5647, or via email at cityviewsupport@harriscomputer.com.

SCHEDULE E THIRD PARTY SOFTWARE

The following third party software is required but not provided by CityView and must be licensed by Licensee directly from the applicable third party vendor, subject to such third party vendor's terms and conditions:

Third Party Software Product	Third Party Vendor	License Terms
Bluebeam Revu	Bluebeam Incorporated	www.bluebeam.com/us/license/eula.asp

Should Licensee require BLUEBEAM REVU software at any time, CityView agrees to collect the applicable license & subscription fees from Licensee for the Bluebeam Software and shall issue a purchase order to Bluebeam Incorporated on behalf of Licensee for the Bluebeam Software. Bluebeam Incorporated shall deliver the Bluebeam Software directly t o Licensee. CityView shall have no responsibility for the Bluebeam Software other than to issue a purchase order in accordance with this paragraph.

City Council Regular

Date:	04/24/2023
Title:	Grant Agreement with MRM for Sheltering Services Data
Presented by:	Chris Kukulski, City Administrator
Department:	City Hall Administration
Presentation:	No
Legal Review	Yes

RECOMMENDATION

Approve and authorize the Mayor to sign the attached Agreement between the City and the Montana Rescue Mission (MRM) for data collection tied to their shelter services between May 2023 and April 2024.

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

On September 6 and September 26 the Council discussed the impacts of low barrier sheltering and data collection. The Council approving motions supporting two partnerships. The first is to reimburse up to $210,000 for emergency sheltering this winter with Continuum of Care (CoC). The second is for $76,700 with Montana Rescue Mission (MRM) for data collection and reporting.

The agreement addresses each of the critical areas outlined in the Council's September 26 motion in the addendum with one exception. The exception is that the Council's motion specifically identified our local CES Coordinator as the individual who would train and verify data collected meets our community's needs. The agreement gives this responsibility to the State of Montana's CoC (Continuim of Care) Systems Administrator. The Montana Statewide HMIS Lead/Systems Administrator ensures that all data collected across Montana meets the federal requirements established by HUD. Our local CES coordinator works closely with the State contractor in this regard. "This data shall also be available for local CES Coordinator review within HMIS consistent with other local service provider information." Therefore, the agreement provides access to MRM's data, to both the State and our local CES Coordinator in the same way that they can access other service providers who use the HMIS software system. This is also critical to ensure collaboration accross CoC members as required by item 6 below.

1) First responders will bring individuals to the Crisis Center to receive services
2) Proper data collection and reporting, to understand users and services provided
3) Coordinated entry
4) Services will be offered in good faith to all who do not belong in jail, or the emergency room
5) Service providers will share "do not serve" and "no trespass" lists with one another and first responders to the extent permissible within the confines of HIPAA
6) Good faith participation in the local CoC

If for any reason, either the City and MRM are not satisfied with the arrangement and or is not complying with the agreement, it can be ended without cause by either party with a 30 day written notice. The city is only responsible for reimbursement while the agreement is in place,

STAKEHOLDERS

These challenges can only be overcome by working collaboratively with our community. No-one within our community is immune from the effects of crime, addiction and trauma. Implementing plans and strategies developed by our stakeholders in SAC and CoC along with all those who work in the criminal justice system, crime and addiction prevention, intervention and treatment all contribute to long term solutions.

ALTERNATIVES

N/A

FISCAL EFFECTS

Per the adopted budget, $864,952 dollars are anticipated (2 mills = $432,452 + 3% marijuana local option tax $432,500) and will be placed in a fund to improve public safety and reduce crime in our community through programs addressing substance abuse, mental and behavioral health, housing essential to public safety, and related support services.

The attached contract with MRM will expend no more than $76,700 for data collection over the next year.

SUMMARY

The enclosed agreement reimburses MRM up to $76,700 for data collection and reporting related to its sheltering services for a one year period.

Attachments

Data Collection Agreement with MRM

GRANT AGREEMENT

THIS AGREEMENT is made and entered on the _____ day of _____, 2023, by and between the City of Billings, Montana, a municipal corporation ("City"), and Montana Rescue Mission, a not-for-profit corporation, ("Grantee"), collectively the "Parties."

Section 1. Amount of grant. The City agrees to award Grantee an amount not to exceed $76,700 for the reimbursement of project costs and expenses to collect data as set forth in Section 2.

Section 2. Description of Grantee Project. Grantee agrees to collect and report data related to its shelter services located at 2822 Minnesota Avenue, Billings, Montana in accordance with Exhibit A – Scope of Services and Exhibit B – Intake Form and Exhibit C – Summary of Social Services Provided by Grantee.

Section 3. Duration of the Project. Grantee represents to the City that the project will begin May 1, 2023, and shall be completed April 30, 2024.

Section 4. Term of contract. The term of this Agreement is from May 1, 2023, through April 30, 2024.

Section 5. Processing payments/payment deadline. The City shall pay Grantee up to $76,700 as follows:

- The City will disburse grant funds to Grantee in monthly reimbursements beginning in May 2023.
- Each installment shall be paid to Grantee within 20 days of receipt of supporting documentation for the previous 30-day period.

Section 6. Compliance with laws, general. Grantee shall at all times observe and comply with all laws, ordinances, or regulations of the Federal, State, County, and local government.

Section 7. Maintenance of records. Grantee shall maintain all records pertinent to expenditures under this contract for a period of three (3) years after the termination of all activities funded under this agreement, or after the resolution of all audit findings, whichever occurs later.

Section 8. Inspection of records/audits of project. Records maintained by Grantee pursuant to this Agreement shall be available for inspection upon request by the City.

Section 9. Reporting requirements.

A. Grantee will be required to submit quarterly reports to the City that include the number of people served, both overall shelter nights and unduplicated individuals. The final quarterly report shall be delivered upon project completion and include final outcomes, number of shelter nights provided, and number of unduplicated individuals served.
B. Grantee shall maintain client data demonstrating participation in services provided. Such data shall include client name, age, race/ethnicity, and other basic information. The data maintained must meet the minimum data requirements of the Montana Continuum of Care as outlined by the U.S. Department of Housing and Urban Development. The City understands that limited information may be captured based on the need to shelter clients who are unable or unwilling to divulge personal information.

Section 10. Miscellaneous. Grantee agrees and represents that it is qualified to perform the services to be provided under this Agreement and is permitted by law to perform such services, and all personnel engaged in the work shall be qualified and so permitted to do the work they perform.

The Grantee has and will continue to have proper facilities and personnel to perform the services and work agreed to be performed.

None of the work or services covered by this Agreement shall be subcontracted without the prior approval of the City.

Section 11. Successors and Assigns. This Agreement and all the covenants hereof shall inure to the benefit of and be binding upon the City and the Grantee respectively and its partners, successors, assigns, and legal representatives. Neither the City nor the Grantee shall have the right to assign, transfer, or sublet its interest or obligations hereunder without written consent of the other party.

Section 12. Permits, laws, and taxes. The Grantee shall acquire and maintain in good standing all permits, licenses and other entitlements necessary for its performance under this Agreement. All actions taken by the Grantee under this Agreement shall comply with all applicable statutes, ordinances, rules and regulations. The Grantee shall pay all taxes pertaining to its performance under this Agreement.

Section 13. Nonwaiver. The failure of either party at any time to enforce a provision of this Agreement shall in no way constitute a waiver of the provision, nor in any way affect the validity of this Agreement or any part hereof, or the right of such party thereafter to enforce each and every provision hereof.

Section 14. Termination of agreement. This Agreement may be terminated prior to the

expiration period hereof by written agreement by the parties to the Agreement.

Either party may terminate the agreement for any reason, with or without cause, by giving (30) days written notice to the other party.

Section 15. Attorney's fees and costs. 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 the Agreement or to give any notice required herein, then the prevailing Party or the Party giving notice shall be entitled to reasonable attorney's fees and costs.

Section 16. Litigation location. The parties agree that this Agreement shall be governed in all respects by the laws of the state of Montana, and the parties expressly agree that venue shall be in the Montana Thirteenth Judicial District County for Yellowstone County and there shall be no other venue for resolution of disputes arising from the Agreement or the performance of its terms.

Section 17. Complete Agreement. This Agreement, along with any attachments, is the full and complete integration of the Parties' agreement with respect to the matters addressed herein, and that this Agreement supersedes any previous written or oral agreements between the Parties with respect to the matters addressed herein. Unless otherwise stated, to the extent there is any conflict between this Agreement and any other agreement (written or oral), the terms of this Agreement shall control.

Section 18. Severability. The unenforceability, invalidity, or illegality of any provision(s) of this Agreement shall not render the other provisions unenforceable, invalid or illegal.

Section 19. Modification and amendments. Any amendment or modification of this Agreement or any provisions herein 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.

Section 20. Notice. Notices and communications under this Agreement shall be sent first class, prepaid mail to the respective parties as follows:

TO THE CITY:

Chris Kukulski, City Administrator
P.O. Box 1178
210 North 27th Street
Billings, MT 59101

TO THE GRANTEE:

Rev. Matthew Lundgren, Executive Director
Montana Rescue Mission
2902 Minnesota Ave.
Billings, MT 59101

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

CITY OF BILLINGS

_____

WILLIAM A. COLE, MAYOR

GRANTEE, MONTANA RESCUE MISSION

_____

REV. MATTHEW LUNDGREN, EXECUTIVE DIRECTOR

ATTEST:

_____

DENISE BOHLMAN, CITY CLERK

APPROVED AS TO FORM:

_____

CITY ATTORNEY

EXHIBIT A - SCOPE OF SERVICES

- Create and maintain a project within its Homeless Management Information System (HMIS) for enrolling shelter guests, tracking related data, and pulling a summary project report for the Continuum of Care (CoC). The form attached as Exhibit B will be form utilized.

- Montana Rescue Mission will use Coordinated Entry System (CES) for the purposes of this grant. CES is an important process through which people experiencing or at risk of experiencing homelessness can access the crisis response system in a streamlined way, have their strengths and needs quickly assessed, and quickly connect to appropriate, tailored housing and mainstream services within the community or designated region.

- Service providers will share their "do not serve" and "no trespass" lists with one another and first responders on a weekly basis upon request.

- Services will be offered in good faith to all who do not belong in jail, an emergency room or the Crisis Center.

  “Good faith” is defined, in part, as agreeing to use the Community Crisis Center as the “front door” for individuals transported by the Crisis Response Units and Billings Law Enforcement. While this is not intended to bar any awardee from accepting clients on a walk-up basis, the Community Crisis Center should be the primary source of evaluation and referrals, eliminating multiple attempts for assistance and excessive travel to locate assistance for individuals.

- Must demonstrate good faith participation with the CoC and the CES.

- Timely submit data entered into HMIS, with the exception of any data protected under applicable privacy laws and HIPAA, as required by the Montana Statewide HMIS Lead/Systems Administrator. This data shall also be available for local CES Coordinator review within HMIS consistent with other local service provider information.

Exhibit B

* = DATA IS REQUIRED

Montana Rescue Mission Intake Form

TO BE COMPLETED BY:
Head of Household or Adult (18+)

*INTAKE DATE		PRIMARY WORKER (CASE WORKER)
____/____/____		
*FIRST NAME	MIDDLE NAME	*LAST NAME & SUFFIX

*NAME DATA QUALITY

❑ Full Name Reported
❑ Partial Name, Street Name, or Code Name Reported
❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

ALIAS

*SOCIAL SECURITY NUMBER

(Enter "9" for any missing numbers in an approx. or partial SSN)
___ ___ ___ - ___ ___ - ___ ___ ___ ___

*SSN DATA QUALITY

❑ Full SSN Reported
❑ Approximate or Partial SSN Reported
❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

*GENDER

❑ Female ❑ Trans Female (MTF or Male to Female) ❑ Gender Non-Conforming (Doesn't identify as male, female, or transgendered)
❑ Male ❑ Trans Male (FTM or Female to Male)
❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*

*BIRTHDATE

____/____/____

*BIRTHDATE DATA QUALITY

❑ Full DOB Reported
❑ Approximate or Partial DOB Reported
❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*

*ETHNICITY

❑ Non-Hispanic/Non-Latino ❑ Hispanic/Latino ❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*

*RACE: CHECK ALL THAT APPLY

❑ American Indian or Native Alaskan ❑ Asian
❑ Black or African American ❑ Native Hawaiian or Other Pacific Islander
❑ White
❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*

*VETERAN STATUS

❑ No ❑ Yes ❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*

*LIVING SITUATION

Based on the client's living situation **the night before project entry**, record responses in only one (1) section: Homeless Situation, Institutional Situation, Transitional/Permanent Situation, **OR** Unknown (**only** if necessary).

HOMELESS SITUATIONS

*TYPE OF RESIDENCE (THE NIGHT BEFORE PROJECT ENTRY)

❑ **Place not meant for human habitation** (e.g. a vehicle, abandoned building, bus/train/subway station/airport or anywhere outside)
❑ **Emergency shelter**, including **hotel or motel** paid for **with emergency shelter voucher**
❑ Safe Haven
❑ Interim Housing

*LENGTH OF STAY IN PREVIOUS PLACE

❑ 1 night or less
❑ 2 to 6 nights
❑ 1 week or more, but less than 1 month
❑ 1 month or more, but less than 90 days
❑ 90 days or more, but less than 1 year
❑ 1 year or longer
❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

*APPROXIMATE DATE HOMELESSNESS STARTED

____/____/____

*(REGARDLESS OF WHERE THEY STAYED LAST NIGHT) **NUMBER OF TIMES** ON THE STREETS, IN ES, OR SH IN THE PAST THREE YEARS (INCLUDING TODAY)

❑ 1 ❑ 2 ❑ 3 ❑ 4+
❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

*TOTAL NUMBER OF MONTHS HOMELESS ON THE STREETS, IN ES, OR SH IN THE PAST THREE YEARS

❑ 1 ❑ 2 ❑ 3 ❑ 4 ❑ 5 ❑ 6 ❑ 7
❑ 8 ❑ 9 ❑ 10 ❑ 11 ❑ 12 ❑ Over 12
❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

OR

----- GO ON -----

* = DATA IS REQUIRED

INSTITUTIONAL SITUATIONS

*TYPE OF RESIDENCE (THE NIGHT BEFORE PROJECT ENTRY)

- ❑ **Foster** care home or foster care group home
- ❑ **Hospital** or other residential non-psychiatric medical facility
- ❑ **Jail**, prison, or juvenile detention facility
- ❑ **Long-term care** facility or **nursing** home
- ❑ **Psychiatric hospital** or other psychiatric facility
- ❑ **Substance abuse treatment** facility or detox center

*LENGTH OF STAY IN PREVIOUS PLACE

- ❑ 1 night or less
- ❑ 2 to 6 nights
- ❑ 1 week or more, but less than 1 month
- ❑ 1 month or more, but less than 90 days
- ❑ 90 days or more, but less than 1 year
- ❑ 1 year or longer

❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

*APPROXIMATE DATE HOMELESSNESS STARTED

_____/_____/_____

*(**REGARDLESS OF WHERE THEY STAYED LAST NIGHT**) **NUMBER OF TIMES** ON THE STREETS, IN ES, OR SH IN THE PAST THREE YEARS (INCLUDING TODAY)

❑ 1 ❑ 2 ❑ 3 ❑ 4+

❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

*__TOTAL NUMBER OF MONTHS HOMELESS__ ON THE STREETS, IN ES, OR SH IN THE PAST THREE YEARS

❑ 1 ❑ 2 ❑ 3 ❑ 4 ❑ 5 ❑ 6 ❑ 7
❑ 8 ❑ 9 ❑ 10 ❑ 11 ❑ 12 ❑ Over 12

❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

OR

TRANSITIONAL AND PERMANENT HOUSING SITUATIONS

*TYPE OF RESIDENCE (THE NIGHT BEFORE PROJECT ENTRY)

- ❑ **Hotel or motel** paid for **without** emergency shelter voucher
- ❑ Owned by client, **no** ongoing subsidy
- ❑ Owned by client, **with** ongoing subsidy
- ❑ **Permanent housing (other than RRH)** for formerly homeless persons (PSH, HOPWA)
- ❑ Rental by client, **no** ongoing subsidy
- ❑ Rental by client, with GPD TIP subsidy
- ❑ Rental by client, with VASH subsidy
- ❑ Rental by client, with other housing subsidy (**including RRH**)
- ❑ Residential project or halfway house with no homeless criteria
- ❑ **Staying or living in family** member's room, apartment, or house
- ❑ **Staying or living in friend's** room, apartment, or house
- ❑ **Transitional housing** for homeless persons (including homeless youth)

*LENGTH OF STAY IN PREVIOUS PLACE

- ❑ 1 night or less
- ❑ 2 to 6 nights
- ❑ 1 week or more, but less than 1 month
- ❑ 1 month or more, but less than 90 days
- ❑ 90 days or more, but less than 1 year
- ❑ 1 year or longer

❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

*APPROXIMATE DATE HOMELESSNESS STARTED

_____/_____/_____

*(**REGARDLESS OF WHERE THEY STAYED LAST NIGHT**) **NUMBER OF TIMES** ON THE STREETS, IN ES, OR SH IN THE PAST THREE YEARS (INCLUDING TODAY)

❑ 1 ❑ 2 ❑ 3 ❑ 4+

❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

*__TOTAL NUMBER OF MONTHS HOMELESS__ ON THE STREETS, IN ES, OR SH IN THE PAST THREE YEARS

❑ 1 ❑ 2 ❑ 3 ❑ 4 ❑ 5 ❑ 6 ❑ 7
❑ 8 ❑ 9 ❑ 10 ❑ 11 ❑ 12 ❑ Over 12

❑ *Client Doesn't Know*
❑ *Client Refused*
❑ *Data Not Collected*

OR

UNKNOWN (ONLY IF NECESSARY)

TYPE OF RESIDENCE (THE NIGHT BEFORE PROJECT ENTRY)

❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*

*INCOME & SOURCES / NON-CASH BENEFITS

*INCOME FROM ANY SOURCE

❑ No ❑ Yes (SEE BELOW) ❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*

IF YES: CHECK & FILL IN **MONTHLY AMOUNT** FOR ALL THAT APPLY

- ❑ Earned Income (i.e. employment income) ..... $_____
- ❑ Supplemental Security Income (SSI) ..... $_____
- ❑ VA Service-Connected Disability Compensation ..... $_____
- ❑ Private Disability Insurance ..... $_____
- ❑ Temporary Assistance for Needy Families (TANF) ... $_____
- ❑ Retirement Income from Social Security ..... $_____
- ❑ Child Support ..... $_____
- ❑ Unemployment Insurance ..... $_____
- ❑ Social Security Disability Insurance (SSDI) ..... $_____
- ❑ VA Non-Service Connected Disability Pension .... $_____
- ❑ Worker's Compensation ..... $_____
- ❑ General Assistance (GA) ..... $_____
- ❑ Pension or Retirement Income from Former Job . $_____
- ❑ Alimony and Other Spousal Support ..... $_____

mrm montana rescue mission

----- GO ON -----

* = DATA IS REQUIRED

*NON-CASH BENEFITS FROM ANY SOURCE	
❑ No ❑ Yes (SEE BELOW)	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*
IF YES: CHECK ALL THAT APPLY	
❑ SNAP (Food Stamps) ❑ Special Supplemental Nutrition Program for Women, Infants, and Children ❑ TANF Child Care Services ❑ TANF Transportation Services ❑ Other TANF-Funded Services	

*HEALTH INSURANCE / DISABLING CONDITIONS

*COVERED BY HEALTH INSURANCE	
❑ No ❑ Yes (SEE BELOW)	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*
IF YES: CHECK ALL THAT APPLY	
MEDICAID ..... ❑ No ❑ Yes State Children's Health Insurance Program ..... ❑ No ❑ Yes Employer-Provided Health Insurance ..... ❑ No ❑ Yes Private Pay Health Insurance ..... ❑ No ❑ Yes Indian Health Services Program ..... ❑ No ❑ Yes	MEDICARE ..... ❑ No ❑ Yes VA Medical Services ..... ❑ No ❑ Yes Health Insurance through COBRA ..... ❑ No ❑ Yes State Health Insurance for Adults ..... ❑ No ❑ Yes

*PHYSICAL DISABILITY			**IF YES**: EXPECTED TO BE OF LONG-CONTINUED & INDEFINITE DURATION AND SUBSTANTIALLY IMPAIRS ABILITY TO LIVE INDEPENDENTLY?		
❑ No	❑ Yes (SEE RIGHT)	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*	❑ No	❑ Yes	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*
*DEVELOPMENTAL DISABILITY			**IF YES**: EXPECTED TO SUBSTANTIALLY IMPAIR ABILITY TO LIVE INDEPENDENTLY?		
❑ No	❑ Yes (SEE RIGHT)	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*	❑ No	❑ Yes	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*
*CHRONIC HEALTH CONDITION			**IF YES**: EXPECTED TO BE OF LONG-CONTINUED & INDEFINITE DURATION AND SUBSTANTIALLY IMPAIRS ABILITY TO LIVE INDEPENDENTLY?		
❑ No	❑ Yes (SEE RIGHT)	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*	❑ No	❑ Yes	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*
*HIV/AIDS			**IF YES**: EXPECTED TO SUBSTANTIALLY IMPAIR ABILITY TO LIVE INDEPENDENTLY?		
❑ No	❑ Yes (SEE RIGHT)	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*	❑ No	❑ Yes	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*
*MENTAL HEALTH PROBLEM			**IF YES**: EXPECTED TO BE OF LONG-CONTINUED & INDEFINITE DURATION AND SUBSTANTIALLY IMPAIRS ABILITY TO LIVE INDEPENDENTLY?		
❑ No	❑ Yes (SEE RIGHT)	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*	❑ No	❑ Yes	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*
*SUBSTANCE ABUSE PROBLEM			**IF YES**: EXPECTED TO BE OF LONG-CONTINUED & INDEFINITE DURATION AND SUBSTANTIALLY IMPAIRS ABILITY TO LIVE INDEPENDENTLY?		
❑ No	❑ Yes, Alcohol (SEE RIGHT) ❑ Yes, Drug (SEE RIGHT) ❑ Yes, Both (SEE RIGHT)	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*	❑ No	❑ Yes	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*

*DV STATUS

*DOMESTIC ABUSE VICTIM/SURVIVOR			
❑ No ❑ Yes (SEE BELOW)		❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*	
IF YES: WHEN EXPERIENCE OCCURRED			**IF YES**: ARE YOU CURRENTLY FLEEING?
❑ Within the past 3 months ❑ 6 months to 1 year ago ❑ 3 to 6 months ago ❑ 1 year ago or more	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*	❑ No ❑ Yes	❑ *Client Doesn't Know* ❑ *Client Refused* ❑ *Data Not Collected*

EXHIBIT C

Our Approach

God loves all people and we do too. Our grace-based approach combines God's grace with accountability to focus on helping homeless individuals and families find solutions. Everyone needs a roof over their head and someone to care about them. We are here to give a hand up, not a handout in the hope of stopping the revolving door of poverty and homelessness.

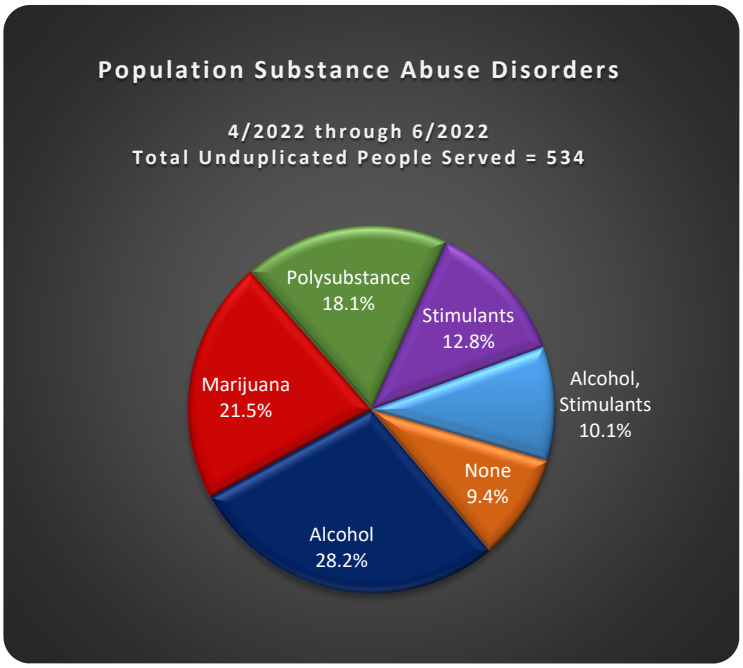
Who We Serve

We serve homeless individuals and families, including but not limited to chronically homeless, disabled, limited mobility, LBGTQ, domestic violence referrals, CPS referrals, severely mentally ill, addicts, S.O., and V.O.

We do our best to provide reasonable accommodations to those who need them, based on the limitations of our current facility.

Children without parents can be accommodated depending on case-by-case circumstances.

We currently are not able to serve those who can't take care of their basic needs or those who are a threat to themselves or others.



Services for those in need. Men, Women, and Families

Shelter and Basic Needs

We offer safe facilities with secured entrances, exits, and surveillance systems. We provide 24/7/365 care with an around-the-clock support staff.

We provide support for basic needs, such as, meals, showers, clothing, transportation, and laundry services. We help guests access benefits and payee services.

We help with basic health check-ups and assist with referrals for medical support in partnership with MSU Nursing Program.

Spiritual Care and Personal Growth

We offer spiritual care, Bible study, and worship. Our fulltime Chaplain is here to assist guests in their spiritual health journey and provide one-on-one counseling.

We encourage those who come to us for help to work on themselves and focus on personal growth. We teach techniques and healthy habits that improve their lives and relationships.

Behavioral Health and Addiction Recovery

We provide comprehensive mental health and substance abuse counseling through support and recovery groups, as well as one-on-one counseling and peer support. We offer chemical dependency evaluations with UA/BA screenings.

Our case managers help navigate through social support systems, identify assistance needed, and guide those in need as they transition out of homelessness.

Transitional and Housing Support

We provide rental assistance, transportation, phones/phone-minutes to aid guests in finding safe, permanent, affordable housing, and a means to get to work.

We assist with overcoming housing barriers, as well as housing search and retention. Once housing is secured, we help with essential housing needs and offer ongoing support.

Education and Vocational Training

We assist guests with financial and life skills to support future employment and healthy lifestyles. We offer daily adult education training, classes, and groups.

We provide interview coaching, resume building, job skills training and internship programs to help guests gain experience to get back out into the workforce or to change their careers.

Children's Programs and Family Support

We provide preschool/afterschool programs so families can work during their stay. We offer programs for youth ages 3-19.

We provide family shelter rooms, children's play spaces, formula, and diapers. We help with family benefits, parenting support, advocacy for parents with children in foster care, and offer court-ordered parenting classes.

Our Programs

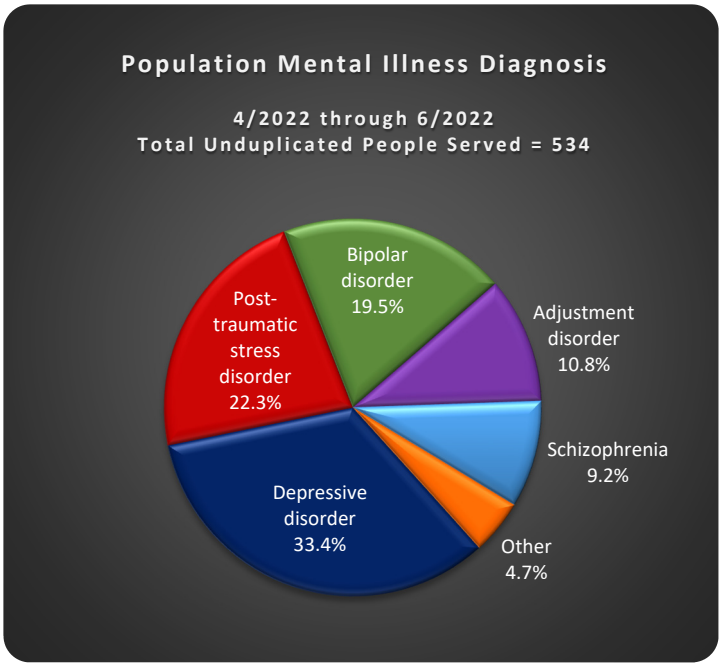
Emergency Shelter Program: A low barrier program designed for individuals who are not ready to commit to sobriety. The goal of this program is to assist people with finding appropriate options to transition into prior to being housed. Every person has a unique situation, but some examples include reunification with family, sober living, inpatient/outpatient treatment, recovery program and more.

Short-term Program: A Program for first-time homeless people focused on a quick turnaround due to a low number of barriers a person is experiencing when it comes to being housed.

Long-term Recovery Program: A 12-month program for mind, body, and spirit. This wholistic program, focused on nurturing the whole individual while working on mental health, addiction recovery, education, and job training is designed for those who are chronically homeless or in need of addiction recovery.

Phoenix Program: A pathway for those who slip back into addiction while in recovery that helps guests quickly get back on the right track.

Transitional Program: A 12 to 24-month program that helps those who struggle with finding appropriate housing options and need additional time and support.



Additional Supports

Respite Care: Provides support to those needing recovery after being released from the hospital, including those needing quarantine or isolation. Care is provided either on site or off site.

Permanent Supportive Housing: Allows housed individuals with disabilities to receive supportive services on site while living independently. Roll out is planned for 2024 through the Unified Campus.

Independent Living and Aftercare: Allows those who moved out of the shelter to continue to receive help and support if they need it.

Mission Apartments: Low-income apartments located on site bringing an additional 29 apartments into the Billings community. The Unified Campus planned completion date is September 2024.

LIVES • CHANGE • HERE

For more information, or to learn about how we can help, please visit us at 2822 Minnesota Avenue, Billings, MT 59101
www.montanarescuemission.org

City Council Regular

Date:	04/24/2023
Title:	Accept the Montana Main Street Impact Grant on behalf of the Downtown Billings Business Improvement District (BID)
Presented by:	Wyeth Friday
Department:	Planning & Community Services
Presentation:	No
Legal Review	Not Applicable

RECOMMENDATION

The Downtown Billings Business Improvement District (BID) recommends the City Council accept the $40,000 Montana Main Street Impact Grant for development of a light bike trail in downtown Billings on behalf of the Downtown Billings BID.

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

The Montana Main Street Impact Grant was awarded to the Downtown Billings Business Improvement District (BID) on February 24, 2023 in the amount of $40,000. The Downtown Billings BID has committed $10,000 in matching funds and in-kind donations. The Montana Main Street Impact Grant is intended to support Montana Main Street communities' need for implementation dollars for projects to activate spaces and execute concrete ideas for downtown revitalization.

The Downtown Billings BID applied for the funds to complete the Downtown Billings "LightBike Trail". The Downtown Billings "LightBike Trail" is an art installation dedicated to improving public safety and visitorship and includes a digital and printed map of the installation. The LightBike Trail meanders through the alleys of downtown Billings, with each alley location including a 3-D bicycle, lit with programmable LED light wheels. Each LightBike is accompanied by a mural created by a local artist. The LightBike Trail currently has four bikes and two murals installed with seven additional locations identified throughout downtown Billings.

The concept of the LightBike Trail was intended to create a destination of the alleyways in Billings by incorporating light and art in a way that increases the perception of safety in an alley that would otherwise be considered dark, dirty, and potentially dangerous. The locations that have been completed with a LightBike and mural have been shown to have an increased number of people visiting the site, remain clean of general litter and waste and provide a safer environment through these and other factors. These metrics are provided through property owner testimony, social media use of the hashtag #LightBikeTrail, and Downtown Billings BID Street Team work plan reports.

STAKEHOLDERS

The "LightBike Trail" has received commitments from 11+ property owners to allow a LightBike and mural to be installed on their buildings. These property owners are committed to provide the power required to light the LED LightBikes. The general traveling public in Downton Billings and visitors for downtown events are all expected to benefit from the installation of the LightBikes and murals.

ALTERNATIVES

City Council may:

- Accept the grant funds on behalf of the Downtown Billings BID for the LightBike Trail installations; or,
- Do not accept the grant funds on behalf of the Downtown Billings BID for the LightBike Trail installations. No accepting the grant funds would mean the LightBike Trail installation would not occur and the Downtown BID would have to look for another funding source for the project.

FISCAL EFFECTS

There are no fiscal impacts to the City for accepting the grant funds on behalf of the Downtown Billings BID. The BID is using $10,000 of its own funds to match the $40,000 grant.

Attachments

MT Main Street Grant Award Letter
Existing BikeLight Trail Locations

OFFICE OF THE GOVERNOR
STATE OF MONTANA

Greg Gianforte
GOVERNOR

Kristen Juras
LT. GOVERNOR

February 10, 2023

Mayor Bill Cole
City of Billings
PO Box 1178
Billings, MT 59103

Re: Notice of Montana Main Street Impact Grant Award

Dear Mayor Cole:

On behalf of the State of Montana, it is my pleasure to notify you that the City of Billings has been selected for a Montana Main Street Impact Grant award in the amount of $40,000 to develop a light bike trail in downtown Billings. The award is contingent upon the Department of Commerce receiving the community's 2022 reinvestment statistics.

Montana's Main Street businesses and downtown commercial districts are part of the foundation of our state's economy and our communities. The Montana Main Street Program focuses on economic development, urban revitalization, and historic preservation to make Montana's local economies stronger and create greater opportunities for Montanans.

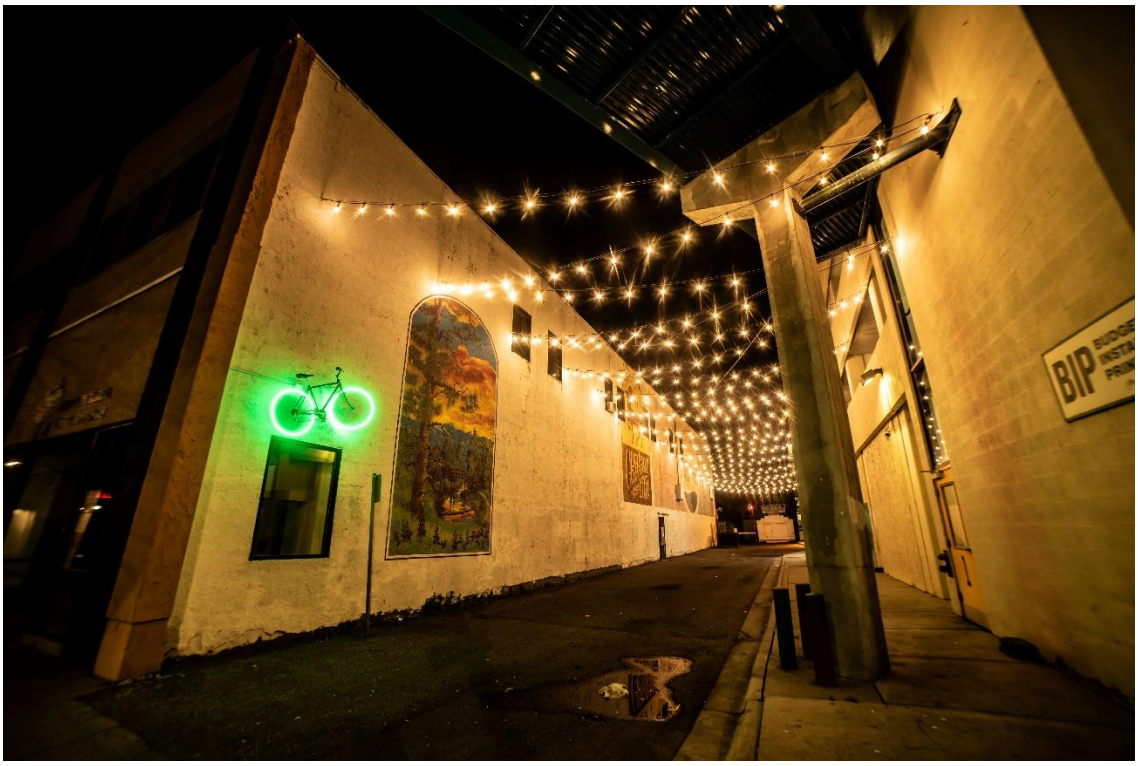
All awardees will be contacted directly with more information in the upcoming weeks by program staff. If you have any questions, please contact the Community MT Division at the Montana Department of Commerce at 406-841-2770 or DOCCDD@mt.gov.

Congratulations, and I wish you great success in the completion of your project.

Sincerely,

Greg Gianforte
Governor

cc: Katy Easton, Downtown Billings BID



Park One Alley



Pub Station Alley

City Council Regular

Date:	04/24/2023
Title:	Annafeld Subdivision, 5th Filing - Preliminary Major Plat
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No
Legal Review	Not Applicable

RECOMMENDATION

The Planning Board is forwarding to the City Council a recommendation to conditionally approve the preliminary plat of Annafeld Subdivision, 5th Filing, and adopt the Findings of Fact as presented in the staff report.

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

On February 1, 2023, Sanderson Stewart for McCall Development, Inc., applied for preliminary major plat approval for Annafeld Subdivision, 5th Filing. The proposed subdivision creates 123 lots for residential development. The subject property is generally located south of Elysian Road and west of Annafeld Subdivision, 4th Filing. The property is zoned PD, builders will follow the PD zoning requirements when developing the lots.

VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To protect public health and safety, prior to final plat approval, the applicant will submit all drawings and specifications for water systems, sewer systems and stormwater systems to the City of Billings Engineering Department for review and approval prior to installation.
2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
3. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

PROCEDURAL HISTORY

- Pre-application meeting October 20, 2022
- Preliminary plat application submitted to Planning Division on February 1, 2023
- Departmental review meeting February 16, 2023
- Preliminary plat resubmittal February 23, 2023
- Planning Board plat review March 14, 2023
- Planning Board public hearing March 28, 2023
- Preliminary plat to City Council April 24, 2023
- 60 working-day preliminary plat review period ends April 27, 2023

PLAT INFORMATION

General location: South of Elysian Road and west of Annafeld Subdivision 4th Filing

Legal Description: Lot 6A, Block 20, Amended Lot 6, Block 20 of Annafeld Subdivision, 4th Filing Lot 5A, Block 25, of amended Lot 5, Block 24 of Annafeld Subdivision, 4th Filing and Lot 4, Block 27, of Annafeld Subdivision, 4th Filing and Lot 11, Block 6 of Amended Plat of Lots 2-5, Block 6 and Lot 1, Block 11 of Annafeld Subdivision, 2nd Filing

Owner/Subdivider: McCall Development, Inc.

Engineer and Surveyor: Sanderson Stewart

Existing Zoning: PD

Existing land use: Farmland

Proposed land use: Residential

Gross and Net area: 21.6829 acres / 15.4981 acres

Proposed number of lots: 123

Lot size: Max: 87,968 square feet Min.: 1,128 square feet

Parkland requirements: Parkland dedication requirement is 2.15 acres. The parkland will be private parks maintained by the subdivision.

STAKEHOLDERS

Staff gave a brief presentation to the Planning Board at a public hearing for this subdivision on March 28th. Planning Board President Cook asked if there were any questions from the board for staff, there were none.

President Cook then opened the public hearing. He asked for those wishing to speak in favor or against Annafeld Subdivision 5th Filing to come forward. No one came forward to speak for or against the proposed subdivision. President Cook closed the public hearing and called for a motion. Board member Staley made a motion and Board member Ronquillo seconded the motion for the Planning Board to forward to the City Council a recommendation of conditional approval for the preliminary plat of Annafeld Subdivision, 5th Filing, and adoption of the Findings of Fact as presented in the staff report. The Planning Board unanimously voted in favor of the motion.

ALTERNATIVES

In accordance with state law, the City Council has 60 working days to act upon this major preliminary plat. The 60 working day review period for the proposed plat ends on April 27, 2023. State and City subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 60 working day review period, the City Council is required to:

1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plat

FISCAL EFFECTS

This plat will have no fiscal impacts on the City/County Planning Division.

SUMMARY

One of the purposes of the City's subdivision review process is to identify potential negative effects of property being subdivided. Negative effects that are identified become the subdivider's responsibility to mitigate. Various City departments, private service/utility providers and the affected school district/s, have reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be minimal impacts from this proposed subdivision.

Attachments

Findings of Fact
Proposed Plat
Draft SIA
Mayors Letter

FINDINGS OF FACT

The Planning staff on behalf of the Planning Board has prepared the Findings of Fact for the preliminary plat of Annafeld Subdivision, 5th Filing. These findings are based on the preliminary plat application and supplemental documents; addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(H), BMCC).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608 (3) (a) and BMCC 23-302.H.2.]

1. Effect on agriculture and agricultural water user facilities

The subject property is currently farm land. Water rights will not be transferred to subdivision property owners. Existing ditches near this proposed development will remain in place and will not be altered by the future property owners. The subdivision should not affect agricultural water users' facilities.

2. Effect on local services

a. **Utilities** – Public water services to the subject property will be provided by the City of Billings. The subdivision will continue a 12-inch water main down Norma Jean Lane and in a portion of St. Peter Lane. All remaining streets in Annafeld Subdivision, 5th Filing, will be an 8-inch line with water taps to individual lots for future home connections. The water mains within the subdivision will make looped connections whenever possible. All water line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings. The City of Billings, Engineering Department, will review and approve all proposed water lines prior to installation. **(Condition #1)**

Fire hydrants will also be installed as required by the City of Billings Fire Department. The City Fire Department with review and approve all proposed hydrant locations prior to installation.

Sanitary sewer service will be provided by the City of Billings by connecting to an existing 8- inch diameter gravity feed sewer main located in Rosemary Road, Eva Marie Lane, Norma Jean Lane and Annafeld Parkway West. There is an existing 10-inch sewer main located in Centennial Farm Road from St. George Boulevard to Annafeld Parkway East, and extends north in Annafeld Parkway East to Farmstead Avenue. All lots will have a sanitary sewer stub to them from the proposed mains. All sewer line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings Engineering Department. The City of Billings Engineering Department will review and approve all proposed sanitary sewer lines prior to installation. **(Condition #1)**

All telephone, gas, electrical power, and cable television lines that are placed within the public right-of-way shall be installed prior to surface improvements.

b. **Storm water** – Stormwater management for the proposed subdivision will be provided by a combination of surface drainage and curbs and gutters, drained to underground storm drains. The new storm drain piping will discharge into existing storm drain piping and to an existing mechanical stormwater filtration manhole, then into Hogan's Slough. There is an existing Operation and Maintenance (O&M) manual that was developed with Annafeld Subdivision, 1st Filing that will include Annafeld Subdivision, 5th Filing. The subdivision HOA is owner of the stormwater management system and fees are collected to cover the cost of O&M. All drainage improvements shall comply with the provisions of the City of Billings Stormwater Management Manual and Section 23-706, BMCC, a stormwater management plan shall be submitted to the Engineering Division prior to filing of the final plat. **(Condition #1)**

c. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

d. **Streets** – Access to the lots in this proposed subdivision is from Farmstead Avenue, Centennial Farm Road, Rosemary Road, Eva Marie Lane, and Norma Jean Lane. Access to each individual lot will be from the internals streets that are proposed with this subdivision. All new streets will be in a 56-foot-wide right of way and will be constructed to 34-foot wide, back of curb to back of curb road. Annafeld Parkway West and Annafeld Parkway East, when Phase 1 and 2 of this subdivision are completed, will be one-way streets. Annafeld Parkway West with have traffic traveling south and Annafeld Parkway East will have traffic traveling north. They will be one-way roads from Elysian Road to Rose Mary Road. Each road will have 45-degree parking along the length of the streets. Construction will include installation of accessible ramps at the intersections with all roads within the proposed subdivision.

A traffic study has been completed for this proposed subdivision and the applicant will be making contributions to the intersections impacted by the additional traffic burden places on them. Those contributions are outlined in the SIA and will be made to the City prior to final plat approval.

Sidewalks will be installed at the time of individual lot development. All sidewalks will be boulevard type walks with 5-foot wide boulevard sidewalks.

e. **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The fire station that serves this area is located at 605 South 24th Street West (Station #5).

The subdivision is located within the ambulance service area of American Medical Response (AMR).

Comments from the Police department state that continued expansion of subdivisions will require additional resources to maintain acceptable levels of service.

f. **Schools** – Elysian School provides service to students within this subdivision for K through 8. School District #2 provides service to students within this subdivision from high school (West High School). School District #2 responded stating West High School is over capacity at this time.

g. **Parks and Recreation** – The parkland dedication requirement for this subdivision is 1.05 acres. This parkland will be private park for the residents of the subdivision. There is a public park that was dedicated to the City with Annafeld 1st Filing. Lot owners are advised they will be subject to inclusion in a Parks Maintenance District (PMD) for the operation and maintenance of an existing public park within Annafeld Subdivision. This information is in the SIA under the heading Property Conditions and Information for Lot Purchasers.

h. **Mail Delivery -** The United States Postal Service will provide postal service to the subdivision. They have requested the installation of centralized mailbox unit (CBUs). The USPS has requested the CBU units be placed together with the other boxes already in place. The developer will work with the USPS to provide a satisfactory location for a CBU for this filing. This is outlined in the SIA under the heading IX Postal Delivery.

3. Effect on the natural environment

The subject property is relatively level land adjacent to urban development to the east. A geotechnical study was performed for the subdivision, a summary of the information from that study is included in the SIA under the heading X. Soils/Geotechnical Study. The subdivision should have a minimal effect on the natural environment.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Future property owners should be aware that the proposed subdivision is located near prime wildlife habitat and adjacent to open farm land areas, therefore conflicts with wildlife may occur. Any damage caused by wildlife is the responsibility of the owner. This notice is in the SIA under the heading, II Property Conditions and Information for Lot Purchasers.

5. Effect on the public health, safety and welfare

Fire hydrants will be installed to meet fire department requirements. Sidewalks will offer a safe place for pedestrians to walk. The effects on public health and safety should be minimal.

6. Phasing of the Subdivision

The subdivider is proposing to build the subdivision in two phases. Phase one lots will be available for sale and buildings with the final approval of the proposed subdivision. Phase two is planned to be open on or before November 1, 2025.

Each phase is outlined in the SIA under the heading, XI Phasing of Improvements.

B. Was an Environmental Assessment required? [(MCA 76-3-603 and BMCC 23-302.H.1.]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2018 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-(8)]

1. City of Billings 2016 Growth Policy

The proposed subdivision is consistent with the following goals of the Growth Policy:

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods): Neighborhoods that are safe and attractive and provide essential services are much desired.

Home Base (healthy, safe and diverse housing options) Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.

Essential Investments (relating public and private expenditures to public values) 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.

Community Fabric (attractive, aesthetically pleasing, uniquely Billings) Outdoor public spaces provide casual and relaxing gathering areas for people.

2. 2018 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2018 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

3. Billings Area Bikeway and Trail Master Plan (BABTMP)

The proposed subdivision lies within the jurisdiction of the BABTMP. The BABTMP does not show any trails within the proposed subdivision. There is a 10-foot paved trail along the south side of Elysian road that allows student to walk/bike to Elysian School.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608 (3) (b) and BMCC 23-302.H.3.a.]

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302.H.3.e.]

The subject property is located within a PD zoning district. All building development on the lots shall comply with the PD zoning when applying for a building permit.

F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608 (3) (c) and BMCC 23-302.H.3.b.]

The subdivider will furnish private utility easements as required by private utility providers.

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608 (3) (d) and BMCC 23-302.H.3.c.]

Legal and physical access is provided to the proposed lots from Elysian Road and from Farmstead Avenue, Centennial Farm Road, Rosemary Road, Eva Marie Lane, Norma Jean Lane and Annafeld Parkway. All streets are dedicated to the public as shown on the plat.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Annafeld Subdivision, 5th Filing does not create any adverse impacts that warrant denial of the subdivision.

- The proposed subdivision conforms to several goals and policies of the 2016 Growth Policy and does not conflict with the Transportation or Bikeway and Trail Plans.

- The proposed subdivision complies with state and local subdivision regulations, local zoning, and provides legal and physical access to each lot.

- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

RECOMMENDATION

The Planning Board is forwarding to the City Council, the preliminary plat of Annafeld Subdivision, 5th Filing, recommending conditional approval and adoption of the Findings of Fact as presented in the staff report.

Approved by the Billings City Council, April 24, 2023

_____

William A. Cole, Mayor

PRELIMINARY PLAT OF

ANNAFELD SUBDIVISION, FIFTH FILING

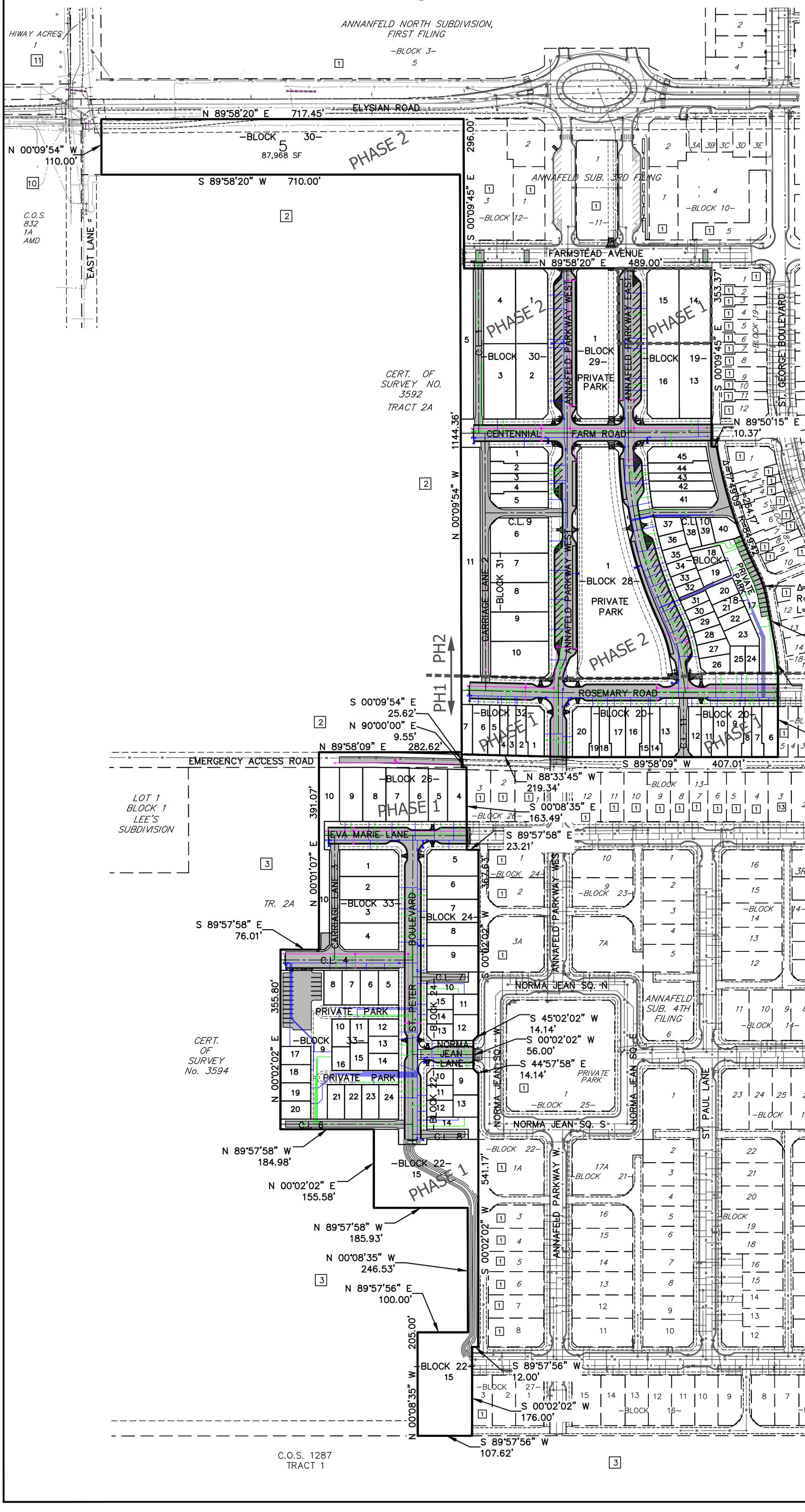
BEING LOT 6A, BLOCK 20, AMENDED LOT 6, BLOCK 20 OF ANNAFELD SUBDIVISION, 4TH FILING
LOT 5A, BLOCK 24, OF AMENDED LOT 5, BLOCK 24 OF ANNAFELD SUBDIVISION, 4TH FILIING
AND LOT 4, BLOCK 27, OF ANNAFELD SUBDIVISION, 4TH FILING AND LOT 11, BLOCK 6 OF AMENDED
PLAT OF LOTS 2–5, BLOCK 6 AND LOT 1, BLOCK 11 OF ANNAFELD SUBDIVISION, 2ND FILING
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

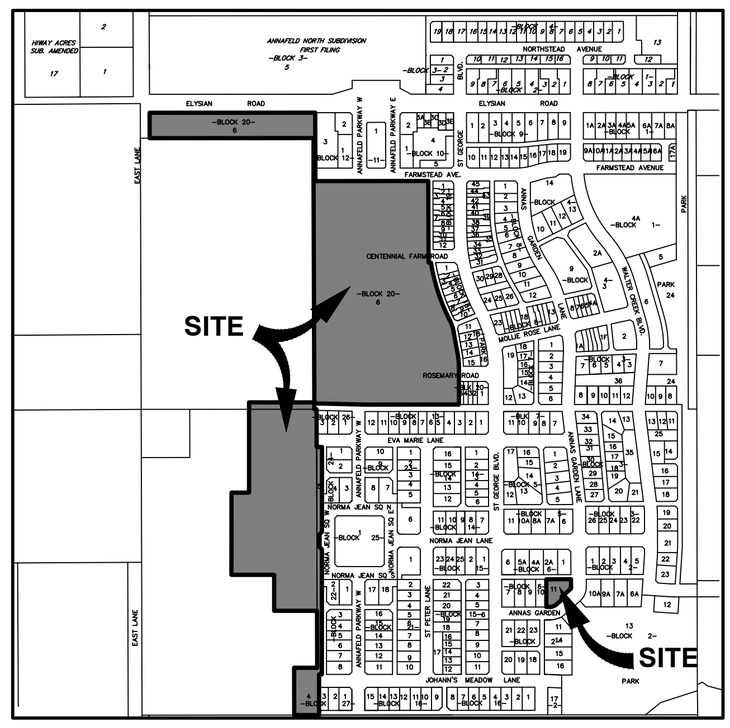
PREPARED FOR : McCALL DEVELOPMENT, INC.

PREPARED BY : SANDERSON STEWART

DECEMBER, 2022

BILLINGS, MONTANA





VICINITY MAP

NOT TO SCALE

NORTH

100 50 0 100 200

SCALE:1" = 100'

BASIS OF BEARINGS: PLAT OF ANNAFELD SUBDIVISION, SECOND FILING

NOTE: ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.

OWNERSHIPS

1 MCCALL DEVELOPMENT INC
1536 MULLOWNEY LN STE 100
BILLINGS, MT 59101–6397

2 GARY J ARMSTRONG LIVING TRUST
1701 EAST LANE
BILLINGS, MT
59101–6364

3 WALTER, LEROY J & NORMA J
1807 EAST LANE
BILLINGS, MT
59101–6349

4 OSTERWYK–MCKNIGHT, AMANDA C & KRISTA L
6102 NORMA JEAN LN
BILLINGS, MT
59101–6779

5 ESTEPP, PHILIP D & KAYLA M
6108 NORMA JEAN LN
BILLINGS, MT 59101–6779

6 JONES, JOSHUA RAY & JENNA CORINNE
1931 ANNAS GARDEN LN
BILLINGS, MT
59101–6492

7 CITY OF BILLINGS
PO BOX 1178
BILLINGS, MT 59103–1178

8 SMITH, CHRISTOPHER R & CAROLEE A
1917 ANNAS GARDEN LN
BILLINGS, MT 59101–6492

9 THE DR DAVID AND CYTHINA ROBERTS TRUST
6046 NORMA JEAN LN
BILLINGS, MT 59101–6491

10 SCHOOL DISTRICT # 23
6416 ELYSIAN RD
BILLINGS, MT 59101–6314

11 KELLER, ARLISS M
1540 EAST LN
BILLINGS, MT 59101–6329

12 JEAN L NILSON REVOCABLE TRUST
1815 GREYSTONE DR
BILLINGS, MT 59102–6556

13 HALVERSON, CHRISTINA E & BENJAMIN J
6153 EVA MARIE LANE
BILLINGS, MT 59101–6780

PLAT DATA

GROSS AREA	= 21.6829 ACRES
NET AREA	= 15.4981 ACRES
NUMBER OF LOTS	= 124
MINIMUM LOT SIZE	= 1,128 S.F.
MAXIMUM LOT SIZE	= 87,968 S.F.
LINEAL FEET OF STREETS	= ±4,091.81 L.F.
PARKLAND REQUIREMENT	= 1.02 ACRES
PARKLAND DEDICATION	= 2.15 ACES
EXISTING ZONING	= PUD
SURROUNDING ZONING:	
NORTH	= PUD/NMU
SOUTH	= PUD
EAST	= PUD
WEST	= PUD/P2
EXISTING LAND USE	= VACANT
PROPOSED LAND USE	= RESIDENTIAL

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PRELIMINARY PLAT OF

ANNAFELD SUBDIVISION, FIFTH FILING

BEING LOT 6A, BLOCK 20, AMENDED LOT 6, BLOCK 20 OF ANNAFELD SUBDIVISION, 4TH FILING
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IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : McCALL DEVELOPMENT, INC.

PREPARED BY : SANDERSON STEWART

DECEMBER, 2022

BILLINGS, MONTANA

NORTH

50 25 0 50 100

SCALE:1" = 50'

BASIS OF BEARINGS: PLAT OF ANNAFELD SUBDIVISION, SECOND FILING

NOTE: ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.

LINETYPES

EXISTING

SANITARY SEWER ——SS——

STORM DRAIN ——SD——

WATER MAIN ——W——

PROPOSED

8" SANITARY SEWER

STORM DRAIN

8" WATER MAIN

16001_149_PREPLAT.DWG 16001.149 3/13/23

PRELIMINARY PLAT OF

ANNAFELD SUBDIVISION, FIFTH FILING

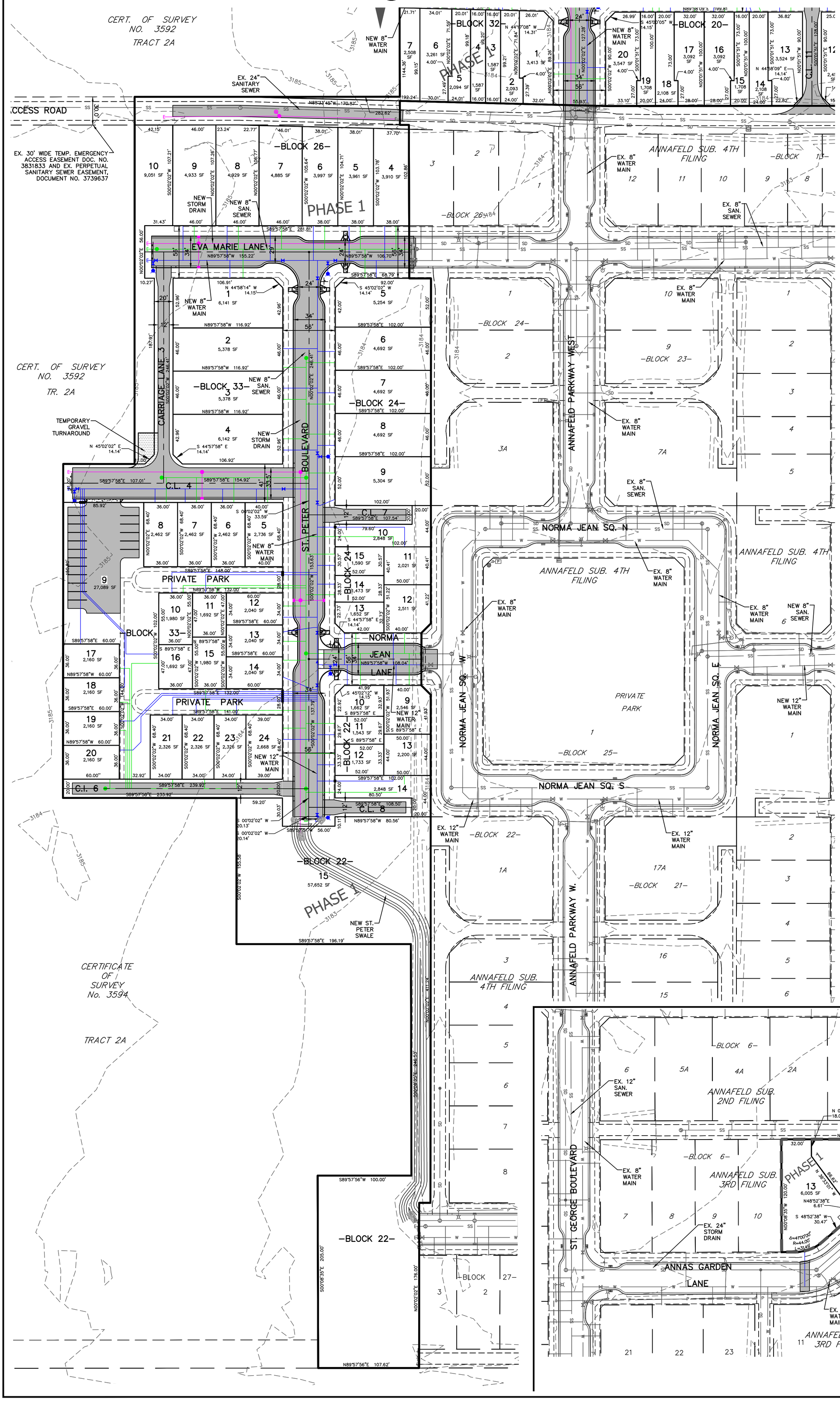
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DECEMBER, 2022

BILLINGS, MONTANA



NORTH

50 25 0 50 100

SCALE:1" = 50'

BASIS OF BEARINGS: PLAT OF ANNAFELD SUBDIVISION, SECOND FILING

NOTE: ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.

LINETYPES

EXISTING

SANITARY SEWER —SS—

STORM DRAIN —SD—

WATER MAIN —W—

PROPOSED

8" SANITARY SEWER

STORM DRAIN

8" WATER MAIN

SHEET 3 OF 3

16001_149_PREPLAT.DWG 16001.149 3/13/23

Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS

ANNAFELD SUBDIVISION, FIFTH FILING

CITY OF BILLINGS

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Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS ANNAFELD SUBDIVISION, FIFTH FILING

THIS AGREEMENT is made and entered into this _____ day of _____, 20___, by and between **MCCALL DEVELOPMENT, INC.**, whose address for the purpose of this agreement is 1536 Mullowney Lane, Suite 100; Billings, Montana 59101, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the plat of Annafeld Subdivision, Fifth Filing located in Yellowstone County, Montana was submitted to the Yellowstone County Board of Planning; and

WHEREAS, at a regular meeting conducted on the ____ day of _____, 20__, the Board of Planning recommended conditional approval of a preliminary plat of Annafeld Subdivision, Fifth Filing; and

WHEREAS, at a regular meeting conducted on the ____ day of _____20__, the City Council conditionally approved a preliminary plat of Annafeld Subdivision, Fifth Filing; and

WHEREAS, a Subdivision Improvements Agreement is required by the City prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to Annafeld Subdivision, Fifth Filing upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

None requested

II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

A. Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development. If sidewalk is not constructed within 5 years, the City has the right to construct the sidewalk and assess the property owners.

B. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner, or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

C. Lot owners should be aware that this subdivision is built with a "traditional neighborhood" design. The single-family dwellings will have the garage set in the rear of the lots. The access will be provided to the garages by means of a paved Carriage Lane.

D. Lot owners should be aware that this subdivision is zoned "Planned Development" (PD). Special zoning regulations regarding lot development will be enforced in accordance with the Amended Planned Development Agreement recorded at the Yellowstone County Clerk and Recorders Office under Document No. 3826023.

E. Lot owners should be aware that this subdivision is adjacent to wildlife habitat. Consequently, owners are advised that wildlife indigenous to the area is found on the property and may impact the developed property and interface with domestic animals, residents, and visitors. Owners may also experience problems with damage to landscaped shrubs, flowers, and

gardens. Any impacts associated with wildlife and any damage arising there from is the responsibility of the lot owners.

F. No water rights have been transferred to the individual lot owners but may be held by the Subdivider and/or the homeowners association. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners without the permission of the controlling ditch company.

G. Lot owners should be aware they may be required to participate in a park maintenance district administered by the homeowners association for Annafeld Subdivision, Fifth Filing.

H. Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for any construction on lots. Best Management Practices are defined within Chapter 28-201, BMCC and detailed in the City of Billings *Stormwater Management Manual.*

I. Lot owners should be aware that the Yellowstone River Channel Migration Study sponsored by the Yellowstone River Conservation District Council and the U.S. Army Corp of Engineers has identified areas which may be susceptible to erosion by the Yellowstone River. Owners are encouraged to review the extent to which bank erosion may pose a threat to structures built in this subdivision.

J. Lot owners should be aware that Hogan's Slough adjacent to the subdivision is a major stormwater outfall for Billings west end. There is a possibility that the slough could overtop during a major storm event. Based upon the existing topography near Hogan's Slough and the Elysian Road Bridge, it is anticipated that the channel would overtop northeast of Elysian Road and flow east prior to overtopping Elysian Road. There is the possibility however that Elysian Road could be overtopped during a major storm event. If that occurs, flows not carried within the Hogan's Slough channel would be carried within the subdivision streets. The elevation of residential dwellings and commercial structures must be established in recognition of the City's policy that storm runoff flows are allowed to a depth of 18-inches in the gutter flowline of adjacent streets during the major storm. Higher house finished floor elevations may be required on a lot-by-lot basis.

K. The Subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution Prevention Plan (SWPPP) filed with the City and

the State Department of Environmental Quality (DEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by DEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the City of Billings *Stormwater Management Manual.*

III. TRANSPORTATION

A. Streets

1. All internal access roads and site improvements within the subdivision will be in accordance with the City of Billings Site Development Ordinance, City Zoning Ordinance, the *Stormwater Management Manual*, and other applicable City codes, rules, and regulations.

2. All internal streets (excluding Annafeld Parkway East and Annafeld Parkway West) within the subdivision shall be built to grade with a satisfactory subbase, base course, curb and gutter, and asphalt surface. All public roads will be built to provide a 34-foot back-to-back curb street width. The design cross-sections of said streets shall be submitted to, and approved by, the City of Billings Public Works Department. The street improvements will be completed by private contract or SID.

3. With the completion of Phases I and II, Annafeld Parkway East and Annafeld Parkway West will be designed for one-way traffic with 45-degree turn-in parking on one side of the drive aisle and parallel parking on the other side. Total width of Annafeld Parkway East and West will be 45.25-feet back of curb to back of curb. Each street will consist of 8.5-feet width for parallel parking space, 20-foot-wide drive aisle and 16.75-foot width for the 45-degree turn-in parking. The street shall be built to grade with a satisfactory subbase, base course, curb and gutter, and asphalt surface. The design cross-section of said street shall be submitted to, and approved by, the City of Billings Public Works Department. The street improvements will be completed by private contract or SID. With Phase I, a portion of Annafeld Parkway East will be constructed adjacent to Lot 15, Block 19 and will temporarily function as a 2-way street until Phase II is constructed.

4. At the time of this Filing, Phase IV of Harmony Meadows Subdivision, Second Filing has not been constructed. Therefore, a

physical connection between Annafeld Subdivision and Harmony Meadows Subdivision cannot be made. Furthermore, even if the Story Road connection were constructed, the traffic generated from Annafeld Subdivision, Fifth Filing would be unlikely to utilize Story Road based on proximity to Elysian Road and the land uses that are currently in Harmony Meadows Subdivision. Therefore, a detailed traffic impact analysis of the Story Road connection to Harmony Meadows Subdivision is not required for this Filing of Annafeld Subdivision. A traffic impact analysis of the Story Road connection to Harmony Meadows Subdivision is required with future filings.

The Subdivider agrees to contribute up to 50 percent of the cost for design, permitting, and construction of the Hogan's Slough crossing on Story Road. If the cash contribution is not sufficient to cover 50 percent of the crossing costs at the time of construction, the City retains the right to create a SID to recover additional design and construction costs.

The timing of the contribution for the Hogan's Slough crossing on Story Road shall be made at the earlier of the following:

I. At the time an Annafeld Subdivision Traffic Impact Study recommends the Story Road connection be completed.
II. At the commencement of construction of Phase IV improvements for Harmony Meadows Subdivision, 2nd Filing.
III. Prior to final plat approval of the final filing of Annafeld Subdivision.

5. A traffic accessibility study has been completed for the Annafeld Subdivision, Fifth Filing. All required intersection improvement contributions identified therein shall be completed by the Subdivider at the Subdivider's expense. Based on the additional lots created with Annafeld Subdivision, Fifth Filing, the percent of traffic contribution and associated costs to these intersections is as follows:

S. Frontage Rd/Midland Road & Mullowney Ln	2.42%
Mullowney Lane & Elysian Road	3.50%
Elysian Road & East Lane	1.50%
Elysian Road & South Frontage Road	1.05%
South Frontage Road & East Lane	0.53%

The cash contributions shall be based on the percent of traffic contributions to the intersections based on the total cost of an intersection as determined by City Engineering for the year in which the contribution is made. These cash contributions for the intersection improvements will be made prior to final plat approval. The percentage contributions are as outlined within the Traffic Impacts Study for Annafeld Subdivision, Fifth Filing as submitted with the preliminary plat.

B. Carriage Lanes

All Carriage Lanes within the subdivision shall be built to grade with a satisfactory subbase, base course, and asphalt surface or concrete surface. All Carriage Lane approaches constructed with asphalt shall be replaced with concrete by the Subdivider at the time when home construction is complete. In the event asphalt approaches within the subdivision are not replaced with concrete within three years of the date of recording of the final plat, the City may construct the concrete approaches and assess the Subdivider for the costs associated with the approach construction. Carriage Lane pavement widths shall be 12-feet. The design cross-sections of said Carriage Lanes shall be submitted to, and approved by, the City of Billings Public Works Department. No trees are allowed to be planted in the Carriage Lane. In addition, no shrubs taller than two feet are allowed to be planted in Carriage Lanes. Carriage Lane 2 adjacent to Lots 41 through 45, Block 18 & Carriage Lane 4 adjacent to Lots 5-10, Block 33 will be constructed with 33-foot-wide drive aisle with curb and gutter on the south of the lane to provide emergency vehicle access. A temporary gravel turnaround is provided on Lot 9, Block 26.

C. Sidewalks

Subdivider shall install handicap access ramps at the time of lot development, where necessary. Construction of sidewalks along frontage of the lots shall be installed by the lot owner at the time of lot development. Sidewalks along the street frontage shall be minimum 5-foot-wide and separated with a boulevard width not less than five feet. Developer shall construct the 5-foot-wide boulevard sidewalk adjacent to private parks (north/south side of Lot 1, Block 30; north/south sides of Lot 1, Block 29) at the time of private park development.

D. Street Lighting

Street lighting is not required for this subdivision; however, it is anticipated that street lighting will be installed for Fifth Filing by private contract or SID. A Street Light Maintenance District will be created for operation and maintenance of the lighting at a future date and is included in the waiver of right to protest.

E. Traffic Control Devices

1. Street name signs for streets within the subdivision, or located immediately adjacent thereto, shall be furnished and installed in accordance with the specifications of the City of Billings Public Works and Fire Departments.

2. No traffic signals are required within this subdivision.

3. The Subdivider shall furnish and install all necessary traffic control devices in accordance with the Manual of Uniform Traffic Control Devices and approved by the City of Billings Public Works Department.

F. Access

Access to the subdivision will be provided by Farmstead Avenue, Centennial Farm Road, Rosemary Road, Eva Marie Lane, Norma Jean Lane, and Annafeld Parkway West. Carriage Lane access is also provided to all residential lots within the subdivision.

G. Billings Area Bikeway and Trail Master Plan

A multi-use trail has been constructed along the south boundary of Elysian Road. Said multi-use trail extends from the east boundary of the subdivision to the easterly right-of-way line of East Lane.

In addition, a 10-foot-wide multi-use path will be provided on the north side of Rosemary Road (adjacent to Lots 17, 18 and 19, Block 18) and along the west side of Annafeld Parkway East (Lot 1, Block 29 and Lot 1, Block 30). Construction of this 10-foot-wide multi-use path will occur with adjacent lot and private park development. No additional trail improvements will be required as part of this subdivision.

H. Public Transit

There are no MET Transit routes that service this subdivision at this time. The nearest established route is at the intersection of Elysian Road and Mullowney Lane. No improvements with regard to MET Transit vehicles are anticipated at this time.

IV. EMERGENCY SERVICE

A. Fire Hydrants

Emergency service will be provided by the City. Placement of fire hydrants will be as required by the City of Billings Fire Department.

B. Construction of Buildings

Construction of buildings made of combustible materials shall have adequate fire apparatus access roads and water supply (fire hydrants) in place to allow for fire suppression requirements. Prior to issuance of a building permit for construction using combustible materials (i.e. lumber, plywood, wood trusses, etc.), fire apparatus access roads and water supply requirements shall be provided in accordance with the International Fire Code as adopted by the City of Billings.

At a minimum, the following is required:

- An unobstructed gravel road or gravel road base must be within 150-feet of the furthest portion of a building under construction as measured along the approved route.
- The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of 20-foot-wide.
- An operational fire hydrant shall be located within 600-feet of the furthest portion of a residence under construction, or within 400-feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.
- The above requirements do not alter or effect the current minimum subdivision requirements for fire apparatus access and water supply.

C. Building Location

All buildings shall be located on each lot so that the furthest portion of each building is within 150-feet from an approved fire department access road over an approved route excluding all carriage lanes.

V. STORM DRAINAGE

A. A stormwater management plan shall be submitted to the Engineering Division prior to final plat approval. The storm drainage system for Annafeld Subdivision, Fifth Filing will consist of a curb and gutter surface collection and curb inlets that drain into storm drainage piping, as well as surface conveyance. The storm drain piping will discharge into existing storm drain piping and to an existing mechanical stormwater filtration manhole, then into Hogan's Slough. All drainage improvements shall comply with the provisions of the City of Billings *Stormwater Management Manual* and Chapter 28, BMCC.

B. The mechanical stormwater filtration manholes are existing, and associated improvements are privately owned and maintained by the HOA. Annafeld Subdivision, Fifth Filing will be included in the HOA that is responsible to maintain these facilities. O&M requirements and HOA maintenance and fiscal responsibilities have been outlined within the Annafeld Subdivision, First Filing I O&M Manual.

C. Hogan's Slough adjacent to the subdivision is a major stormwater outfall for Billings west end. There is a possibility that the slough could overtop during a major storm event. Based upon the existing topography near Hogan's Slough and the Elysian Road Bridge, it is anticipated that the channel would overtop northeast of Elysian Road and flow east prior to overtopping Elysian Road. There is the possibility however that Elysian Road could be overtopped during a major storm event. If that occurs, flows not carried within the Hogan's Slough channel would be carried within the subdivision streets. The elevation of residential dwellings and commercial structures must be established in recognition of the City's policy that storm runoff flows are allowed to a depth of 18-inches in the gutter flowline of adjacent streets during the major storm.

D. Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for any construction on lots. Best Management Practices are defined within Chapter 28, BMCC and detailed in the City of Billings *Stormwater Management Manual.*

E. The Subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution Prevention Plan (SWPPP) filed with the City and the State Department of Environmental Quality (DEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by DEQ under the General Permit for Stormwater discharges Associated with Construction Activity, Chapter 28, BMCC and the City of Billings *Stormwater Management Manual.*

VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department - Engineering Division. The extension of/connection to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

The Subdivider/owner acknowledges that the subdivision shall be subject to the applicable system development fees in effect at the time new water and/or sanitary sewer service connections are made.

The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants, etc.) shall be in accordance with design standards, specifications, rules, regulations of, and as approved by the City of Billings Public Works Department, Fire Department, and the Montana Department of Environmental Quality.

A. Water

The Annafeld Subdivision water system consists of a series of looped water mains located in each of the local streets. The subdivision water system will consist of new 12-inch water main in Norma Jean and in a portion of St. Peter Lane. 8-inch water mains will be installed in the remaining streets in Annafeld Subdivision, Fifth Filing. Future filings of the Annafeld Planned Development will provide the opportunity to make additional connections to the trunk main in Elysian Road providing water main looping.

B. Sanitary Sewer

Sanitary sewer service to Annafeld Sub., 5th Filing will be provided by connecting to the existing 8-inch gravity sewer main located in Rosemary

Road, Eva Marie Lane, Norma Jean Lane, and Annafeld Parkway W. There is an existing 10-inch sewer main located in Centennial Farm Road, from St. George Boulevard to Annafeld Parkway E., and extends north in Annafeld Parkway E. to Farmstead Avenue. All sanitary sewer construction improvements shall be installed in conformance with the design standards, specifications, and rules and regulations of the City of Billings and Montana Department of Environmental Quality, and will be approved by the Public Works Department, Distribution, and Collection Division.

C. Power, Telephone, Gas, and Cable Television

Private utility facilities currently exist to serve the subdivision. The private utility facilities will be installed within the Carriage Lane right-of-way and by easements included on the plat, as requested by the utility companies, to provide routes to the Carriage Lanes.

VII. PARKS/OPEN SPACE

The subdivision lies within a planned unit development that provides for land permanently set aside for park and recreational uses sufficient to meet the needs of the persons who will ultimately reside in the development, per 76-3-621(6)(a) of the Montana Code Annotated. The park and open space within the Annafeld Planned Unit Development Master Plan meets or exceeds the 1.02 acres (11% of net lot area, 5th Filing) of dedication required under section 76-3-621(1), MCA. The Subdivider and City agree that the parkland dedication has been met through the dedication of private park area within Annafeld Subdivision, Fifth Filing and with additional public and private park dedication with Annafeld Subdivision, First, Second, Third, and Fourth Filings.

In addition, the lots within Annafeld Subdivision, Fifth Filing may provide additional funding to complete the park improvements for the previously created public parkland SID. The park improvements shall be in accordance with the City Council approved Annafeld Parks Master Plan. The Subdivider shall prepare all SID documents necessary for creation, and coordinate with the City of Billings Parks and Recreation Department for review and approval. If all park improvements as defined in the Annafeld Parks Master Plan have been completed prior to the creation of this park SID, then this park SID will no longer be required.

The current park maintenance district (PMD 4041) for Annafeld Subdivision, First Filing shall be expanded to include lots with Annafeld Subdivision, Fifth Filing for the perpetual maintenance of the public parkland. The Subdivider shall prepare all park maintenance district documents necessary for its expansion and coordinate with the City of Billings Parks and Recreation Department for review and approval.

VIII. HOMEOWNER'S ASSOCIATIONS

A homeowner's association (HOA) will be established for this subdivision. The HOA will have the following responsibilities:

A. Contact Information

HOA shall provide contact information of the senior board official to the City Engineering Department upon the establishment of the HOA and/or changing of board members.

B. Stormwater Drainage Facilities

The HOA shall be responsible for the maintenance of the mechanical filtration stormwater manholes. The HOA shall share the cost of maintenance of the community stormwater facilities.

IX. POSTAL DELIVERY

The Subdivider shall provide centralized delivery boxes with sufficient pullout to accommodate a mail carrier vehicle. The location of the boxes shall be reviewed and approved by the United States Postal Service.

X. SOILS/GEOTECHNICAL STUDY

A soils/geotechnical study has been performed for the subdivision by Rimrock Engineering Inc. The report dated February 22, 2023, is available for review at the City of Billings Planning Department. Lot owners and contractors/builders are encouraged to review the report and its recommendations.

XI. PHASING OF IMPROVEMENTS

The Subdivider does not desire to commence development of all lots within the subdivision but does desire to file the approved final plat of Annafeld Subdivision, Fifth Filing, and to sell and convey lots in said subdivision in phases. Improvements for the subdivision are to be developed in two (2) phases. The phases are defined as follows:

Phase I

Phase I improvements shall be constructed utilizing a private contract or an SID. Phase I improvements shall include necessary street and utility improvements

adjacent to phase I lots. The lots to be served by Phase I are more particularly described as follows:

Annafeld Subdivision, 5th Filing

Block 6, Lots 11 & 12
Block 19, Lots 14 & 15
Block 20, Lots 6 through 20
Block 22, Lots 9 through 15
Block 24, Lots 5 through 15
Block 26, Lots 4 through 10
Block 32, Lots 1 through 7
Block 33, Lots 1 through 25

Phase II – Opened by November 1, 2025

Phase II improvements shall be constructed utilizing a private contract or an SID. Phase II improvements shall include necessary street and utility improvements adjacent to phase II lots. The lots to be served by Phase II are more particularly described as follows:

Annafeld Subdivision, 5th Filing

Block 18, Lots 17 through 45
Block 19, Lots 13 & 16
Block 28, Lot 1
Block 29, Lot 1
Block 30, Lots 1 through 5
Block 31, Lots 1 through 11

Pursuant to the foregoing agreement, the Subdivider shall execute and record a Declaration of Restriction on Transfers and Conveyances for said Phase II (Attached hereto) to be recorded concurrently with the recording of this agreement. Said declaration notifies all third parties that said lots may not be legally sold, conveyed, or transferred until a release executed by the City of Billings and substantially in the form of Exhibit A attached hereto has been recorded in the office of the Clerk and Recorder of Yellowstone County, Montana. No lots shall be released until a certificate substantially in the form of Exhibit B attached hereto has been executed by the Department of Public Works stating that the above conditions have been met, which certificate must accompany any request for a release. By the acceptance and recording of the agreement, the City does hereby authorize the Public Works and Parks and Recreation Departments, Mayor, and City Clerk of the City to review any request

for release and to execute such certificates and releases as may be necessary to evidence a release from the restriction against sale, conveyance, and transfer of lots in the subdivision.

XII. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install, and construct said required improvements by SID or by private contract secured by letters of credit or a letter of commitment to lend funds from a commercial lender or by SID. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be installed as approved by the City Engineer and Utility Department Manager.

XIII. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

A. Subdivider agrees to guarantee all public improvements for a period of two years from the date of final acceptance by the City of Billings.

B. The owners of the properties involved in this proposed subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this agreement.

C. The covenants, agreements, and all statements in this Agreement run with the land and apply to and shall be binding on the heirs, personal representatives, successors, assigns and transferees of the respective parties.

D. 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.

E. Any amendments or modifications of this agreement or any provisions herein 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.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date Fifth above written.

"SUBDIVIDER" **MCCALL DEVELOPMENT, INC.**

By:_____

Its:_____

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 _____of **MCCALL DEVELOPMENT, INC.** who executed the foregoing instrument and acknowledged to me that he/she executed the same.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by the 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 in and 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: _____

WAIVER OF RIGHT TO PROTEST
FUTURE SPECIAL IMPROVEMENT DISTRICTS

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for a period of no more than twenty years from the recording of this waiver, for street light maintenance and energy, and for the construction of streets, street widening, sidewalks, survey monuments, street name signs, curb and gutter, street lights, driveways, traffic signals, and traffic control devices, parks and park maintenance, trails, sanitary sewer lines, water lines, storm drains (either within or outside the area), and other improvements which the City of Billings may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

This Waiver is in addition to any other recorded waiver related to the property described herein and is not intended to replace, supersede, or invalidate any such waiver.

The real property hereinabove mentioned that is the subject of this waiver is more particularly described as follows:

ANNAFELD SUBDIVISION, FIFTH FILING

SUBDIVIDER/OWNER **MCCALL DEVELOPMENT, INC.**

By:_____

Its:_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20__, before me, a Notary Public in and for the State of _____, personally appeared _____, known to me to be the person who executed the foregoing instrument as the _____ of **MCCALL DEVELOPMENT, INC.** and acknowledged to me that he/she 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 OF
Billings
MAYOR'S OFFFICE

Bill Cole, Mayor
P.O. Box 1178
Billings, MT 59103
P 406.657.8296
F 406.657.8390

Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

Dear Applicant:

On April 24, 2023, the Billings City Council conditionally approved the preliminary plat of Annafeld Subdivision, 5th Filing subject to the following conditions of approval:

1. To protect public health and safety, prior to final plat approval, the applicant will submit all drawings and specifications for water systems, sewer systems and stormwater systems to the City of Billings Engineering Department for review and approval prior to installation.

2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.

3. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

Should you have any questions please contact Dave Green at (406) 657-8666 or by email at greend@billingsmt.gov

April 24, 2023

Sincerely,

_____
William A. Cole, Mayor

City Council Regular

Date:	04/24/2023
Title:	Golden Meadows Subdivision Expansion - Preliminary Major Plat
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No
Legal Review	Not Applicable

RECOMMENDATION

The Planning Board is forwarding to the City Council a recommendation to conditionally approve the preliminary plat of Golden Meadows Subdivision Expansion, and adopt the Findings of Fact as presented in the staff report.

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

On February 1, 2023, Sanderson Stewart applied for preliminary major approval for Golden Meadows II Subdivision for Rent of Lease. The proposed subdivision is an expansion of the existing Golden Meadows Mobile Home Park and creates 276 spaces for rent or lease. The subject property is generally located west of 32nd Street West, south of King Avenue West. The property is zoned Residential Manufactured Home, (RMH) The developer will follow zoning requirements with the layout of the proposed expansion of the mobile home park.

VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To protect public health and safety, prior to final plat approval, the applicant will submit all drawings and specifications for water systems, sewer systems and stormwater systems to the City of Billings Engineering Department for review and approval prior to installation.
2. To minimize the effects on local service, prior to final plat approval, the applicant will coordinate with the USPS for locating and providing the correct amount of space for safely delivering the mail to the residents.
3. To provide needed private utility services to the future residents of the subdivision, prior to final plan approval, the applicant will work with private utility providers to provided needed easements for their utility installation
4. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
5. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

PROCEDURAL HISTORY

- Pre-application meeting December 10, 2022
- Preliminary plat application submitted to Planning Division on February 1, 2023
- Departmental review meeting February 16, 2023
- Preliminary plat resubmittal February 23, 2023
- Planning Board plat review March 14, 2023
- Planning Board public hearing March 28, 2023
- Preliminary plat to City Council April 24, 2023
- 60 working-day preliminary plat review period ends April 27, 2023

PLAT INFORMATION

General location:	West of 32nd Street West, south of King Avenue West
Legal Description:	Tract 2A-1 and Tract 3A-1 of Certificate of Survey 1349 Amended
Owner/Subdivider:	Dorazio Development Group, LLC
Engineer and Surveyor:	Sanderson Stewart

Existing Zoning:	RMH
Existing land use:	Farmland
Proposed land use:	Residential
Gross and Net area:	41.3165 acres / 28.362 acres
Proposed number of lots:	276 spaces
Lot size:	Max: 1,456 square feet Min: 1,216 square feet

Parkland requirements: Parkland dedication requirement is 3.12 acres. The applicant is providing 3.27 acres. The parkland will be private parks maintained by the Mobile Home Park.

STAKEHOLDERS

Planning staff gave a brief presentation at the Planning Board public hearing for this subdivision on March 28th.

President Cook called for questions and discussion. President Cook asked if there will be sidewalks along the interior of the subdivision and are there existing sidewalks on King Avenue? Staff responded there will be sidewalks within the new mobile home park and there is a sidewalk along King Avenue West. Board member Woods, confirmed there is sidewalk on King Avenue and S 32nd Street West. Board member Woods voiced his concern that the existing mobile home park does not have sidewalks, but pointed out it was developed prior to the requirement for sidewalks.

President Cook opened the public hearing and asked if there is anyone wishing to speak in favor or against the proposed subdivision. There was no one wishing to speak for or against. Ms. Sumner Anacker, the agent for applicant Jay Van Tassell, pointed out that the vicinity map on the preliminary plat has since been updated and the corrected plat will be provided to the Planning Division. Addressing comments from the plat review meeting she stated, the central box unit, CBU, for mail delivery will be located at the intersection of Willow Bend South and Willow Bend West. The CBU will be placed on the south side of the street and possibly the north side should there not be enough room for them on the south. Board member Stephenson asked if there are plans for a community center at this time. Ms. Anacker stated there is no plan for a community center with this plat. President Cook asked about school bus drop-off and pickup areas, Ms. Anacker said this will be addressed by the school districts. Scott Reiter, from School District #2 said this would be handled by the school district transportation committee.

There had been questions about the traffic impact study from the planning board at the plat review meeting two weeks prior to the public hearing. Mr. Joey Sayzack, a traffic engineer from Sanderson Stewart, provided a brief presentation focused specifically on the traffic study for this development. Mr. Sayzack explained the traffic counts for existing traffic on South 32nd St W were taken and the anticipated traffic from the proposed subdivision. They also considered a five-year span of crash data. He gave the explanation of the trip generation for this development being a projection of about a 7% increase in daily traffic. They are seeing a 5% growth rate in this end of town. Recommendations were made for signal timing upgrades at King Avenue West and Gabel Road. Another recommendation is limiting permissive left turning lights, flashing yellow left turn arrows, and have them work to allow a certain amount of traffic to turn and then turn red to allow straight through traffic. As required by the City, financial proportional contributions will be required for intersections and road improvements. Board member Staley voiced concerns with the blind hill south of this development headed north to King Avenue from Gabel Road. Also crashes resulting from those trying to get out of the mobile home park or waiting in the road to turn into the mobile home park. Mr. Sayzack said these approaches have been considered, and no crashes were noted on the intersections going in or out of the mobile home park for the past five years. He said they do not expect more than one vehicle queued on 32nd to make the turn. Board member Nordel asked who will be making certain the recommendations are implemented. Mr. Sayzack stated the recommendations for signal timing, signal phasing, and monitoring the signal on Gabel Road, fall into the City's hands for implementation.

Mr. Rick Leuthold stated he had spoken with Greg MacDonald, the property owner to the west, Mr. Leuthold provided copies of a letter from Gregory MacDonald who is in full support of this project. Mr. Leuthold said currently the ponds west of the development could be considered an "attractive nuisance" and they will be installing a fence along the west property line at this time, with no trespassing signs, to help minimize access to the ponds in consideration of children's safety. This will be addressed within the Subdivision Improvement Agreement for this development. With regard to the community center, Mr. Leuthold said there is a facility that can be used as a community center within the existing neighborhood to the north. Wyeth Friday asked about the parkland on the west and a connection to the west in the future. Mr. Leuthold stated there are possible future plans to develop the land to the west and to

incorporate the ponds as an amenity to the area. Until that happens, the fence is needed to limit access. The proposed parkland for this development is along the west and there will be a chain link fencing and a significant level of landscaping. The perimeter fence will be built with the initial development.

President Cook closed the public hearing and called for a motion. Board member Stephenson made a motion and Board member Ronquillo seconded the motion to forward to the City Council a recommendation to conditionally approve the preliminary plat of Golden Meadows Subdivision Expansion, and adoption of the Findings of Fact as presented in the staff report. Board member Woods commented he has concerns with older subdivisions that do not have sidewalks. Board member Nordel feels this area of Billings will be revisited as more pressure is put on existing roads, stating modifications will be needed for infrastructure. The motion carried with a unanimous voice vote.

ALTERNATIVES

In accordance with state law, the City Council has 60 working days to act upon this major preliminary plat. The 60 working day review period for the proposed plat ends on April 27, 2023. State and City subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 60 working day review period, the City Council is required to:

1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plat

FISCAL EFFECTS

This plat will have no fiscal impacts on the City/County Planning Division.

SUMMARY

One of the purposes of the City's subdivision review process is to identify potential negative effects of property being subdivided. Negative effects that are identified become the subdivider's responsibility to mitigate. Various City departments, private service/utility providers and the affected school district/s, have reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be minimal impacts from this proposed subdivision.

Attachments

Findings of Fact
Proposed Plat
SIA Draft
Mayors Letter

FINDINGS OF FACT

The Planning staff on behalf of the Planning Board has prepared the Findings of Fact for the preliminary plat of Golden Meadows Expansion Subdivision. These findings are based on the preliminary plat application and supplemental documents; addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(H), BMCC).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608 (3) (a) and BMCC 23-302.H.2.]

1. Effect on agriculture and agricultural water user facilities

The subject property is currently used for farming. Water rights will not be transferred to subdivision property owners. Existing ditches near this proposed development will remain in place and will not be altered by the future property owners. The subdivision should not affect agricultural water users' facilities.

2. Effect on local services

a. **Utilities** – Public water services to the subject property will be provided by the City of Billings. The subdivision will extend existing water mains located in Willow Bend Drive South and Willow Bend Drive North. The private water mains will be constructed in private streets to serve each manufactured home unit in this proposed subdivision. The water mains within the subdivision will make looped connections whenever possible. All water line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings. The City of Billings, Engineering Department, will review and approve all proposed water lines prior to installation. This information is outlined in the SIA under the heading VI Utilities.

Fire hydrants will also be installed as required by the City of Billings Fire Department. The City Fire Department with review and approve all proposed hydrant locations prior to installation. This information is outlined in the SIA under the heading VI Utilities.

Sanitary sewer service will be provided by the City of Billings by extending existing sewer mains from Willow Bend Drive North and Willow Bend Drive South. The new private sewer main will occur within internal private streets to serve each manufactured home unit in the proposed subdivision. All sewer line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings Engineering Department. The City of Billings Engineering Department will review and approve all proposed sanitary sewer lines prior to installation. This information is outlined in the SIA under the heading VI Utilities. **(Condition #1)**

All telephone, gas, electrical power, and cable television lines that are placed within the public right-of-way shall be installed prior to surface improvements.

b. **Storm water** – Stormwater management for the proposed subdivision will be provided by a combination of surface drainage and curbs and gutters, drained to storm, new and existing, detention areas to the south of the subdivision. The developer will be required to provide an Operation and Maintenance (O&M) manual. The subdivision HOA will be responsible for the stormwater management system and fees will be collected to cover the cost of O&M. All drainage improvements shall comply with the provisions of the City of Billings Stormwater Management Manual and Section 23-706, BMCC, a stormwater management plan shall be submitted to the Engineering Division prior to filing of the final plat. **(Condition #1)**

c. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

d. **Streets** – Access to the spaces in this proposed subdivision is from South 32nd Street West, to either Willow Bend Drive North and Willow Bend Drive. Access to each individual unit spaces will be from the internals streets that are proposed with this subdivision. All new streets will be in a 56-foot-wide right of way and will be constructed to 34-foot wide, back of curb to back of curb road. Road construction will include installation of accessible ramps at the intersections.

A traffic study has been completed for this proposed subdivision and the applicant will be making contributions to the intersections impacted by the additional traffic burden places on them. Those contributions are outlined in the SIA under the heading III Transportation D. and will be made to the City prior to final plat approval.

Sidewalks will be installed at the time of street construction. All sidewalks will be boulevard type walks with 5-foot wide boulevard sidewalks.

e. **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The fire station that serves this area is located at 605 South 24th Street West (Station #5).

The subdivision is located within the ambulance service area of American Medical Response (AMR).

Comments from the Police department state that continued expansion of subdivisions will require additional resources to maintain acceptable levels of service.

f. **Schools** – Elysian School District 23 provides service to students within this subdivision for K through 8. School District #2 provides service to students within this subdivision for high school (West High School). School District #2

responded stating West High School is over capacity at this time. Elysian provided no comments at the time of the writing of this staff report.

g. **Parks and Recreation** – The parkland dedication requirement for this subdivision is 3.11 acres. This parkland will be private park for the residents of the subdivision. The applicant is providing 3.27 acres of private parkland for the proposed subdivision. The SIA does not mention how the private parks will be maintained. Maintenance of the private parks will be the responsibility of the land owner, Golden Meadows II LLC.

h. **Mail Delivery -** The United States Postal Service will provide postal service to the subdivision. They have requested the installation of centralized mailbox unit (CBUs) at the intersection of Willow Bend Drive South and Prairie Clover Lane. The developer will work with the USPS to provide enough room for safely delivering the mail and a satisfactory location for a CBU for this subdivision. **(Condition #2)**

i **Phasing –** The subdivision is proposed to construct infrastructure in 2 phases. Because this subdivision does not create lots but pads for Mobile Homes to be placed on, it is not a traditional phasing of lots but phasing of construction of infrastructure. The phasing of infrastructure is outlined in the SIA under the heading X. Phasing of improvements.

3. Effect on the natural environment

The subject property is relatively level land with a mobile home park to the north and east. A geotechnical study was performed for the subdivision by Rimrock Engineering on January 10, 2023. The subdivision should have a minimal effect on the natural environment as this land has been historically used for farming and the natural environment is no longer in place.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Future property owners should be aware that the proposed subdivision is located near prime wildlife habitat and adjacent to open farm land areas, therefore conflicts with wildlife may occur. Any damage caused by wildlife is the responsibility of the owner. This notice is in the SIA under the heading II. Property Conditions and Information for Lot Purchasers.

5. Effect on the public health, safety and welfare

Fire hydrants will be installed to meet fire department requirements. Sidewalks will offer a safe place for pedestrians to walk. The effects on public health and safety should be minimal.

B. Was an Environmental Assessment required? [(MCA 76-3-603 and BMCC 23-302.H.1.]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2018 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-(8)]

1. City of Billings 2016 Growth Policy

The proposed subdivision is consistent with the following goals of the Growth Policy:

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods): Neighborhoods that are safe and attractive and provide essential services are much desired.

Home Base (healthy, safe and diverse housing options) Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods) Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels.

2. 2018 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2018 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

3. Billings Area Bikeway and Trail Master Plan (BABTMP)

The proposed subdivision lies within the jurisdiction of the BABTMP. The BABTMP shows a proposed bike lane to the west of this subdivision and one east of the subdivision along the west side of South 32nd Street West.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608 (3) (b) and BMCC 23-302.H.3.a.]

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302.H.3.e.]

The subject property is located within Residential Manufactured Home (RMH) zoning. All Manufactured Home placement shall comply with the RMH zoning.

F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608 (3) (c) and BMCC 23-302.H.3.b.]

The subdivider will furnish private utility easements as required by private utility providers. MDU has requested utility easements of 8 feet wide. The applicant will coordinate the location with MDU. **(Condition #3)**

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608 (3) (d) and BMCC 23-302.H.3.c.]

Legal and physical access is provided to the proposed lots from South 32nd Street West and Willow Bend Drive North and Willow Bend Drive South. Other new internal streets will provide access to individual spaces. All streets are private as shown on the plan.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Golden Meadows Expansion Subdivision does not create any adverse impacts that warrant denial of the subdivision.

- The proposed subdivision conforms to several goals and policies of the 2016 Growth Policy and does not conflict with the Transportation or Bikeway and Trail Plans.

- The proposed subdivision complies with state and local subdivision regulations, local zoning, and provides legal and physical access to each lot.

- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

RECOMMENDATION

The Planning Board is forwarding to the City Council, the preliminary plat of Golden Meadows Expansion Subdivision, recommending conditional approval and adopt the Findings of Fact as presented in the staff report.

Approved by the Billings City Council, April 24, 2023

_____

William A. Cole, Mayor

PRELIMINARY PLAT OF

GOLDEN MEADOW SUBDIVISION EXPANSION

TRACT 2A–1 & TRACT 3A–1 OF CERTIFICATE OF SURVEY NO. 1349 AMENDED

BILLINGS, MONTANA

PREPARED FOR : DORAZIO DEVELOPMENT GROUP, LLC.

PREPARED BY : SANDERSON STEWART

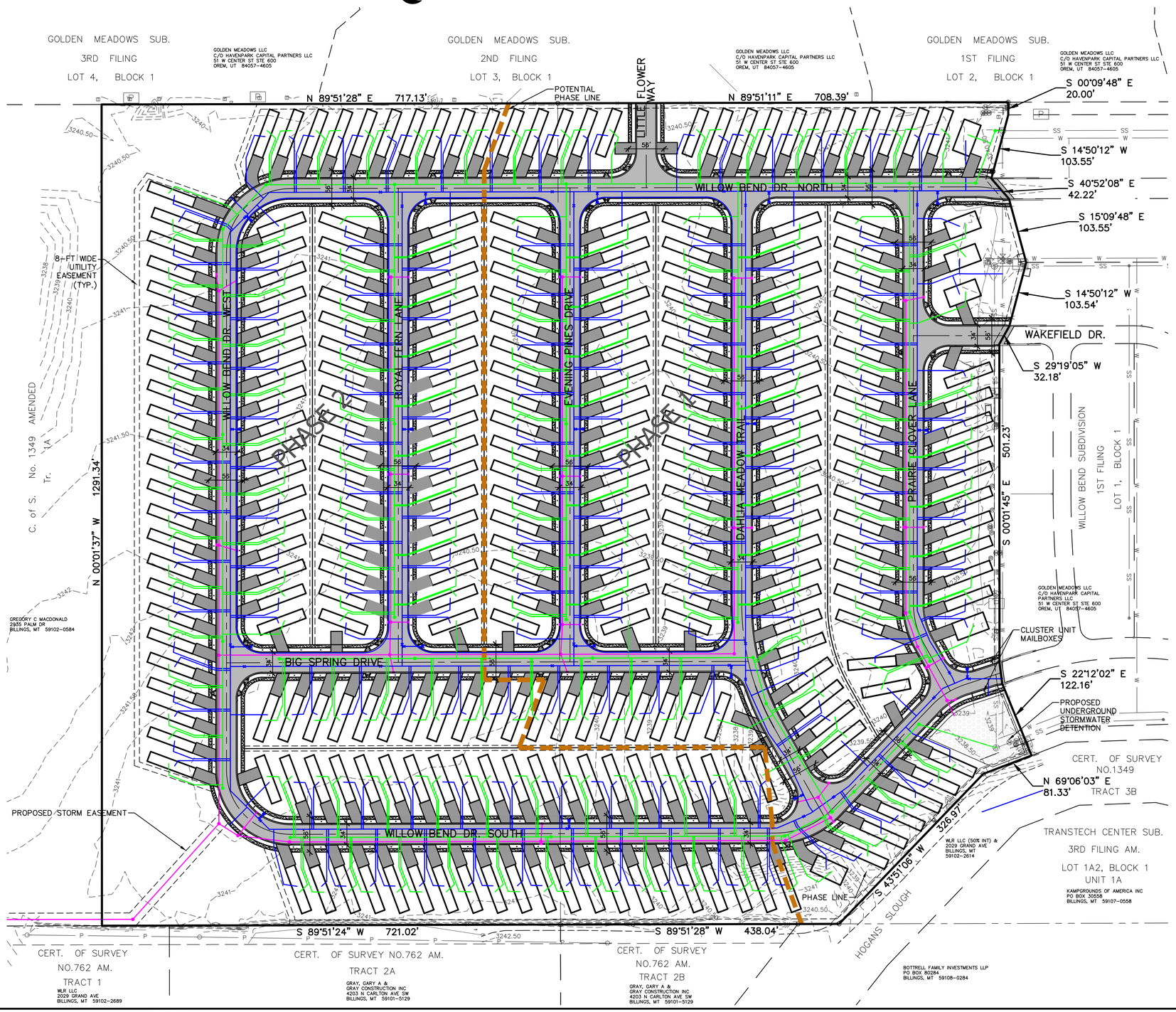
FEBRUARY, 2022

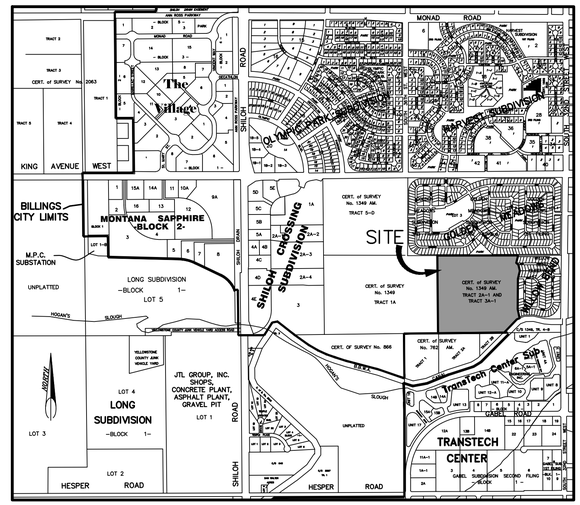
BILLINGS, MONTANA

NORTH

80 40 0 80 160

SCALE:1" = 80'





VICINITY MAP

NOT TO SCALE

DRAFT

LINETYPES

	EXISTING
SANITARY SEWER	SS
STORM DRAIN	SD
WATER MAIN	W

	PROPOSED
8" SANITARY SEWER	
STORM DRAIN	
8" WATER MAIN	

BASIS OF BEARING: (ORIGINAL PLAT/C.O.S.) OR THE BASIS OF BEARINGS FOR THIS SURVEY HAS BEEN DERIVED FROM GPS OBSERVATIONS AND IS BASED ON A NAD 83, LAMBERT CONFORMAL CONIC, SINGLE PARALLEL, LOW DISTORTION PROJECTION FOR THE CITY OF BILLINGS; HAVING A POINT OF ORIGIN AT 45°47'00"N LATITUDE AND 108°25'00"W LONGITUDE WITH A SCALE FACTOR OF 1.0001515. THE GRID TO GROUND COMBINED SCALE FACTOR AT [monument description] IS x.xxxxxxxxxx; THE CONVERGENCE ANGLE IS –x'xx'xx". DISTANCES ARE INTERNATIONAL FEET. FOR THIS SURVEY, GRID DISTANCE IS ESSENTIALLY EQUAL TO GROUND DISTANCE.

- ○ FOUND SURVEY MONUMENT, AS NOTED
- ● SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
- ■ SET INTERSECTION MONUMENT, 5/8"x18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART BILLINGS MT". WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.

NOTE: ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.

PLAT DATA

GROSS AREA	= 41.3165 ACRES
NET AREA	= 28.362 ACRES
NUMBER OF RMH	= 276
MINIMUM RMH	= 1,216 S.F.
MAXIMUM RMH	= 1,456 S.F.
LINEAL FEET OF STREETS	= 8,011.1123 L.F.
PARKLAND REQUIREMENT	= 3.12 ACRES
PARKLAND DEDICATION	= 3.27 ACRES
EXISTING ZONING	= RMH–RESIDENTIAL MANUFACTURED HOME
SURROUNDING ZONING:	
NORTH	= PUD–PLANNED UNIT DEVELOPMENT
SOUTH	= LIGHT INDUSTRIAL/CX–HEAVY COMMERCIAL
EAST	= RMH–RESIDENTIAL MANUFACTURED HOME
WEST	= RMH–RESIDENTIAL MANUFACTURED HOME
EXISTING LAND USE	= AGRICULTURAL
PROPOSED LAND USE	= RESIDENTIAL

Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS RESIDENTIAL MANUFACTURED HOME DEVELOPMENT GOLDEN MEADOWS SUBDIVISION EXPANSION

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Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS RESIDENTIAL MANUFACTURED HOME DEVELOPMENT GOLDEN MEADOWS SUBDIVISION EXPANSION

This Agreement is made and entered into this ____ day of _____, 20___, by and between **GOLDEN MEADOWS II, LLC**, whose address for the purpose of this Agreement is 51 W CENTER ST SUITE 600, OREM, UT 84057-4605 hereinafter referred to as "Subdivider" or "Developer," and the **CITY OF BILLINGS**, Montana, a municipal corporation, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, at a regular meeting conducted on ____ day of _____, 20__, the Board of Planning recommended conditional approval of a preliminary plat of Golden Meadows Subdivision Expansion; and

WHEREAS, at a regular meeting conducted on ____ day of _____, 20__, the City Council conditionally approved a preliminary plan of Golden Meadows Subdivision Expansion; and

WHEREAS, a Subdivision Improvements Agreement (SIA) is required by the City prior to the approval of the final plan; and

WHEREAS, the provisions of this Agreement shall be effective and applicable to Golden Meadows Subdivision Expansion upon the filing of the final plan thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Billings Subdivision Regulations the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

The Subdivider has requested, and the City hereby grants, the following variances by the City Council from the strict interpretation of the City of Billings Subdivision Regulations (Section 23.1101, BMCC):

1. None requested.

II. PROPERTY CONDITIONS AND INFORMATION FOR LOT OWNER/OWNERS

A. Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development. If sidewalk is not constructed within 5 years, the City has the right to construct the sidewalk and assess the property owners.

B. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that owners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

C. Lot owners should be aware of the soil characteristics within the area of the subdivision as details in the Geotechnical Report by Rimrock Engineering dated January 10, 2023.

D. No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.

E. There is attached hereto a Waiver, waiving the right to protest the creation of the special improvement district or districts that may be created by the City to finance the costs of the off-site public improvements pursuant to the terms of this Agreement. The Waiver will be filed with the plat, shall run with the land, and may be employed when public improvements that benefit this subdivision are required or requested. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement.

The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

F. The developer and subsequent contractors/builders acknowledge that there is a Stormwater Pollution Prevention Plan (SWPPP) filed with the City and State Department of Environmental Quality (DEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by DEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the Billings Stormwater Management Manual.

G. Lot owners should be aware that Best Management Practices for stormwater control shall be required for new construction on lots. Best Management Practices are defined within Section 28-201, BMCC and detailed in the Billings Stormwater Management Manual.

III. TRANSPORTATION

A. Streets

All internal access roads within the subdivision will be private and shall be designed to provide access to all sites. No site shall have vehicular access to a public street. The streets shall be laid out to discourage through traffic and intersections with public streets shall be kept at a minimum. Streets shall be designed and built to meet current City Standards.

B. Sidewalks

Sidewalks on the internal private streets shall be installed at the time of subdivision development and shall be borne by the Subdivider. The sidewalk shall consist of a 5-foot-wide boulevard type sidewalk on both sides of each private street and the Subdivider will install accessible ramps at intersections.

C. Street Lighting

Street light installation within the internal private streets is at the discretion of the Subdivider. If constructed, streetlights on private streets within Golden Meadows Expansion Subdivision shall be owned, operated and maintained through the owner, Golden Meadows II LLC.

D. Traffic Control Devices

Traffic signage, and striping shall be installed in accordance with the Traffic Impact Study. The timing, extent, and level of participation in those improvements shall be in accordance with approval by the City of Billings.

Directional signage and traffic control devices required throughout the subdivision shall be installed by Subdivider at time of lot development. All traffic control devices will be designed in accordance with the Manual on Uniform Traffic Control Devices and shall be subject to review and approval by the City Traffic Engineer.

A traffic accessibility study has been completed for The Meadows subdivision Expansion. All required intersection improvement contributions identified therein shall be completed by the Subdivider at the Subdivider's expense. The percent of traffic contributions to the following intersections shall be in accordance with the traffic accessibility study:

Monad Road & 32nd Street West	2.58%
King Avenue & 32nd Street West	5.33%
32nd Street West & Gabel Road	6.23%

The cash contributions shall be based on the percent of traffic contributions to the intersections based on the total cost of an intersection as determined by Engineering for the year in which the contribution is made. The cash contribution shall be made prior to final plat approval.

E. Access

Location of accesses shall be in accordance with the Traffic Impact Study. Access to Golden Meadows Expansion shall be via the extension westward of Willow Bend Subdivision. Willow Bend Drive N., Willow Bend Drive S., and Wakefield Drive. A new street Little Flower Way will be created to connect to Woodgrain Drive and Willow Bend Drive N.

F. Billings Area Bikeway and Trail Master Plan (BABTMP)

East of the proposed subdivision, along South 32nd Street West, there is a proposed bike lane as part of the Billings Area Bikeway and Train Master Plan.

G. Public Transit

Strong internal street circulation and interconnectivity is provided in the development plan for Golden Meadows Expansion Subdivision. This will, in turn, provide sidewalks for pedestrians to access public transit routes within this development. Adjoining developments, Golden Meadows Subdivision and Willow Bend Subdivision do not have sidewalks. No other specific public transit provisions are proposed at this time.

IV. EMERGENCY SERVICE

Two points of access are provided to this subdivision from South 32nd Street West. In addition, private fire hydrants will be installed at the required locations as reviewed and approved by the City of Billings Fire Department. This shall include fire hydrants spaced at a distance no greater than five hundred feet along private streets. At the time of development, a Site Development Plan shall be submitted to the City of Billings Fire Department in sufficient detail to verify compliance with all required emergency ingress, egress, and circulation requirements. All the private fire hydrants shall be owned, operated and maintained through the mechanism of a Homeowners Association (HOA).

Construction of buildings made of combustible materials shall have adequate fire apparatus access roads and fire hydrants in place to allow for fire suppression requirements. Prior to issuance of a building permit for construction using combustible materials (i.e. lumber, plywood, wood trusses, etc.), fire apparatus access roads and water supply requirements shall be provided in accordance with the International Fire Code as Adopted by the City of Billings.

At a minimum, the following is required:

- An unobstructed gravel road or gravel road base must be within 150 feet of the furthest portion of a building under construction as measured along an approved route.
- The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of 20-feet-wide.
- An operational fire hydrant shall be located within 600 feet of the furthest portion of a residence under construction or within 400 feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.
- The above requirements do no alter or effect the current minimum subdivision requirements for fire apparatus access and water supply.

V. STORM DRAINAGE

All drainage improvements shall comply with the provisions of the *Stormwater Management Manual* and Section 23-706, BMCC except as modified herein and shall be in accordance with the stormwater management plan to be submitted to and accepted by the Engineering Division. All storm drainage improvements shall be considered a private installation and shall be operated and maintained under a Homeowners Association (HOA) Stormwater Facility Maintenance Agreement between the Subdivider and the City.

Stormwater on site will be conveyed to the collection system via surface flows on the private streets and through a network of catch basins, inlets, and piping which will convey runoff to the pond on the adjoining property to the west and to an underground infiltration basin located in the southeast corner of the development. Discharges directly tied to these drains shall be terminated with an acceptable outfall structure, water quality treatment unit, and back flow prevention device.

VI. UTILITIES

This Subdivision Improvements Agreement does not constitute an approval for extension or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department - Engineering Division. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

The Subdivider acknowledges that the subdivision shall be subject to the applicable system development fees in effect at the time a building permit is issued for new construction.

The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants, etc.) shall be in accordance with design standards, specifications, rules, regulations of and as approved by the City of Billings Public Works Department, Fire Department, and the Montana Department of Environmental Quality.

All extensions of water and sewer mains and services shall be considered private installations and shall be operated and maintained under separate private party agreements.

A. Water

The private development accesses City of Billings water from South 32nd Street West. Water serving Golden Meadows Expansion will be from the extension of a private water mains on Willow Bend Dr. South and Willow Bend Dr. North. The private water mains will be constructed in private streets to serve each manufactured home unit in this subdivision.

B. Sanitary Sewer

The City of Billings has provided a sanitary sewer connection from South 32nd Street West to the private development. The developer extended a sanitary sewer main from that connection point through the Willow Bend private development.

For this development, the developer will extend an existing private sewer main near Willow Bend Dr. North and Willow Bend Dr. South. The new private sewer main will occur within internal private streets to serve each manufactured home unit in this subdivision.

C. Power, Telephone, Gas, and Cable Television

Private utilities shall be coordinated prior to construction to serve the development. Said utilities will serve the development in private utility easements at locations either shown on the face of the plat or in areas determined at the time of development.

VII. PARKS/OPEN SPACE

Per Section 76-3-621 of the Montana Code Annotated, Park dedication will be made through private park development for residents in the community. The park space totals 3.27 acres; this exceeds the required 11% of 3.11 acres. The current plan includes park space in the southeast, southwest, and northwest corners of the property. The total net area of residential development for this subdivision is 28.3 acres.

Park space will be owned and maintained by the owner, Golden Meadows II LLC.

VIII. IRRIGATION

The BBWA Canal, located south of the Golden Meadows Expansion Subdivision is not intended to be impacted by development. A SWPPP will be submitted by the Contractor detailing the efforts to protect the BBWA Canal during construction. Boulevards will be irrigated via drip systems.

IX. SOILS/GEOTECHNICAL STUDY

A geotechnical report was completed for this development by Rimrock Engineering on January 10, 2023. Refer to the Geotechnical Report for results of the study and construction recommendations.

X. PHASING OF IMPROVEMENTS

The intent is to permit the entirety of Golden Meadows Expansion at once, then install the water, sewer, and street improvements for Phase 1. Storm improvements for Phase 1 and the outfall will be completed during Phase 1 construction. After those improvements are complete, residential manufactured homes will be brought in and occupied. Following occupation of Phase 1, construction for Phase 2 will begin. Financial guarantees for the remainder of the improvements will be coordinated with the City of Billings.

The Developer shall make a cash contribution to the City of Billings for the prescribed System Development Fees. Contributions shall be made prior to approval of site development.

XI. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct all required on-site improvements with cash or by utilizing the mechanics of a special improvement district or private contracts secured by bond, letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be installed as approved by the Montana Department of Environmental Quality (MDEQ), the City Engineer and the Utility Department Manager.

XII. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

A. Subdivider agrees to guarantee all public water and sewer improvements for a period of two years from the date of final acceptance by the City of Billings. This guarantee shall not apply to any failure or defect caused by changes in design, construction or materials required by the City.

B. The owners of the properties involved in this proposed Subdivision, by signature subscribed herein below, agree, consent, and shall be bound by the provisions of this Agreement.

C. The covenants, agreements, and all statements in this Agreement run with the land and apply to and shall be binding on the heirs, personal representatives, successors, assigns and transferees of the respective parties.

D. 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, then the prevailing party or the party giving notice, shall be entitled to reasonable attorney fees and costs.

E. Any amendments or modifications of this Agreement, or any provisions herein, 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.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"SUBDIVIDER" **GOLDEN MEADOWS II, LLC**

By: _____

Title: _____

STATE OF MONTANA)
: ss
County of)

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_____of **GOLDEN MEADOWS II, LLC** who executed the foregoing instrument and acknowledged to me that he/she executed the same.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by the 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 in and 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: _____

WAIVER OF RIGHT TO PROTEST
FUTURE SPECIAL IMPROVEMENT DISTRICTS

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for a period of no more than twenty years from the recording of this waiver, for street light maintenance and energy, and for the construction of streets, street widening, sidewalks, survey monuments, street name signs, curb and gutter, street lights, driveways, traffic signals, and traffic control devices, parks and park maintenance, trails, sanitary sewer lines, water lines, storm drains (either within or outside the area), and other improvements which the City of Billings may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties and shall run with the land and shall be binding upon the undersigned, their successors, and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

This Waiver is in addition to any other recorded waiver related to the property described herein and is not intended to replace, supersede, or invalidate any such waiver.

The real property hereinabove mentioned that is the subject of this waiver is more particularly described as follows:

Golden Meadows Subdivision Expansion

Signed and dated this___day of _____, 20___

SUBDIVIDER/OWNER **GOLDEN MEADOWS II, LLC**

By:_____

Its:_____

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_____of **GOLDEN MEADOWS II, LLC** who executed the foregoing instrument and acknowledged to me that he/she 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 OF
Billings
MAYOR'S OFFFICE

Bill Cole, Mayor
P.O. Box 1178
Billings, MT 59103
P 406.657.8296
F 406.657.8390

Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

Dear Applicant:

On April 24, 2023, the Billings City Council conditionally approved the preliminary plat of Golden Meadows Subdivision Expansion subject to the following conditions of approval:

1. To protect public health and safety, prior to final plat approval, the applicant will submit all drawings and specifications for water systems, sewer systems and stormwater systems to the City of Billings Engineering Department for review and approval prior to installation.

2. To minimize the effects on local service, prior to final plat approval, the applicant will coordinate with the USPS for locating and providing the correct amount of space for safely delivering the mail to the residents.

3. To provide needed private utility services to the future residents of the subdivision, prior to final plat approval, the applicant will work with private utility providers to provided needed easements for their utility installation.

4. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.

5. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

Should you have any questions please contact Dave Green at (406) 657-8666 or by email at greend@billingsmt.gov

April 24, 2023

Sincerely,

_____
William A. Cole, Mayor

Date:	04/24/2023
Title:	Ward Boundary Expansion Ordinance Second Reading - Annexation 23-02
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No
Legal Review	Not Applicable

RECOMMENDATION

Staff recommends the City Council approve this ordinance on second reading, adding recently annexed property to Ward V.

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

IMEG on behalf of Development 55, LLC submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located south of Elysian Road and west of East Lane and north of Shackelford Lane. The land being annexed is described as being Tract 2A of Amended Certificate of Survey No. 3535, recorded August 31st, 2022, under Document No. 4028466; A portion of Tract 12 of Certificate of Survey No. 1391, said portion being known as Shackelford Lane adjacent to Tract 1B of said Certificate of Survey No. 1391, recorded March 13th, 1974, under Document No. 957584, said documents on file and of record in the office of the Yellowstone County Clerk and Recorder. Including adjacent Right-Of-Way of East Lane, Elysian Road and said portion of Shackelford Road. Said annexation containing 50.765 gross acres and 48.582 net acres, more or less. Upon Council approval, this annexation requires a change in the boundaries of Ward V. Two readings are required for this action. The first reading and public hearing took place on April 10. Second reading will occur at this meeting.

ALTERNATIVES

City Council may:

- Approve adding the subject property to Ward V, or; Disapprove adding the subject property to Ward V.
- Disapproval will not modify the boundary of Ward V and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

This application has no impact on the Planning Division Budget.

Attachments

Ward Boundary Ordinance

ORDINANCE NO. 23-_____

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 V 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 V the following described real property:

Parcels of Land situated in the SE 1/4 of Section 13, the NW 1/4 and the NE 1/4 of Section 24, T.1S., R.25E., and the NW 1/4 of Section 19, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Tract 2A of Amended Certificate of Survey No. 3535, recorded August 31st, 2022, under Document No. 4028466;
A portion of Tract 12 of Certificate of Survey No. 1391, said portion being known as Shackelford Lane adjacent to Tract 1B of said Certificate of Survey No. 1391, recorded March 13th, 1974, under Document No. 957584, said documents on file and of record in the office of the Yellowstone County Clerk and Recorder.

Including adjacent Right-Of-Way of East Lane, Elysian Road and said portion of Shackelford Road.

Said annexation containing 50.765 gross acres and 48.582 net acres, more or less.

(# 23-02) See Exhibit “A” Attached

2. EFFECTIVE DATE. This ordinance shall be effective either thirty (30) days after second reading and final adoption as provided by law, or upon the effective date of Resolution No. 23-_____ approving the annexation of the above territory, whichever date is later.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

4. 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.

PASSED by the City Council on the first reading this 10th day of April, 2023.

PASSED by the City Council on the second reading this 24th day of April, 2023.

THE CITY OF BILLINGS:

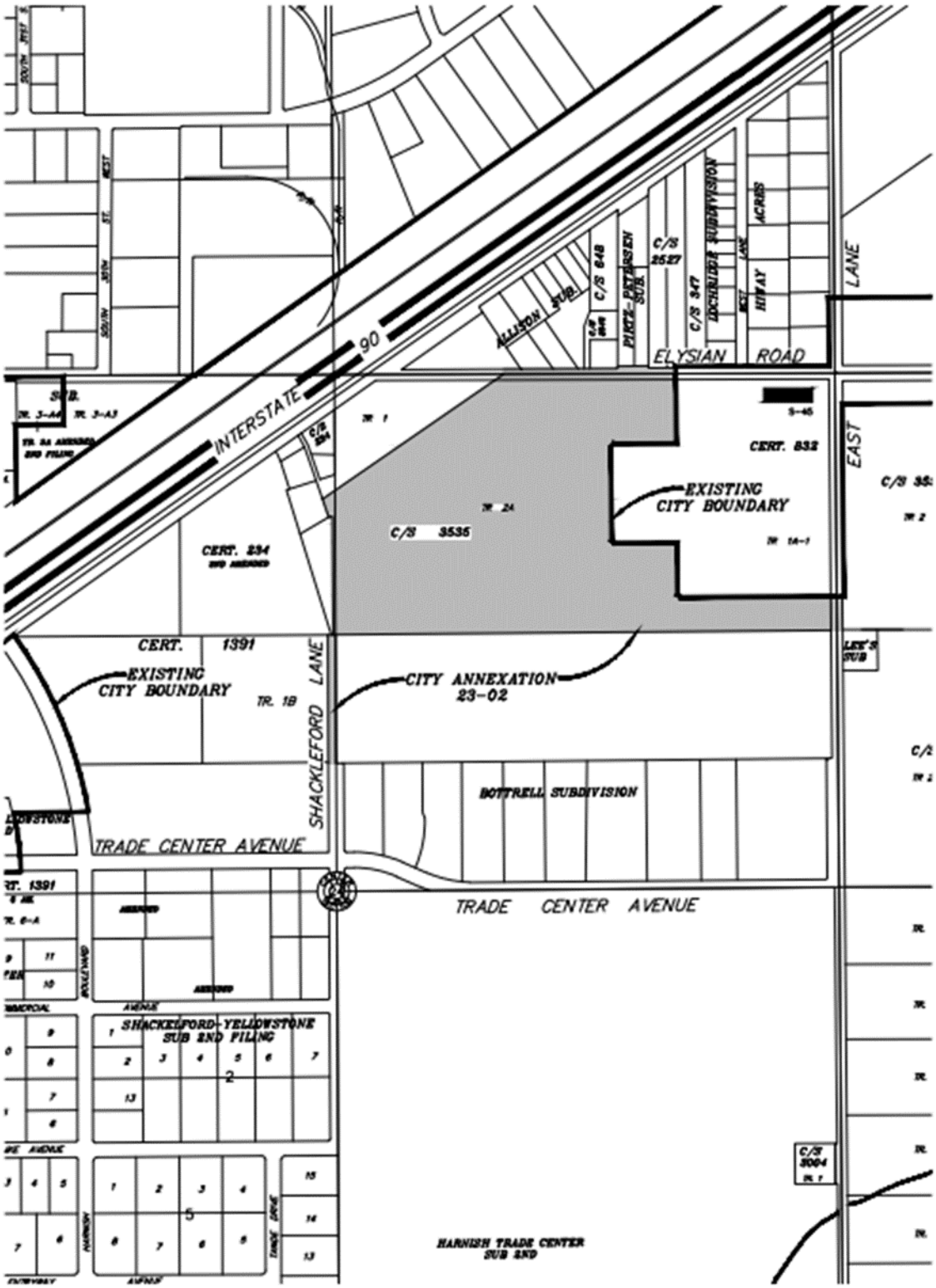
_____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(#23-02)

EXHIBIT "A"


INTERSTATE 90
ELYSIAN ROAD
EAST LANE
SHACKLEFORD LANE
TRADE CENTER AVENUE
TRADE CENTER AVENUE
EXISTING CITY BOUNDARY
CITY ANNEXATION 23-02
EXISTING CITY BOUNDARY
C/S 3535
CERT. 832
CERT. 234
CERT. 1391
TR. 1B
TR. 24
TR. 1
BOTTRELL SUBDIVISION
SHACKLEFORD-YELLOWSTONE SUB 2ND FILING
HARNISH TRADE CENTER SUB 2ND
ALLISON SUB.
PIKTE-PATTERSEN SUB.
LOCKRIDGE SUBDIVISION
C/S 648
C/S 2527
C/S 347
C/S 3004
LEE'S SUB

City Council Regular

Date:	04/24/2023
Title:	Payment of Claims for week of March 20, 2023
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No
Legal Review	Not Applicable

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of $1,722,438.91 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 is 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 03202023

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860068	Air Vacuum Corp	Public Safety	$ 6,617.50	FIRE 8: AIRVAC SYSTEM 911
03/20/2023	860072	Amerigas Propane	Airport	$ 4,508.08	Burn Pit Propane
03/20/2023	860074	AT & T Corp	Airport	$ 818.28	Airport
03/20/2023	860074	AT & T Corp	Airport	$ 16.48	MET Supervisor Cell Phones
03/20/2023	860074	AT & T Corp	Building	$ 45.18	Building Manager
03/20/2023	860074	AT & T Corp	Building	$ 508.38	PW-Building Cell Phones
03/20/2023	860074	AT & T Corp	Building	$ 386.10	PW-Building Surfaces
03/20/2023	860074	AT & T Corp	CDBG	$ 145.62	Comm Dev
03/20/2023	860074	AT & T Corp	Court Grants	$ 166.50	Muni Court DC
03/20/2023	860074	AT & T Corp	Engineering	$ 174.20	Engineering Tablets
03/20/2023	860074	AT & T Corp	Engineering	$ 205.48	PW-Engineering Cell Phones and MiFi
03/20/2023	860074	AT & T Corp	Facilities	$ 94.99	Facilities BOC
03/20/2023	860074	AT & T Corp	Facilities	$ 32.30	Facilities BOC/CH
03/20/2023	860074	AT & T Corp	Facilities	$ 96.89	Facilities BOC/CH
03/20/2023	860074	AT & T Corp	Facilities	$ 85.73	Facilities City Hall
03/20/2023	860074	AT & T Corp	Facilities	$ 90.36	Facilities Managers
03/20/2023	860074	AT & T Corp	Fleet	$ 45.51	Motor Pool
03/20/2023	860074	AT & T Corp	General	$ 95.70	City Attorney -Legal
03/20/2023	860074	AT & T Corp	General	$ 549.18	Code Enforcement +Trina Arnold
03/20/2023	860074	AT & T Corp	General	$ 41.14	FINANCE
03/20/2023	860074	AT & T Corp	General	$ 45.18	Human Resources
03/20/2023	860074	AT & T Corp	General	$ 135.84	Legal Dept -Domestic Violence
03/20/2023	860074	AT & T Corp	General	$ 248.39	PRPL - Recreation Division
03/20/2023	860074	AT & T Corp	General	$ 87.25	REC Seasonal
03/20/2023	860074	AT & T Corp	General	$ 104.52	Rec Tablets
03/20/2023	860074	AT & T Corp	IT Resources	$ 50.22	IT Department -On call Phone
03/20/2023	860074	AT & T Corp	Library	$ 212.28	Library
03/20/2023	860074	AT & T Corp	Library	$ 107.27	Library Out Reach
03/20/2023	860074	AT & T Corp	P.W. Admin	$ 39.03	PWBLKNP OFFICE -60/40
03/20/2023	860074	AT & T Corp	P.W. Admin	$ 26.02	PWBLKNP OFFICE -60/40
03/20/2023	860074	AT & T Corp	Park Dist 1	$ 545.39	Parks Dept.
03/20/2023	860074	AT & T Corp	Park Dist 1	$ 452.92	PRPL Parks Tablets
03/20/2023	860074	AT & T Corp	Park Dist 1	$ 235.54	PRPL Parks Tablets
03/20/2023	860074	AT & T Corp	Parking	$ 77.63	Parking Division Meter Maintenance

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860074	AT & T Corp	Parking	$ 271.08	Parking Phones and scanner
03/20/2023	860074	AT & T Corp	Parking	$ 225.90	Parking Phones and scanner
03/20/2023	860074	AT & T Corp	PD Program	$ 160.56	CCSIU Toughbook
03/20/2023	860074	AT & T Corp	PD Program	$ 45.48	Domestic Violence
03/20/2023	860074	AT & T Corp	Phone System	$ 4.56	IT Department -On call Phone
03/20/2023	860074	AT & T Corp	Phone System	$ 65.02	IT iPads
03/20/2023	860074	AT & T Corp	Phone System	$ 3.48	Metro Cell
03/20/2023	860074	AT & T Corp	Phone System	$ 67.67	TeleComm Manager
03/20/2023	860074	AT & T Corp	Planning	$ 62.63	PLANNING
03/20/2023	860074	AT & T Corp	Public Safety	$ 272.58	Animal Control Cell Phones
03/20/2023	860074	AT & T Corp	Public Safety	$ 240.84	Animal Control -MDT
03/20/2023	860074	AT & T Corp	Public Safety	$ 288.53	Comm. Center 9-1-1
03/20/2023	860074	AT & T Corp	Public Safety	$ 40.14	Detective Chartier -Toughbook
03/20/2023	860074	AT & T Corp	Public Safety	$ 1,335.68	Fire Department Cell Phones
03/20/2023	860074	AT & T Corp	Public Safety	$ 18.45	Fire EMS Cell Phone
03/20/2023	860074	AT & T Corp	Public Safety	$ 214.34	Fire iPads -Assistant chiefs new iPads
03/20/2023	860074	AT & T Corp	Public Safety	$ 40.14	Fire iPads -Assistant chiefs new iPads
03/20/2023	860074	AT & T Corp	Public Safety	$ 799.46	Fire iPads -Assistant chiefs new iPads
03/20/2023	860074	AT & T Corp	Public Safety	$ 617.78	Fire iPads -Assistant chiefs new iPads
03/20/2023	860074	AT & T Corp	Public Safety	$ 85.62	ICAC
03/20/2023	860074	AT & T Corp	Public Safety	$ 1,495.96	MDT Fire
03/20/2023	860074	AT & T Corp	Public Safety	$ 3,568.98	Police Department Cell Phone
03/20/2023	860074	AT & T Corp	Public Safety	$ 280.98	Police MDT Toughbooks and Loaner MDT's
03/20/2023	860074	AT & T Corp	Public Safety	$ 3,813.30	Police MDT Toughbooks and Loaner MDT's
03/20/2023	860074	AT & T Corp	Public Safety	$ 272.61	Police -Resource Officers
03/20/2023	860074	AT & T Corp	Public Safety	$ 287.20	Yellowstone County Cellular Charges
03/20/2023	860074	AT & T Corp	Solid Waste	$ 1,166.64	SOLID WASTE
03/20/2023	860074	AT & T Corp	Street/Traffic	$ 372.55	School Flashers
03/20/2023	860074	AT & T Corp	Street/Traffic	$ 726.16	Street Traffic iPads
03/20/2023	860074	AT & T Corp	Street/Traffic	$ 43.34	Street Traffic iPads
03/20/2023	860074	AT & T Corp	Transit	$ 50.22	MET Supervisor Cell Phones
03/20/2023	860074	AT & T Corp	Transit	$ 56.70	MET Supervisor Cell Phones
03/20/2023	860074	AT & T Corp	Transit	$ 112.92	MET Supervisor Cell Phones
03/20/2023	860074	AT & T Corp	Transit	$ 10.22	MET Supervisor Cell Phones

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860074	AT & T Corp	Transit	$ 44.96	MET Supervisor Cell Phones
03/20/2023	860074	AT & T Corp	Transit	$ 445.26	MET Transit Tablets
03/20/2023	860074	AT & T Corp	Transit	$ 645.35	MET Transit Tablets
03/20/2023	860074	AT & T Corp	Wastewater	$ 180.72	PW Environmental
03/20/2023	860074	AT & T Corp	Wastewater	$ 294.18	PWBELKNAP-DIST COLL CELL PHONES 60/40
03/20/2023	860074	AT & T Corp	Wastewater	$ 474.80	PWBLKNP Electricians -Phones
03/20/2023	860074	AT & T Corp	Wastewater	$ 27.63	PWBLKNP STORES -75/25
03/20/2023	860074	AT & T Corp	Wastewater	$ 908.20	PWBLNP-WWTRMNT1 Wastewater Treatment Plant
03/20/2023	860074	AT & T Corp	Wastewater	$ 480.10	PW-Distribution Collection Tablets 60/40
03/20/2023	860074	AT & T Corp	Wastewater	$ 69.68	PW-Environmental
03/20/2023	860074	AT & T Corp	Water	$ 441.27	PWBELKNAP-DIST COLL CELL PHONES 60/40
03/20/2023	860074	AT & T Corp	Water	$ 1,043.55	PWBELKNAP-WT Water Treatment
03/20/2023	860074	AT & T Corp	Water	$ 472.64	PWBLKNP COMM-METER CityWorks/Neptune
03/20/2023	860074	AT & T Corp	Water	$ 392.61	PWBLKNP MTRSHOP CELL PHONE AND IPADS
03/20/2023	860074	AT & T Corp	Water	$ 201.85	PWBLKNP MTRSHOP CELL PHONE AND IPADS
03/20/2023	860074	AT & T Corp	Water	$ 82.90	PWBLKNP STORES -75/25
03/20/2023	860074	AT & T Corp	Water	$ 320.06	PW-Distribution Collection Tablets 60/40
03/20/2023	860075	AT Architecture	Public Safety	$ 877.50	FIRE 8: MECHANICAL ENGINEERING.
03/20/2023	860075	AT Architecture	Public Safety	$ 1,155.00	FIRE STATION 8: REMODEL - ELECTRICAL ENGINEERING.
03/20/2023	860075	AT Architecture	Public Safety	$ 2,975.00	FIRE STATION 8: REMODEL. ARCHITECTURAL DRAWINGS
03/20/2023	860077	Bcs Scrip	City Ins Fund	$ 18,750.00	Healthy Is April 2023 Event
03/20/2023	860080	Blgs Revitalize Dist	Tax Incrmnt E	$ 34,987.00	FY2023 EBBURD Annual Operating Agreement
03/20/2023	860088	Chessen Ph.D. Bruce	Public Safety	$ 5,000.00	PSYCH EVALS
03/20/2023	860093	Crowley Fleck PLLP	General	$ 6,300.00	Lobbyist Contract February 2023
03/20/2023	860095	Desert Mt Corp	Street/Traffic	$ 5,002.73	ice slicer
03/20/2023	860096	Dick Anderson Const	Stillwater	$ 95,497.54	City of Billings Law and Justice Center/City Hall Remodel
03/20/2023	860096	Dick Anderson Const	Stillwater	$ 91,330.37	City of Billings Law and Justice Center/City Hall Remodel
03/20/2023	860098	Dixie Petro-Chem	General	$ 2,924.05	repaying invoice 727000076-22 chemicals for Rose pool
03/20/2023	860098	Dixie Petro-Chem	General	$ 1,169.62	repaying invoice 727000077-22 chemicals for south pool
03/20/2023	860102	DT Blgs Partners	Tax Incrmnt N27	$ 3,000.00	CPTED Project through DBA - 30K budgeted for FY22
03/20/2023	860103	EBMS	City Ins Fund	$ 860.00	EBMS Monthly - April 2023
03/20/2023	860103	EBMS	City Ins Fund	$ 1,207.50	EBMS Monthly - April 2023
03/20/2023	860103	EBMS	City Ins Fund	$ 33,252.08	EBMS Monthly - April 2023
03/20/2023	860103	EBMS	City Ins Fund	$ 61,033.63	EBMS Monthly - April 2023

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860103	EBMS	City Ins Fund	$ 3,114.00	EBMS Monthly - April 2023
03/20/2023	860103	EBMS	City Ins Fund	$ 5,733.25	EBMS Monthly - April 2023
03/20/2023	860103	EBMS	Payroll Clearing	$ 11,375.11	EBMS Monthly - April 2023
03/20/2023	860104	Enviro Resource	Water	$ 2,952.10	WTP
03/20/2023	860104	Enviro Resource	Water	$ 245.21	WTP Lab
03/20/2023	860108	Hanson Chemical	Airport	$ 4,211.50	Invoice #398556. Floor Scrubber Repair
03/20/2023	860109	High Point Network	IT Resources	$ 3,992.00	PAN 45 GP-Core Security Bundle (Global Protect) 1 year term
03/20/2023	860109	High Point Network	Library	$ 245.00	221188 Firewall monthly service
03/20/2023	860111	InfoSend	P.W. Admin	$ 3,721.03	Services for 02/02/23-02/27/23
03/20/2023	860111	InfoSend	P.W. Admin	$ 14,001.30	Services for 02/02/23-02/27/23
03/20/2023	860111	InfoSend	Solid Waste	$ 752.40	Services for 02/02/23-02/27/23
03/20/2023	860112	Ingram Library	Library	$ 0.07	74082090
03/20/2023	860112	Ingram Library	Library	$ 11.99	74082090
03/20/2023	860112	Ingram Library	Library	$ 81.56	74082091
03/20/2023	860112	Ingram Library	Library	$ 60.09	74082091
03/20/2023	860112	Ingram Library	Library	$ 2.64	74082091
03/20/2023	860112	Ingram Library	Library	$ 211.41	74082091
03/20/2023	860112	Ingram Library	Library	$ 152.57	74082091
03/20/2023	860112	Ingram Library	Library	$ 7.64	74082092
03/20/2023	860112	Ingram Library	Library	$ 0.08	74082092
03/20/2023	860112	Ingram Library	Library	$ 7.35	74082093
03/20/2023	860112	Ingram Library	Library	$ 0.03	74082093
03/20/2023	860112	Ingram Library	Library	$ 0.18	74082094
03/20/2023	860112	Ingram Library	Library	$ 57.91	74082094
03/20/2023	860112	Ingram Library	Library	$ 0.06	74092600
03/20/2023	860112	Ingram Library	Library	$ 3.59	74092600
03/20/2023	860112	Ingram Library	Library	$ 33.03	74092601
03/20/2023	860112	Ingram Library	Library	$ 29.96	74092601
03/20/2023	860112	Ingram Library	Library	$ 0.93	74092601
03/20/2023	860112	Ingram Library	Library	$ 1.19	74092602
03/20/2023	860112	Ingram Library	Library	$ 26.40	74092602
03/20/2023	860112	Ingram Library	Library	$ 64.89	74092602
03/20/2023	860112	Ingram Library	Library	$ 17.69	74092603
03/20/2023	860112	Ingram Library	Library	$ 0.18	74092603

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860112	Ingram Library	Library	$ 38.09	74092604
03/20/2023	860112	Ingram Library	Library	$ 2.99	74092604
03/20/2023	860112	Ingram Library	Library	$ 0.64	74092604
03/20/2023	860112	Ingram Library	Library	$ 18.88	74092604
03/20/2023	860112	Ingram Library	Library	$ 10.02	74243872
03/20/2023	860112	Ingram Library	Library	$ 0.55	74243872
03/20/2023	860112	Ingram Library	Library	$ 15.93	74243872
03/20/2023	860112	Ingram Library	Library	$ 33.14	74243873
03/20/2023	860112	Ingram Library	Library	$ 34.20	74243873
03/20/2023	860112	Ingram Library	Library	$ 1.24	74243873
03/20/2023	860112	Ingram Library	Library	$ 21.99	74243873
03/20/2023	860112	Ingram Library	Library	$ 0.17	74243874
03/20/2023	860112	Ingram Library	Library	$ 8.99	74243874
03/20/2023	860112	Ingram Library	Library	$ 49.54	74243875
03/20/2023	860112	Ingram Library	Library	$ 21.99	74243875
03/20/2023	860112	Ingram Library	Library	$ 1.04	74243875
03/20/2023	860112	Ingram Library	Library	$ 106.19	74301675
03/20/2023	860112	Ingram Library	Library	$ 33.63	74301675
03/20/2023	860112	Ingram Library	Library	$ 0.12	74301675
03/20/2023	860112	Ingram Library	Library	$ 51.92	74301676
03/20/2023	860112	Ingram Library	Library	$ 16.52	74301676
03/20/2023	860112	Ingram Library	Library	$ 0.08	74301676
03/20/2023	860112	Ingram Library	Library	$ 17.99	74301677
03/20/2023	860112	Ingram Library	Library	$ 0.03	74301677
03/20/2023	860112	Ingram Library	Library	$ 62.01	74301678
03/20/2023	860112	Ingram Library	Library	$ 1,560.71	74301678
03/20/2023	860112	Ingram Library	Library	$ 165.36	74301678
03/20/2023	860112	Ingram Library	Library	$ 2.71	74301678
03/20/2023	860112	Ingram Library	Library	$ 880.62	74301678
03/20/2023	860112	Ingram Library	Library	$ 42.16	74301678
03/20/2023	860112	Ingram Library	Library	$ 0.06	74301679
03/20/2023	860112	Ingram Library	Library	$ 20.65	74301679
03/20/2023	860112	Ingram Library	Library	$ 20.65	74301680
03/20/2023	860112	Ingram Library	Library	$ 11.99	74301681

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860112	Ingram Library	Library	$ 4.12	74301681
03/20/2023	860112	Ingram Library	Library	$ 74.08	74301681
03/20/2023	860112	Ingram Library	Library	$ 2.66	74301681
03/20/2023	860112	Ingram Library	Library	$ 0.34	74301682
03/20/2023	860112	Ingram Library	Library	$ 14.99	74301682
03/20/2023	860112	Ingram Library	Library	$ 2.40	74328323
03/20/2023	860112	Ingram Library	Library	$ 17.11	74328323
03/20/2023	860112	Ingram Library	Library	$ 15.59	74328323
03/20/2023	860112	Ingram Library	Library	$ 26.04	74328324
03/20/2023	860112	Ingram Library	Library	$ 0.60	74328324
03/20/2023	860112	Ingram Library	Library	$ 22.33	74351549
03/20/2023	860112	Ingram Library	Library	$ 141.79	74351549
03/20/2023	860112	Ingram Library	Library	$ 0.58	74351549
03/20/2023	860112	Ingram Library	Library	$ 78.36	74351549
03/20/2023	860112	Ingram Library	Library	$ 0.05	74351550
03/20/2023	860112	Ingram Library	Library	$ 15.92	74351550
03/20/2023	860112	Ingram Library	Library	$ 620.73	74351551
03/20/2023	860112	Ingram Library	Library	$ 71.68	74351551
03/20/2023	860112	Ingram Library	Library	$ 32.29	74351551
03/20/2023	860112	Ingram Library	Library	$ 2.31	74351551
03/20/2023	860112	Ingram Library	Library	$ 158.20	74351551
03/20/2023	860112	Ingram Library	Library	$ 13.75	74351551
03/20/2023	860112	Ingram Library	Library	$ 5.97	74351552
03/20/2023	860112	Ingram Library	Library	$ 0.02	74351552
03/20/2023	860112	Ingram Library	Library	$ 0.04	74351553
03/20/2023	860112	Ingram Library	Library	$ 11.39	74351553
03/20/2023	860112	Ingram Library	Library	$ 14.72	74351554
03/20/2023	860112	Ingram Library	Library	$ 31.18	74382990
03/20/2023	860112	Ingram Library	Library	$ 0.68	74382990
03/20/2023	860112	Ingram Library	Library	$ 16.51	74382991
03/20/2023	860112	Ingram Library	Library	$ 15.93	74382991
03/20/2023	860112	Ingram Library	Library	$ 0.81	74382991
03/20/2023	860112	Ingram Library	Library	$ 15.93	74382991
03/20/2023	860112	Ingram Library	Library	$ 11.79	74382992

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860112	Ingram Library	Library	$ 0.29	74382992
03/20/2023	860112	Ingram Library	Library	$ 9.60	74382993
03/20/2023	860112	Ingram Library	Library	$ 1.22	74382993
03/20/2023	860112	Ingram Library	Library	$ 208.32	74382993
03/20/2023	860112	Ingram Library	Library	$ 16.51	74382994
03/20/2023	860112	Ingram Library	Library	$ 17.10	74382994
03/20/2023	860112	Ingram Library	Library	$ 1.14	74382994
03/20/2023	860112	Ingram Library	Library	$ 1.86	74382995
03/20/2023	860112	Ingram Library	Library	$ 10.19	74382995
03/20/2023	860112	Ingram Library	Library	$ 38.64	74382995
03/20/2023	860112	Ingram Library	Library	$ 10.19	74405685
03/20/2023	860112	Ingram Library	Library	$ 0.03	74405685
03/20/2023	860112	Ingram Library	Library	$ 16.52	74405686
03/20/2023	860112	Ingram Library	Library	$ 17.69	74405686
03/20/2023	860112	Ingram Library	Library	$ 0.12	74405686
03/20/2023	860112	Ingram Library	Library	$ 2.85	74405687
03/20/2023	860112	Ingram Library	Library	$ 238.22	74405687
03/20/2023	860112	Ingram Library	Library	$ 22.00	74405687
03/20/2023	860112	Ingram Library	Library	$ 372.74	74405687
03/20/2023	860112	Ingram Library	Library	$ 17.11	74405687
03/20/2023	860112	Ingram Library	Library	$ 16.52	74405687
03/20/2023	860112	Ingram Library	Library	$ 202.66	74405688
03/20/2023	860112	Ingram Library	Library	$ 2.25	74405688
03/20/2023	860112	Ingram Library	Library	$ 22.46	74405689
03/20/2023	860112	Ingram Library	Library	$ 0.18	74405689
03/20/2023	860112	Ingram Library	Library	$ 0.14	74405690
03/20/2023	860112	Ingram Library	Library	$ 17.70	74405690
03/20/2023	860112	Ingram Library	Library	$ 0.34	74405691
03/20/2023	860112	Ingram Library	Library	$ 11.77	74405691
03/20/2023	860112	Ingram Library	Library	$ 10.80	74405692
03/20/2023	860112	Ingram Library	Library	$ 0.09	74405692
03/20/2023	860117	Johnson Laffen Galloway	Stillwater	$ 112,937.92	Phase I Stillwater Bldg - comprehensive design plan
03/20/2023	860118	Kaleidoscope Group	General	$ 2,870.00	Council/Leadership Strategic Retreat 2023
03/20/2023	860119	Knife River	Street/Traffic	$ 7,681.31	winter sand/salt material

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860119	Knife River	Street/Traffic	$ 4,349.30	sand/salt material
03/20/2023	860119	Knife River	Street/Traffic	$ 1,869.90	winter sand/salt material
03/20/2023	860122	MaCon Supply	Street/Traffic	$ 5,781.60	ada cast iron panels
03/20/2023	860124	Mead & Hunt	Airport	$ 4,876.33	Amendment 1 to the Master Agreement
03/20/2023	860128	MMIA	Property Ins	$ 85,496.93	Liability Self Insurance for February 2023
03/20/2023	860125	MT Dakota Utilities	EOC 911	$ 71.46	0829398378-2 911 CENTER STANDBY GENERATOR, FY2023
03/20/2023	860125	MT Dakota Utilities	General	$ 233.31	112 138 9381 8
03/20/2023	860125	MT Dakota Utilities	General	$ 284.89	703 760 1000 8
03/20/2023	860125	MT Dakota Utilities	General	$ 72.28	879 660 1000 8
03/20/2023	860125	MT Dakota Utilities	General	$ 613.17	902 360 1000 6
03/20/2023	860125	MT Dakota Utilities	Public Safety	$ 1,069.01	307 111 5825 0
03/20/2023	860125	MT Dakota Utilities	Public Safety	$ 629.63	672 860 1000 3
03/20/2023	860125	MT Dakota Utilities	Public Safety	$ 2,186.01	819 360 1000 8
03/20/2023	860125	MT Dakota Utilities	Public Safety	$ 24.78	930 442 2308 4
03/20/2023	860125	MT Dakota Utilities	Water	$ 314.28	162 660 1000 4
03/20/2023	860127	MT Library Assoc	Library	$ 2,075.00	2023 MLA Conference registrations
03/20/2023	860127	MT Library Assoc	Library	$ 875.00	2023 MLA Conference registrations
03/20/2023	ACH	Northwest Pipe	Public Safety	$ (123.64)	CREDIT MEMO: RETURN COLONY PRO KITCHEN FAUCET
03/20/2023	ACH	Northwest Pipe	Wastewater	$ 60.98	Head Works Grit Pump air check
03/20/2023	ACH	Northwest Pipe	Water	$ 47.12	1/2" BALL VALVE T-585 THREADED P/N: 111-330-00090
03/20/2023	ACH	Northwest Pipe	Water	$ 257.58	10" PVC X PVC BANDED COUPLING 56-1010ARC FLEX SEAL
03/20/2023	ACH	Northwest Pipe	Water	$ 386.82	1-1/2" TD T-10 MEASURING CHAMBER COMPLETE
03/20/2023	ACH	Northwest Pipe	Water	$ 330.51	12" X 15" SH CI-FC REPAIR CLAMP - F1-1350 X 15-SH
03/20/2023	ACH	Northwest Pipe	Water	$ 165.83	2" MEASURING CHAMBER COMPLETE - 9600-015
03/20/2023	ACH	Northwest Pipe	Water	$ 127.20	2-1/2" LIQUID FILLED 0 TO 160 - 1/4" GAUGE
03/20/2023	ACH	Northwest Pipe	Water	$ 2,992.46	3" TRU FLO COMPOUND R900I CU/FT EC3BRWF3
03/20/2023	ACH	Northwest Pipe	Water	$ 54.75	3" TURBINE STRAINER ELEMENT
03/20/2023	ACH	Northwest Pipe	Water	$ 25,983.48	3/4" E-CODER WALL CU/FT METER W/RECPT ED2C11REF7
03/20/2023	ACH	Northwest Pipe	Water	$ 47.65	ball valve for WTP Chem BLDG
03/20/2023	ACH	Northwest Pipe	Water	$ 176.40	BRASS COUPLING 1-1/2"
03/20/2023	ACH	Northwest Pipe	Water	$ 17.05	Freight for Invoice 7863049.6" Repair Ki
03/20/2023	ACH	Northwest Pipe	Water	$ 289.74	hex bushing, flange
03/20/2023	ACH	Northwest Pipe	Water	$ 6,656.59	Homerun Project, Meter
03/20/2023	ACH	Northwest Pipe	Water	$ 1,414.85	K81 UPPER STEM WITH FERRULE - K81 HYDRANT

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	ACH	Northwest Pipe	Water	$ 65.33	LS Sample Bags
03/20/2023	ACH	Northwest Pipe	Water	$ 134.76	L-Structure Suction Line
03/20/2023	ACH	Northwest Pipe	Water	$ 1,334.82	MAIN VALVE RUBBER 5-1/4"
03/20/2023	ACH	Northwest Pipe	Water	$ 50.43	O-RING UPPER SEAT - K8126A
03/20/2023	ACH	Northwest Pipe	Water	$ 6,314.00	R900 MIU W/6' WIRE 13442
03/20/2023	ACH	Northwest Pipe	Water	$ 377.89	THRD Globe Valve
03/20/2023	ACH	Northwest Pipe	Water	$ 377.89	THRD Globe Valve
03/20/2023	ACH	Northwest Pipe	Water	$ 340.36	Unit Heater Gas Valves
03/20/2023	ACH	Northwest Pipe	Water	$ 1,201.62	WTP Rebuild Kits for Back Flows
03/20/2023	860140	NorthWestern Energy	Facilities	$ 6.00	3866815-8
03/20/2023	860140	NorthWestern Energy	Facilities	$ 184.20	3922089-2
03/20/2023	860140	NorthWestern Energy	General	$ 156.96	0720841-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,287.62	SILMD 10 Acct# 0712546-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 2,460.87	SILMD 100 Acct# 0712559-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 2,111.80	SILMD 107 Acct# 0712560-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 5,296.23	SILMD 109 Acct# 0712561-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 238.78	SILMD 113 Acct# 0712562-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,139.70	SILMD 114 Acct# 0712563-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 268.17	SILMD 115 Acct# 0712564-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 703.93	SILMD 116 Acct# 0712565-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 3,792.08	SILMD 117 Acct# 0712566-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 239.24	SILMD 118 Acct# 0712567-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 143.02	SILMD 119 Acct# 0712568-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 3,016.85	SILMD 121 Acct# 0712570-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 225.77	SILMD 122 Acct# 0712571-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 402.25	SILMD 123 Acct# 0712572-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,173.24	SILMD 124 Acct# 0712573-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 469.28	SILMD 125 Acct# 0712574-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 234.66	SILMD 126 Acct# 0712575-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 846.61	SILMD 127 Acct# 0712576-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 592.63	SILMD 128 Acct# 0712577-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 402.25	SILMD 129 Acct# 0712578-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 5,365.75	SILMD 13 Acct# 0721276-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 142.19	SILMD 130 Acct# 0712579-2

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,039.13	SILMD 131 Acct# 0712580-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 264.02	SILMD 133 Acct# 0712581-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 609.34	SILMD 134 Acct# 0712582-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 620.84	SILMD 135 Acct# 0712583-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 569.85	SILMD 136 Acct# 0712584-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 439.79	SILMD 137 Acct# 0712585-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 905.06	SILMD 138 Acct# 0712586-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 301.69	SILMD 139 Acct# 0712587-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 2,661.05	SILMD 14 Acct# 0721277-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 703.93	SILMD 143 Acct# 0712588-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 33.51	SILMD 144 Acct# 0712589-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 564.41	SILMD 145 Acct# 0712590-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 435.75	SILMD 146 Acct# 0712591-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 527.39	SILMD 147 Acct# 0712592-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,831.70	SILMD 149 Acct# 0712593-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 903.05	SILMD 150 Acct# 0712594-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 770.97	SILMD 151 Acct# 0712595-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 5,200.77	SILMD 152 Acct# 0712596-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 649.07	SILMD 153 Acct# 0712597-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,467.48	SILMD 154 Acct# 0712598-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 603.38	SILMD 155 Acct# 0712599-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,100.59	SILMD 157 Acct# 0712600-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 972.11	SILMD 158 Acct# 0712601-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,161.97	SILMD 159 Acct# 0712602-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 871.54	SILMD 160 Acct# 0712603-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,269.93	SILMD 161 Acct# 0712604-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 54.06	SILMD 162 Acct# 0712605-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 889.23	SILMD 163 Acct# 0712606-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 451.52	SILMD 164 Acct# 0712607-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,072.65	SILMD 165 Acct# 0712608-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 282.20	SILMD 167 Acct# 0712609-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,362.90	SILMD 17 Acct# 0712553-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 677.31	SILMD 171 Acct# 0712610-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 609.31	SILMD 172 Acct# 0712611-3

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03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,411.02	SILMD 173 Acct# 0712612-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,185.25	SILMD 174 Acct# 0712613-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 395.08	SILMD 175 Acct# 0712614-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 38.60	SILMD 176 Acct# 0712615-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 310.43	SILMD 178 Acct# 0712616-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 620.84	SILMD 179 Acct# 0712617-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 116.63	SILMD 18 Acct# 0712554-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 423.32	SILMD 180 Acct# 0712618-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 2,044.76	SILMD 181 Acct# 0712619-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 705.51	SILMD 182 Acct# 0712620-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,411.01	SILMD 183 Acct# 0712621-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 451.52	SILMD 184 Acct# 0712622-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 169.33	SILMD 185 Acct# 0712623-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 802.90	SILMD 186 Acct# 0712624-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 282.20	SILMD 187 Acct# 0712625-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 338.65	SILMD 188 Acct# 0712626-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 282.20	SILMD 189 Acct# 0712627-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,467.48	SILMD 190 Acct# 0712628-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 503.58	SILMD 191 Acct# 0712629-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 366.85	SILMD 192 Acct# 0712630-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 903.05	SILMD 193 Acct# 0712631-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 353.59	SILMD 194 Acct# 0712632-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 282.88	SILMD 195 Acct# 0712633-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 90.33	SILMD 196 Acct# 0712634-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 90.33	SILMD 197 Acct# 0712635-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 141.10	SILMD 198 Acct# 0712636-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 122.24	SILMD 200 Acct# 0712637-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 592.63	SILMD 201 Acct# 0712638-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 917.22	SILMD 202 Acct# 0712639-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 24.08	SILMD 203 Acct# 0712640-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 515.04	SILMD 204 Acct# 0712641-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 30.89	SILMD 205 Acct# 0712642-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 395.08	SILMD 206 Acct# 0712643-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 451.52	SILMD 207 Acct# 0712644-4

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03/20/2023	860141	NorthWestern Energy	Light Maint	$ 315.35	SILMD 208 Acct# 0712645-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 649.07	SILMD 209 Acct# 0712646-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 108.40	SILMD 210 Acct# 0712647-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 60.22	SILMD 211 Acct# 0712648-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 60.22	SILMD 212 Acct# 0712649-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 36.13	SILMD 213 Acct# 0712650-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 455.54	SILMD 214 Acct# 0712651-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 169.33	SILMD 216 Acct# 0712652-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 459.29	SILMD 217 Acct# 0712653-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 331.04	SILMD 220 Acct# 0712654-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 7.73	SILMD 221 Acct# 0712655-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 95.51	SILMD 222 Acct# 0712656-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 144.52	SILMD 223 Acct# 0712657-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,702.93	SILMD 224 Acct# 0712658-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 498.66	SILMD 225 Acct# 0712659-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 275.59	SILMD 226 Acct# 0712660-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 829.13	SILMD 227 Acct# 0712661-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 972.11	SILMD 228 Acct# 0712662-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 502.82	SILMD 229 Acct# 0712663-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,173.23	SILMD 230 Acct# 0712664-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 703.93	SILMD 231 Acct# 0712665-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 3,050.36	SILMD 232 Acct# 0712666-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,055.57	SILMD 233 Acct# 0712667-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 597.11	SILMD 234 Acct# 0712668-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 667.84	SILMD 235 Acct# 0712669-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 212.14	SILMD 236 Acct# 0712670-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 479.75	SILMD 237 Acct# 0712671-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 15.44	SILMD 238 Acct# 0712672-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 112.89	SILMD 239 Acct# 0712673-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 509.15	SILMD 240 Acct# 0712674-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 703.99	SILMD 241 Acct# 0712675-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 100.57	SILMD 242 Acct# 0712676-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 134.09	SILMD 244 Acct# 0712677-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 89.00	SILMD 245 Acct# 0712678-2

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03/20/2023	860141	NorthWestern Energy	Light Maint	$ 402.25	SILMD 246 Acct# 0712679-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,179.75	SILMD 247 Acct# 0712680-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 3,318.52	SILMD 249 Acct# 0718734-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 254.58	SILMD 250 Acct# 0719001-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 4,696.43	SILMD 251 Acct# 0718801-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 670.41	SILMD 252 Acct# 0719162-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 2,198.50	SILMD 253 Acct# 0719644-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 191.00	SILMD 254 Acct# 0719763-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 209.77	SILMD 255 Acct# 0720813-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,136.06	SILMD 257 Acct# 0720360-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 3,156.49	SILMD 258 Acct# 0720606-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,807.24	SILMD 259 Acct# 0720810-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 603.38	SILMD 261 Acct# 0720705-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 3,747.75	SILMD 262 Acct# 0720937-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,239.98	SILMD 263 Acct# 0720716-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 208.36	SILMD 264 Acct# 0721427-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 441.50	SILMD 265 Acct# 0721556-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 71.28	SILMD 266 Acct# 0721684-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 555.93	SILMD 270 Acct# 0906944-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,158.51	SILMD 271 Acct# 0995095-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 3,448.44	SILMD 272 Acct# 0905005-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 248.95	SILMD 273 Acct# 0926386-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 606.06	SILMD 276 Acct# 0961926-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,040.81	SILMD 277 Acct# 1058710-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 268.71	SILMD 278 Acct# 1087619-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 71.47	SILMD 279 Acct# 1124127-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 735.44	SILMD 280 Acct# 1045653-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 582.11	SILMD 283 Acct# 1172743-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 396.01	SILMD 285 Acct# 1206985-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 296.65	SILMD 286 Acct# 1296582-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 2,266.11	SILMD 288 Acct# 1303978-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 283.84	SILMD 289 Acct# 1685375-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 186.12	SILMD 290 Acct# 1433921-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 737.44	SILMD 292 Acct# 1481532-8

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03/20/2023	860141	NorthWestern Energy	Light Maint	$ 282.20	SILMD 293 Acct# 1481534-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 564.41	SILMD 294 Acct# 1481535-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 134.09	SILMD 295 Acct# 1481536-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,495.69	SILMD 296 Acct# 1481537-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 253.99	SILMD 297 Acct# 1481539-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 225.77	SILMD 298 Acct# 1481540-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 497.77	SILMD 300 Acct# 1662840-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 6,685.59	SILMD 301 Acct# 1687005-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 404.85	SILMD 302 Acct# 1607534-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,226.14	SILMD 305 Acct# 1695873-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 269.43	SILMD 306 Acct# 1740353-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 4,109.71	SILMD 307 Acct# 2049005-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 329.60	SILMD 308 Acct# 2072459-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 512.38	SILMD 309 Acct# 2001311-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 290.85	SILMD 310 Acct# 2060519-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 385.38	SILMD 311 Acct# 3014475-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 339.14	SILMD 312 Acct# 3146127-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 565.87	SILMD 315 Acct# 3305804-1
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,478.64	SILMD 316 Acct# 3291842-7
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 127.84	SILMD 317 Acct# 3253826-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 994.75	SILMD 318 Acct# 3372018-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 69.45	SILMD 320 Acct# 0712569-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 553.85	SILMD 321 Acct# 3338917-2
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 124.07	SILMD 322 Acct# 3402033-9
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,091.09	SILMD 323 Acct# 3597170-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 477.24	SILMD 324 Acct# 1246537-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 367.61	SILMD 325 Acct# 3587598-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 146.89	SILMD 326 Acct# 3840455-4
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 225.77	SILMD 327 Acct# 3810801-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 916.91	SILMD 328 Acct# 3894879-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 114.95	SILMD 329 Acct# 3939032-3
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 354.42	SILMD 330 Acct# 3951594-5
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 451.08	SILMD 8 Acct# 0712544-6
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 418.01	SILMD 9 Acct# 0712545-3

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03/20/2023	860141	NorthWestern Energy	Light Maint	$ 618.79	SILMD 95 Acct# 0712556-0
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 11,776.84	SILMD 97 Acct# 0712557-8
03/20/2023	860141	NorthWestern Energy	Light Maint	$ 1,305.79	SILMD 99 Acct# 0712558-6
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 221.77	0722256-5
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 34.94	0722277-1
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 0.12	0723049-3
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 24.33	0793134-8
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 6.15	1156527-2
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 6.00	1230066-1
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 6.00	1588262-4
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 1.26	1692666-9
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 7.83	1902257-3
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 6.00	3477233-5
03/20/2023	860140	NorthWestern Energy	Park Dist 1	$ 31.24	3999603-8
03/20/2023	860140	NorthWestern Energy	Parking	$ 150.85	3835890-9
03/20/2023	860140	NorthWestern Energy	Parks Maint	$ 6.00	0723387-7
03/20/2023	860140	NorthWestern Energy	Parks Maint	$ 1.12	0971824-8
03/20/2023	860140	NorthWestern Energy	Parks Maint	$ 0.84	1312707-1
03/20/2023	860140	NorthWestern Energy	Parks Maint	$ 7.54	1514388-6
03/20/2023	860140	NorthWestern Energy	Parks Maint	$ 7.07	1564209-3
03/20/2023	860140	NorthWestern Energy	Parks Maint	$ 0.83	3707234-5
03/20/2023	860140	NorthWestern Energy	Parks Maint	$ 0.83	3707235-2
03/20/2023	860140	NorthWestern Energy	Parks Maint	$ 0.83	3707236-0
03/20/2023	860140	NorthWestern Energy	Street/Traffic	$ 114.15	1738989-1
03/20/2023	860140	NorthWestern Energy	Street/Traffic	$ 0.83	1797828-9
03/20/2023	860140	NorthWestern Energy	Street/Traffic	$ 7.67	2047018-3
03/20/2023	860140	NorthWestern Energy	Street/Traffic	$ 1.11	3590004-2
03/20/2023	860140	NorthWestern Energy	Street/Traffic	$ 8.30	3660075-7
03/20/2023	860141	NorthWestern Energy	Street/Traffic	$ 15,406.27	Signal Bills Feb 3.14.2023
03/20/2023	860140	NorthWestern Energy	Transit	$ 2,672.49	0100473-8. Monad Road. March 2023
03/20/2023	860140	NorthWestern Energy	Transit	$ 503.84	0719225-5
03/20/2023	860140	NorthWestern Energy	Wastewater	$ 130.82	0723383-6
03/20/2023	860140	NorthWestern Energy	Wastewater	$ 295.88	0723878-5
03/20/2023	860140	NorthWestern Energy	Wastewater	$ 14.42	1704025-4

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03/20/2023	860140	NorthWestern Energy	Wastewater	$ 106.80	1704030-4
03/20/2023	860140	NorthWestern Energy	Water	$ 6.00	0722249-0
03/20/2023	860140	NorthWestern Energy	Water	$ 3,519.07	0722270-6
03/20/2023	860140	NorthWestern Energy	Water	$ 164.71	1142253-2
03/20/2023	860140	NorthWestern Energy	Water	$ 6.00	1867265-9
03/20/2023	860147	Proforce Law Enforce	PD Program	$ 3,383.45	Proforce 512080, Live and training tasers with cartridges
03/20/2023	860147	Proforce Law Enforce	PD Program	$ 4,350.75	Proforce 512080, Live and training tasers with cartridges
03/20/2023	860151	Rocky Mt Health	City Ins Fund	$ 2,325.00	EAP - February 2023
03/20/2023	860151	Rocky Mt Health	City Ins Fund	$ 2,325.00	EAP January 2023
03/20/2023	860151	Rocky Mt Health	City Ins Fund	$ 7,800.00	Healthy Is Wellness and Health Behavior - February 2023
03/20/2023	860151	Rocky Mt Health	City Ins Fund	$ 7,800.00	Healthy Is Wellness and Health Behavior - January 2023
03/20/2023	860152	Rolling Right Door	General	$ 3,900.00	commercial door installed and reconnect existing opener - 3298
03/20/2023	860152	Rolling Right Door	Public Safety	$ 2,305.00	FIRE 6: replaced bottom seals
03/20/2023	860153	S & S Machine	Water	$ 14,650.00	Chapple Pump #3 Rebuild
03/20/2023	860158	Solid Waste System	Fleet	$ 301.57	0153783-IN
03/20/2023	860158	Solid Waste System	Solid Waste	$ 226.24	152778
03/20/2023	860158	Solid Waste System	Solid Waste	$ 20.29	152778
03/20/2023	860158	Solid Waste System	Solid Waste	$ 255.42	152782
03/20/2023	860158	Solid Waste System	Solid Waste	$ 1,926.24	152782
03/20/2023	860158	Solid Waste System	Solid Waste	$ 1,180.74	152811
03/20/2023	860158	Solid Waste System	Solid Waste	$ 576.02	152811
03/20/2023	860158	Solid Waste System	Solid Waste	$ 21.47	152993
03/20/2023	860158	Solid Waste System	Solid Waste	$ 95.94	152993
03/20/2023	860158	Solid Waste System	Solid Waste	$ 1,600.09	152994
03/20/2023	860158	Solid Waste System	Solid Waste	$ 24.71	152994
03/20/2023	860158	Solid Waste System	Solid Waste	$ 47.56	152999
03/20/2023	860158	Solid Waste System	Solid Waste	$ 1,498.06	152999
03/20/2023	860160	Spencer Industries	Solid Waste	$ 3,521.51	32154367
03/20/2023	860160	Spencer Industries	Street/Traffic	$ 24.05	32140795
03/20/2023	860160	Spencer Industries	Street/Traffic	$ 316.87	32140795
03/20/2023	860160	Spencer Industries	Water	$ 154.72	EGS21P-100-12
03/20/2023	860161	St V's Occupation	Airport	$ 95.00	Drug Testing, on-site nurse, DOT physicals, Hep B Vac
03/20/2023	860161	St V's Occupation	City Ins Fund	$ 412.75	Drug Testing, on-site nurse, DOT physicals, Hep B Vac
03/20/2023	860161	St V's Occupation	Fleet	$ 145.00	Drug Testing, on-site nurse, DOT physicals, Hep B Vac

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860161	St V's Occupation	General	$ 1,740.00	Drug Testing, on-site nurse, DOT physicals, Hep B Vac
03/20/2023	860161	St V's Occupation	Public Safety	$ 120.00	Drug Testing, on-site nurse, DOT physicals, Hep B Vac
03/20/2023	860161	St V's Occupation	Solid Waste	$ 380.00	Drug Testing, on-site nurse, DOT physicals, Hep B Vac
03/20/2023	860161	St V's Occupation	Street/Traffic	$ 380.00	Drug Testing, on-site nurse, DOT physicals, Hep B Vac
03/20/2023	860161	St V's Occupation	Transit	$ 95.00	Drug Testing, on-site nurse, DOT physicals, Hep B Vac
03/20/2023	860161	St V's Occupation	Wastewater	$ 76.00	Drug Testing, on-site nurse, DOT physicals, Hep B Vac
03/20/2023	860161	St V's Occupation	Water	$ 114.00	Drug Testing, on-site nurse, DOT physicals, Hep B Vac
03/20/2023	ACH	Town & Co Supply	Airport	$ 24,100.80	Invoice #435274. 8000 Gallons Unleaded for QTA Car Rental
03/20/2023	ACH	Town & Co Supply	Fleet	$ 6,173.62	433671
03/20/2023	ACH	Town & Co Supply	Fleet	$ 3,108.49	433671
03/20/2023	ACH	Town & Co Supply	Fleet	$ 4,532.23	433671
03/20/2023	ACH	Town & Co Supply	Fleet	$ 3,855.44	433671
03/20/2023	ACH	Town & Co Supply	Public Safety	$ 980.04	435107 FIRE 3: BLENDED DIESEL
03/20/2023	ACH	Town & Co Supply	Public Safety	$ 1,149.01	435108 FIRE 1: BLENDED DIESEL
03/20/2023	ACH	Town & Co Supply	Public Safety	$ 405.53	435109 FIRE 6 : BLENDED DIESEL
03/20/2023	ACH	Town & Co Supply	Public Safety	$ 1,146.19	435112 FIRE 1 - UNLEADED DELIVERED 3/11/2023
03/20/2023	ACH	Town & Co Supply	Public Safety	$ 2,099.41	FIRE 5 & 7: DIESEL DELIVERED 3/15/2023
03/20/2023	ACH	Tractor & Equipt	Solid Waste	$ 956.55	REPLACE GASKET/CYLINDER - BLW00222425
03/20/2023	ACH	Tractor & Equipt	Street/Traffic	$ 78.32	BLCS0802652
03/20/2023	ACH	Tractor & Equipt	Street/Traffic	$ 39.44	BLCS0802652
03/20/2023	ACH	Tractor & Equipt	Street/Traffic	$ 173.78	BLCS0802652
03/20/2023	ACH	Tractor & Equipt	Street/Traffic	$ 27.74	BLCS0802652
03/20/2023	ACH	Tractor & Equipt	Street/Traffic	$ 67.20	BLCS0802653
03/20/2023	ACH	Tractor & Equipt	Street/Traffic	$ 689.22	BLCS0802654
03/20/2023	ACH	Tractor & Equipt	Street/Traffic	$ 756.92	BLCS0803308
03/20/2023	860172	Tru Pipe	Storm Sewer	$ 1,000.00	WO 23-17 Grand Ave & 3rd St W .
03/20/2023	860172	Tru Pipe	Storm Sewer	$ 2,540.00	WO 23-40 Ramada Dr Culvert Replacement
03/20/2023	860172	Tru Pipe	Storm Sewer	$ 5,250.47	WO2225 CCTV City Storm Drain Contract
03/20/2023	860173	Uline	Solid Waste	$ 2,208.00	160487053
03/20/2023	860173	Uline	Solid Waste	$ 295.14	160487053
03/20/2023	860177	Verizon Wireless	Engineering	$ 27.32	PW-Engineering
03/20/2023	860177	Verizon Wireless	Fleet	$ 107.10	Motor Pool
03/20/2023	860177	Verizon Wireless	General	$ 163.06	City Administrator 0100-13130-403450
03/20/2023	860177	Verizon Wireless	General	$ 40.01	Tina Hoeger Laptop

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/20/2023	860177	Verizon Wireless	General	$ 27.32	Victoria Hill -Laptop
03/20/2023	860177	Verizon Wireless	Park Dist 1	$ 52.30	PRPL-PARKS
03/20/2023	860177	Verizon Wireless	PD Program	$ 415.00	CCSIU Cell/PTT
03/20/2023	860177	Verizon Wireless	PD Program	$ 80.02	CCSIU RAVEN
03/20/2023	860177	Verizon Wireless	Phone System	$ 84.51	WRF Cradle Point
03/20/2023	860177	Verizon Wireless	Public Safety	$ 120.03	Fire MDT -1500-22210-403450
03/20/2023	860177	Verizon Wireless	Public Safety	$ 268.32	Fire MDT1500-22210-403450
03/20/2023	860177	Verizon Wireless	Public Safety	$ 74.31	MDT Toughbooks
03/20/2023	860177	Verizon Wireless	Public Safety	$ 520.15	MDT Toughbooks
03/20/2023	860177	Verizon Wireless	Public Safety	$ 64.31	Police Bait Car
03/20/2023	860177	Verizon Wireless	Public Safety	$ 80.02	Police iPad
03/20/2023	860177	Verizon Wireless	Public Safety	$ 10.02	Police MiFi
03/20/2023	860177	Verizon Wireless	Solid Waste	$ -	PW Dozer Trimble Dozer
03/20/2023	860177	Verizon Wireless	Solid Waste	$ 109.28	PW-Solid Waste
03/20/2023	860177	Verizon Wireless	Solid Waste	$ 123.77	PW-SW-ON CALL Solid Waste On Call
03/20/2023	860177	Verizon Wireless	Solid Waste	$ 23.93	PW-SW-ON CALL Solid Waste On Call
03/20/2023	860177	Verizon Wireless	Solid Waste	$ 524.52	Solid Waste Tablets -Routware
03/20/2023	860177	Verizon Wireless	Street/Traffic	$ 174.67	PW-Streets
03/20/2023	860177	Verizon Wireless	Street/Traffic	$ -	PW-Streets City Works
03/20/2023	860177	Verizon Wireless	Street/Traffic	$ 196.42	PW-STRT TRFC Streets
03/20/2023	860177	Verizon Wireless	Transit	$ 309.02	MET AVL
03/20/2023	860177	Verizon Wireless	Transit	$ 1,120.28	MET Max Transit
03/20/2023	860177	Verizon Wireless	Transit	$ 970.28	MET Max Transit
03/20/2023	860177	Verizon Wireless	Wastewater	$ 400.10	MET Tablets
03/20/2023	860177	Verizon Wireless	Water	$ 27.32	PW Belknap Meter Shop
03/20/2023	860177	Verizon Wireless	Water	$ 27.32	PWBLKNP Water Treatment
03/20/2023	860177	Verizon Wireless	Water	$ 94.73	PWBLNP Comm-Meter CityWorks/Neptune
03/20/2023	860177	Verizon Wireless	Water	$ 40.01	PWBLNP Comm-Meter CityWorks/Neptune
03/20/2023	860178	VertexOne Software	Solid Waste	$ 133,221.06	Utility Billing Software Solution
03/20/2023	860178	VertexOne Software	Wastewater	$ 133,221.07	Utility Billing Software Solution
03/20/2023	860178	VertexOne Software	Water	$ 330,656.27	Utility Billing Software Solution
03/20/2023	860184	Ylwstn Co Treas	Fire Const	$ 2,602.81	2022 City Property Tax Statement Payments 2nd Half

City Council Regular

Date:	04/24/2023
Title:	Payment of Claims for week of March 27, 2023
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No
Legal Review	Not Applicable

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of $1,256,174.69 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 is 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 03272023

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/27/2023	860202	Archie Cochrane	Fleet	$ 75.24	5461386
03/27/2023	860202	Archie Cochrane	Fleet	$ 89.93	5461386
03/27/2023	860202	Archie Cochrane	General	$ 5.39	5457519
03/27/2023	860202	Archie Cochrane	Public Safety	$ 386.25	5457387
03/27/2023	860202	Archie Cochrane	Public Safety	$ 12.76	5457549
03/27/2023	860202	Archie Cochrane	Public Safety	$ 380.08	5458141
03/27/2023	860202	Archie Cochrane	Public Safety	$ 64.40	5458372
03/27/2023	860202	Archie Cochrane	Public Safety	$ 29.44	5458372
03/27/2023	860202	Archie Cochrane	Water	$ 2,600.67	854495/1
03/27/2023	860209	Bcs Scrip	General	$ 2,600.00	2nd Quarter Milestones 2023
03/27/2023	860218	Brenntag Pacific	Wastewater	$ 6,267.50	Chemical Supplies
03/27/2023	860235	Cummins- Rocky Mt	Street/Traffic	$ 9,076.09	38-77029
03/27/2023	860235	Cummins- Rocky Mt	Wastewater	$ 95.95	38-76808
03/27/2023	860238	Dell Marketing	Wastewater	$ 3,837.04	Replacement FY23 TRP Computer WRF Cam S
03/27/2023	860240	Desert Mt Corp	Street/Traffic	$ 4,673.19	inv#22-104935ice slicer
03/27/2023	860240	Desert Mt Corp	Street/Traffic	$ 5,106.48	inv#22-105631ice slicer
03/27/2023	860240	Desert Mt Corp	Street/Traffic	$ 5,094.82	inv#22-105632ice slicer
03/27/2023	860241	Dixie Petro-Chem	Water	$ 17,503.08	BULK CHLORINE
03/27/2023	860245	Econo Glass	Library	$ 4,496.00	I7729531 Community Room window replacement
03/27/2023	860248	Elcon Corp	Arterial Streets	$ 33,753.65	Retainage Release
03/27/2023	860249	Empire Garage Owners	Parking	$ 8,699.59	IN001540_City of Billings March Assessment
03/27/2023	860253	FCS	Storm Sewer	$ 19,849.76	WO 20-37 Stormwater Utility Development; Payment 30
03/27/2023	860259	Grainger Parts	Solid Waste	$ 823.56	9620859562
03/27/2023	860259	Grainger Parts	Street/Traffic	$ 37.55	9618185509
03/27/2023	860259	Grainger Parts	Wastewater	$ 3,462.00	Fixtures for Lighting Project in 2nd Com
03/27/2023	860259	Grainger Parts	Wastewater	$ 17.12	Tie-down supplies for electrical service
03/27/2023	860259	Grainger Parts	Water	$ 266.05	Filter Gallery Heater
03/27/2023	860259	Grainger Parts	Water	$ 7.74	Plug Replacement Parts for Electrical Sh
03/27/2023	860259	Grainger Parts	Water	$ 8.95	Strapping kit
03/27/2023	860259	Grainger Parts	Water	$ 101.04	Willett VFD Relays
03/27/2023	860259	Grainger Parts	Water	$ 177.84	Willett VFD. Relay
03/27/2023	ACH	HDR	Engineering	$ 911.19	HDR Invoice 1200505028; Consulting Engineering Svcs for Traffic Impact Study
03/27/2023	ACH	HDR	Solid Waste	$ 2,203.12	WO 22-37 Landfill Drop-off Bldg Repairs; Payment 9
03/27/2023	ACH	HDR	Solid Waste	$ 10,628.93	WO 23-27 Landfill Household Hazardous Waste Facility Consultant Agreement

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/27/2023	ACH	HDR	Wastewater	$ 6,393.36	WO 19-21 WRF Influent Lift Station; Payment 38
03/27/2023	ACH	HDR	Wastewater	$ 40,111.71	WO 20-44 WRF Nutrient Recovery Improvements Project; Payment 32
03/27/2023	ACH	HDR	Water	$ 56,693.04	WO 19-12 West End Reservoir; Payment 47
03/27/2023	ACH	HDR	Water	$ 1,654.82	WO 23-19 High Service Pump Station Piping Modifications; Payment 4
03/27/2023	860274	Insight Public Sector	Capital Replace	$ 4,918.00	Qty. 40 FZ40 car adapter,
03/27/2023	860274	Insight Public Sector	General	$ 93.31	Surface Pro 9, i7. 16GB RAM, 1TB SSD, Keyboard cover and warranty
03/27/2023	860281	Joe Johnson Equipt	Street/Traffic	$ 448.37	P00610
03/27/2023	860281	Joe Johnson Equipt	Street/Traffic	$ 9,485.46	P00610
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 9,290.00	48" Opticom Duo 795H, prewire kit rear T/A, Alley lights
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 3,040.00	5 LAMP DUO TRACER RED/WHITE.
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 634.00	55301 REAR SEAT COVERS, 40/20/40, GREY
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 397.50	ARGCH1 CONTROL HEAD (REMOTE SPOTLIGHT)
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 1,027.50	ARGES2, PRO FOCUS SPOT / FLOOD
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 142.50	ARGLB1 LIBERTY II LIGHTBAR MOUNT
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 327.50	CEM16, 16 OUTPUT EXPANSION MODULE
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 500.00	COREHBASE, CORE HARNESS
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 200.00	COREHEXP16, EXPANSION HARNESS
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 48.00	COREHGND, GROUND HARNESS
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 159.80	MMSU1, MIC CONVERSION KITS
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 298.68	PEL2B, Perimeter light, mounted under hatch, facing rear storage boxes
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 71.40	PSBKT90, MOUNTING BRACKET
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 515.00	PSD02FCR, STRIP-LITE PLUS DUO RED/WHITE LED MOUNTED IN REAR
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 2,034.90	RPWD50, REAR FACING PILLAR MOUNTED OUTEREDGE DUO RED/AMB
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 372.50	SA315P, 100 WATT SPEAKER
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 68.60	SAK66D, DRIVERSIDE GRILL 20-22 INUT
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 678.00	T52140 FRONT TACTICAL SEAT COVERS, BUCKET - GREY
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 385.00	T-ION SERIES DUO Surface mount red/white, 2-rear hatch -near license plate
03/27/2023	860283	Kent D. Bruce Co	Capital Replace	$ 370.00	TLID, T-ION SERIES RED LED, MOUNTED IN REAR HATCH.
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 198.75	arges bail mt control head
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 513.75	ARGES2 ARGES PRO FOCUS REMOTE SPOTLIGHT
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 2,907.50	BJ8DDDD, 48" WHELEN,LIBERTY II LIGHT BAR
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 163.75	CEM16, 16 OUTPUT EXPANSION MODULE FOR CRISIS RESPONSE UNITS
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 855.00	CHWLUNI WCX LOW FREQ SIREN
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 32.00	EMERGENCY LIGHTING FOR CRISIS RESPONSE UNITS

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 22.39	EMERGENCY LIGHTING FOR CRISIS RESPONSE UNITS
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 24.00	EMERGENCY LIGHTING FOR CRISIS RESPONSE UNITS
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 71.25	LIGHT BAR MOUNT ARGES SPOTLIGHT
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 149.34	PEL2B PERIMETER LIGHT (crisis response unit)
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 35.70	PSBKT90 MOUNTING BRACKETS (mobile crisis response unit)
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 186.25	SA315P, 100 WATT SPEAKER FOR BEHAVIORAL HEALTH UNIT
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 34.30	SAK66D DRIVER SIDE GRILL 20-22 INUT FOR BEHAVIORAL HEALTH UNIT
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 192.50	TLI2D, T-ION SERIES DUO SURFACE MOUNT RED/WHITE
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 1,017.45	WHELEN DUO OUTER EDGE REAR PILLAR MOUNT LIGHTING
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 257.50	WHELEN STRIP LITE RED/WHITE LED MOUNTED IN REAR 1/4 GLASS
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 1,520.00	WHELEN, DURO TRACER SERIES WECANX RUNNING BOARD LIGHTING
03/27/2023	860283	Kent D. Bruce Co	Public Safety	$ 185.00	WHELEN, PERIMETER INTERIOR WORK LIGHTS
03/27/2023	860293	L N Curtis & Sons	Public Safety	$ 570.47	GLOBE 430A420 BOOTS
03/27/2023	860293	L N Curtis & Sons	Public Safety	$ 102.85	GLOVES - LARGE/X-LARGE STRUCTURE
03/27/2023	860293	L N Curtis & Sons	Public Safety	$ 3,868.00	RRWM-12/2024 GROVES RED RACK, SHELVING, WALL MOUNTED
03/27/2023	860293	L N Curtis & Sons	Public Safety	$ 1,200.00	SHIPPING
03/27/2023	860299	Life-Assist	Fire Grants	$ 2,985.00	DR310-11 CYANOKIT 5MG
03/27/2023	860299	Life-Assist	Public Safety	$ 2,003.55	QUOTE Q104871 NITRILE EMS GLOVES - MEDIUM & LARGE
03/27/2023	860310	MFPE	Payroll Clearing	$ 2,758.02	Payroll Summary
03/27/2023	860316	Motion Industries	Water	$ 45,800.21	H2013 200 HP Motor 1800 RPM for Willett Pump Station
03/27/2023	860316	Motion Industries	Water	$ 475.96	H2013 200 HP Motor 1800 RPM for Willett Pump Station
03/27/2023	860317	MPPA	Payroll Clearing	$ 3,908.80	Payroll Summary
03/27/2023	860313	MT State Firemen	Payroll Clearing	$ (71.12)	Payroll Summary
03/27/2023	860313	MT State Firemen	Payroll Clearing	$ 4,921.40	Payroll Summary
03/27/2023	ACH	Parker Tech	Parking	$ 1,016.42	21713_Empire Garage 24/7 Call Center Service
03/27/2023	ACH	Parker Tech	Parking	$ 250.43	21850_Park 1 Garage 24/7 Call Center Service
03/27/2023	ACH	Parker Tech	Parking	$ 723.06	21851_Park 2 Garage 24/7 Call Center Service
03/27/2023	ACH	Parker Tech	Parking	$ 278.25	21852_Park 3 24/7 Call Center Service
03/27/2023	ACH	Parker Tech	Parking	$ 354.90	22127_Park 3 February 2023 Overage
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 28.98	Filler Cap. Units 0263 & 0269. Landfill.
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 1,191.66	Filter Element. Unit 0269. Landfill.
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 1,501.87	Hydraulic Oil 55G. Unit 0269. Landfill.
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 587.88	Hydraulic Oil 5G & 55G. Unit 0269. Landfill.
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 1,441.20	Hydraulic Oil 5G. 55 Gal Pre Mix. Unit 0269. Landfill.

Check Date	Check#	Name	Fund Name	Amount	Item Desc
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 440.91	Hydraulic Oil 5G. Units 0263 & 0269. Landfill.
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 8,348.38	W3558212
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 3,394.75	W3558212
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 9,200.10	W3684012
03/27/2023	ACH	RDO Equipt	Solid Waste	$ 35,027.83	W3684012.
03/27/2023	860344	State Chemical	Airport	$ 1,531.20	Invoice #902824883. Cleaning Supplies
03/27/2023	860344	State Chemical	Airport	$ 2,300.10	Invoice #902824884. Heavy Duty Degreasant
03/27/2023	860351	Tel Net System	Stillwater Const	$ 286.20	Labor to remove access control from four doors- Stillwater Building.
03/27/2023	860351	Tel Net System	Wastewater	$ 4,999.99	Repair and Add New Fiber to WRF Plant Co
03/27/2023	ACH	Town & Co Supply	Fleet	$ 3.15	433682
03/27/2023	ACH	Town & Co Supply	Fleet	$ 4,515.35	433682
03/27/2023	ACH	Town & Co Supply	Fleet	$ 9,420.53	433682
03/27/2023	ACH	Town & Co Supply	Fleet	$ 7,612.77	433682
03/27/2023	ACH	Town & Co Supply	Fleet	$ 3,325.67	433682
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 225.96	BLCS0805100
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 458.04	BLCS0805100
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 254.40	BLCS0805100
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 400.00	Vision Link software renewal for Unit 0243. Landfill.
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 400.00	Vision Link software renewal for Unit 0254. Landfill.
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 120.00	Vision Link software renewal for Unit 0256. Landfill.
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 400.00	Vision Link software renewal for Unit 0258. Landfill.
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 400.00	Vision Link software renewal for Unit 0260. Landfill.
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 400.00	Vision Link software renewal for Unit 0261. Landfill.
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 400.00	Vision Link software renewal for Unit 0262. Landfill.
03/27/2023	ACH	Tractor & Equipt	Solid Waste	$ 400.00	Vision Link software renewal for Unit 0264. Landfill.
03/27/2023	ACH	Tractor & Equipt	Water	$ 487.68	LSPS #2 P4 Repair
03/27/2023	ACH	Wastequip	Solid Waste	$ 5,886.62	Shipping.
03/27/2023	ACH	Wastequip	Solid Waste	$ 34,415.00	Purchase commercial containers.

City Council Regular

Date:	04/24/2023
Title:	Public Hearing & Action on Annual Action Plan including CDBG & HOME Budget Allocations
Presented by:	Brenda Beckett
Department:	Planning & Community Services
Presentation:	Yes
Legal Review	No

RECOMMENDATION

City staff and the Community Development Board recommend that the City Council conduct a public hearing and approve the FY2023-2024 Annual Action Plan and budget allocations for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) program. The allocations are outlined below and fully described in the Fiscal Effects section of this memo.

FY2023-2024 Budget Recommendation Priorities Budget recommendation priorities and estimates for the City's core programs:

- Administration at maximum caps, 20% of CDBG ($124,784) and 10% of HOME ($37,809). Funding is reserved for administrative costs including technology and phone charges, duplication, publication of notices, motor vehicle costs, liability insurance, staff time; etc. Staff time is tracked drawn for actual time dedicated to administration (Attachment D).
- CDBG totaling $63,000 to compliment the AmeriCorps Volunteers in Service to America (VISTA) program. This allocation leverages $361,527 in grant funds from the Corporation for National and Community Service.
- No additional funding is recommended for allocation to the First Time Home Buyer program (The City currently has over $500,000 in CDBG and HOME resources dedicated to the program)
- Affordable Housing Development would include the required 15% minimum allocation in new HOME funding for Community Housing Development Organizations ($56,713), HOME totaling $683,563, and CDBG totaling $286,134 (A total of about $1 million).

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

Funding Source and Intent: The City of Billings has been a recipient of U.S. Department of Housing and Urban Development (HUD) CDBG funds since the mid-1970s and HOME funds since the early 1990s (nearly $50 million). Investments in CDBG and HOME have generated nearly $10 million in loan repayments since 2001. Projects, programs, and activities funded through CDBG and HOME are regulated and monitored by the federal government and must be primarily targeted to address community affordable housing for low-income citizens and poverty-impact needs in Billings.

Guidance & Recommendations Process: The Community Development Board provides staff guidance relative to assessment, planning, allocation, monitoring, and reporting processes for HUD federal funding. The Board is composed of six low-income neighborhood representatives and three at-large members. The Board also has a City Council Liaison - currently Council Member Joy. This composition complies with a federal regulation to ensure decision-making processes include involvement from residents of low-income neighborhoods. The Board is also responsible for making funding recommendations to the City Council for its review and approval.

Planning Process: The Consolidated Plan is the primary planning document directing the City's CDBG and HOME investments and it covers a five-year period from July 1, 2020 through June 30, 2025 (Attachment A). The Annual Action Plan for FY2023-2024 (attached draft) is the fourth year in the Consolidated Plan's five-year process (Attachment B).

Allocation Process: To allocate CDBG and HOME resources via the Consolidated Plan, the Community Development Division staff and Board members facilitate an extensive process to gather public input on the use of federal funds. Applications for carrying out the programs identified in the Consolidated Plan were available at the beginning of December and due in mid-January. Staff presented its plans for application of the program funds to the Community Development Board and recommendations were prepared for City Council consideration. The Staff facilitated a 30-day public comment period, the City Council will take action, and the Annual Action Plan will be submitted to HUD by May 15.

STAKEHOLDERS

1. Program Recipients - The City serves low-income households through a variety of affordable housing programs such as housing development, home buyer, and foreclosure acquisition / rehabilitation programs. Full descriptions of available programs can be found online at www.BillingsMT.gov/comdev.
2. The Community Development Board - As an advisory body to the City Council, the Board provides detailed oversight to both the CDBG and HOME programs throughout the year. The Board also facilitates a public input process to prepare recommendations for the City Council consideration. Six of nine total Community Development Board members are representatives of low-income neighborhoods either by residence or task force delegation, ensuring low-income citizen involvement of planning and allocation processes.
3. Non-Profit Organizations - Community organizations serving those experiencing poverty are supported by the Billings Metro VISTA Project. AmeriCorps VISTA members assist in the provision of social services to those in need.

ALTERNATIVES

City Council may:

- Hold a public hearing and approve the Annual Action Plan, and the allocation of CDBG and HOME funding as recommended by Staff and the Community Development Board.
- Hold a public hearing and approve the Annual Action Plan and the allocation of CDBG and HOME funding based on alternative funding amounts as determined by the City Council.
- Not hold a public hearing and not approve the Annual Action Plan and the allocation of CDBG and HOME funding and refuse to undertake CDBG and HOME activities. This action would place the City in jeopardy of not receiving HUD funding for its CDBG and HOME programs.

FISCAL EFFECTS

Anticipated Revenues: The City of Billings will receive $623,918 in new CDBG and $378,085 in HOME funding allocations for use in affordable housing and other projects benefiting low-income residents for FY2023-2024 (Attachment C). Funding recommendations include loan repayment revenue from programs such as First Time Home Buyer and Housing Rehabilitation. The Corporation for National and Community Service has awarded the City of Billings $361,527 in federal funds to support the Billings Metro VISTA Project contingent on the City's CDBG allocation supporting the program.

Allocation Compliance: Proposed allocations are consistent with the goals and priorities of the approved five-year Consolidated Plan for the use of CDBG & HOME resources in Billings. Allocation recommendations conform to pre-determined spending requirements on several categories including: CDBG and HOME administration caps (maximum of 20% and 10% of new funding respectively); public service caps (up to 15% of new CDBG funding); and Community Housing Development Organization set-aside for affordable housing development (minimum 15% of new HOME funding). Changes creating non-compliance with federal spending requirements would place the City's entitlement status for federal funds at risk. Non-federal funding repayment is required for noncompliant project, program, and activity expenditures.

The allocation of funding is restricted by eligibility requirements for CDBG and HOME and must meet pressing citywide community needs as identified in the Consolidated Plan; affordable housing, housing choice, and poverty-impact. HUD policy prohibits the use of federal funds to supplant local government funds on projects communities typically underwrite, regardless of whether federal grant dollars are available.

FY2023-2024 Budget Recommendation Priorities

Budget recommendation priorities and estimates for the City's core programs:

1. **Administration at maximum caps, 20% of CDBG ($124,784) and 10% of HOME ($37,809).** Funding is reserved for administrative costs including technology and phone charges, duplication, publication of notices, motor vehicle costs, liability insurance, staff time; etc. Staff time is tracked drawn for actual time dedicated to administration (Attachment D).
2. **CDBG totaling $63,000 to compliment the AmeriCorps Volunteers in Service to America (VISTA) program.** This allocation leverages $361,527 in grant funds from the Corporation for National and Community Service.

   o Provide resources to nonprofit organizations to undertake poverty-impact activities and to support the low-income individuals and families they serve.
   o Focus areas include education, healthcare, food security, economic opportunity, housing, financial literacy,

and others.

3. **No additional funding is recommended for allocation to the First Time Home Buyer program** (The City currently has over $500,000 in CDBG and HOME resources dedicated to the program)

   o Promote financial security, home equity, housing self-sufficiency, housing and neighborhood quality and stability.
   o Increase minority homeownership, promote equal access and opportunity, and decrease segregation citywide.
   o Improve affordable housing opportunities for the elderly, persons with disabilities, and other special populations.
   o Reduce predatory lending through education and standardized procedures.

4. **Foreclosure Acquisition / Rehabilitation would be funded at $200,000.**

   o Mitigate the negative community impact of vacant, foreclosed properties.
   o Improve affordable housing quality, condition, safety, livability, and accessibility.
   o Stabilize property values in neighborhoods with existing vacant, foreclosed homes.
   o Eliminate the potential for crime related to existing vacant, foreclosed properties.

5. **Affordable Housing Development would include the required 15% minimum allocation in new HOME funding for Community Housing Development Organizations ($56,713), HOME totaling $683,563, and CDBG totaling $286,134 (A total of about $1 million).**

   o Expand access and availability of decent, affordable housing citywide.
   o Improve the physical quality of affordable housing.
   o Foster suitable living environment and quality of life through the improvement of physical conditions including infrastructure for housing projects and housing development.

Ensuring Timeliness: Initial budget allocations may be changed to facilitate close- and shovel-ready priorities to assist the City in maintaining compliance with commitment and expenditure deadlines. This includes all repayment funding received during the program year from loans issued through programs such as First Time Home Buyer, Housing Rehabilitation, Affordable Housing Development, etc.

SUMMARY

City staff and the Community Development Board have made recommendations for CDBG and HOME budgets and the Annual Action Plan is ready for Council adoption. The City Council is asked to conduct a public hearing and consider public input received during the 30-day comment period and the public hearing at this meeting, and make a final decision on the Annual Action Plan and accompanying CDBG and HOME budget.

Attachments

FY2020-2024 Consolidated Plan
FY2023-2024 Annual Action Plan Draft
FY2023-2024 Revenue and Recommendations
Time Tracking & Draw Procedures
Allocation and Funding History

CITY OF BILLINGS

Five Year Consolidated Plan

Amended to include CDBG-CV Allocations and Activities - July 2021

FY2020-2024

The City's plan for Community Development Block Grant and
HOME Investment Partnerships Programs

Community Development Division
2825 Third Avenue North
Billings, Montana 59101
406.657.8281
www.BillingsMT.gov/comdev

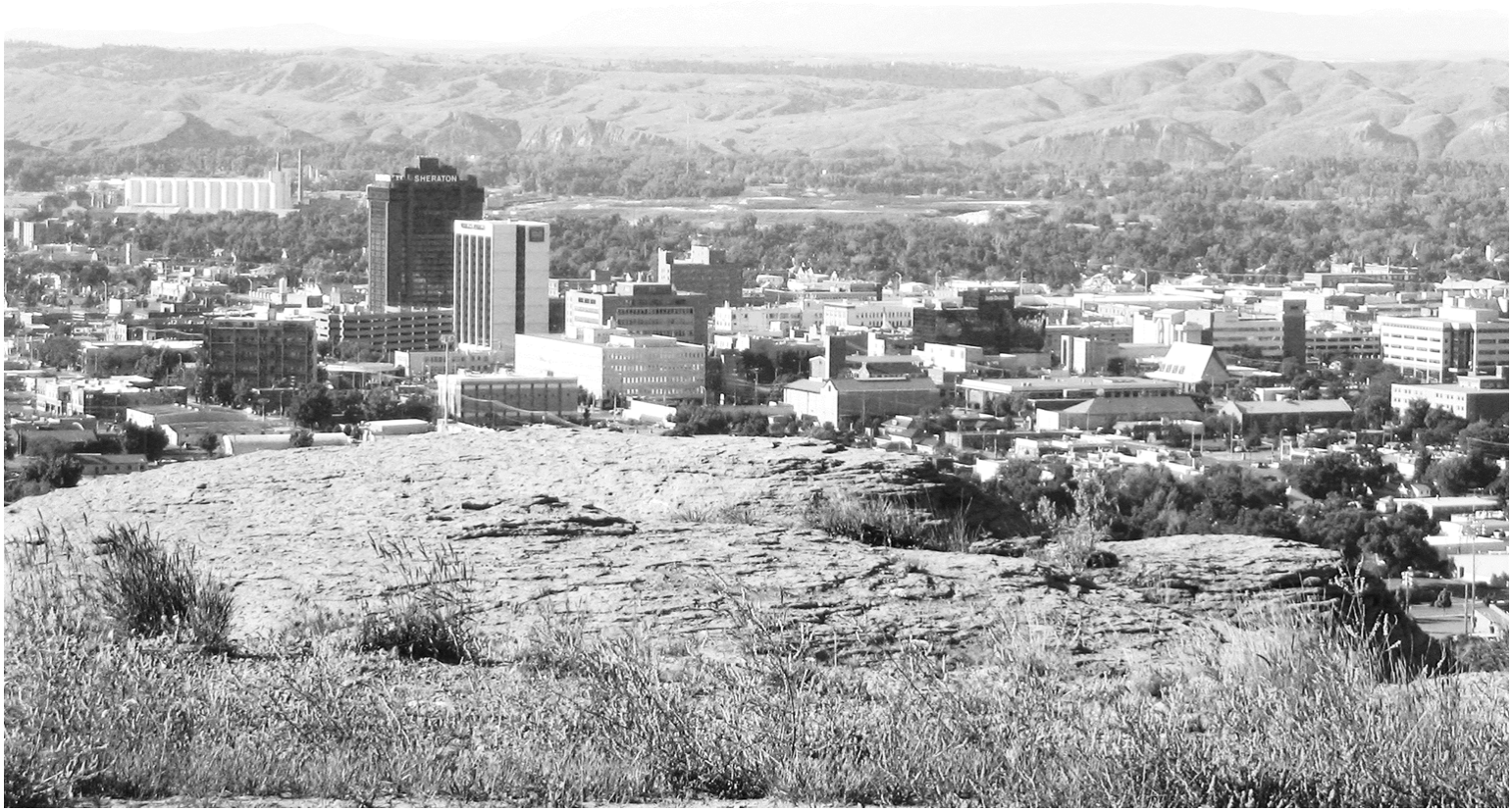


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Section I: Executive Summary

ES-5 Executive Summary

24 CFR 91.200(c), 91.220(b155)

Introduction

Five-year Consolidated Plans and one-year action plans are required by the United States Department of Housing and Urban Development (HUD) for the City of Billings to receive funding through the Community Development Block Grant (CDBG) and HOME Investment Partnerships programs (HOME). The City's five-year Consolidated Plan for FY2020-2024 identifies activities to be carried out from July 1, 2020 through June 30, 2025 to address priority needs in the community and serves as a guiding document for the use of the City's CDBG and HOME funding.

The City of Billings, an entitlement community acting primarily through the Community Development Division, will continue to serve as the lead agency for administration of the City's CDBG and HOME program activities targeted to meet the goals of the Consolidated Plan.

Focused on CDBG and HOME activities, the Consolidated and Annual Action Plans combine the planning and application requirements for the CDBG and HOME programs. All activities undertaken by the City utilizing CDBG and HOME funding must primarily benefit low income persons. The CDBG and HOME programs covered by the Consolidated Plan have three basic goals:

- **To provide decent housing,** including: maintaining the affordable housing stock in the community; increasing the availability of permanent housing that is affordable to low income households without discrimination; increasing support of housing which enables persons with special needs to live independently; and assisting homeless persons to obtain affordable housing.
- **To provide a suitable living environment**, which includes: improving the safety and livability of neighborhoods; increasing access to quality facilities and services; reducing the isolation of low income households within areas by de-concentrating housing opportunities and revitalizing deteriorating neighborhoods; restoring and preserving natural and physical features of special value for historic, architectural, or aesthetic reasons; and conserving energy resources.
- **To expand economic opportunities**, including: creating jobs accessible to low income individuals; providing access to credit for community development activities which promote long-term economic and social viability; and empowering low income persons living in public and federally assisted housing to achieve self-sufficiency.

The FY2020-2024 Consolidated Plan was open for public comment extending from March 28, 2020 to May 11, 2020 in order to provide additional time for public comment due to Coronavirus COVID-19 separation recommendations. A public hearing was held on May 11, 2020 during the Billings City Council meeting to accept public comments on the Annual Action Plan, and Community Development Board recommendations for funding allocation. The plan was adopted by the Billings City Council on May 11, 2020. A substantial amendment to the Consolidated Plan and FY2020-2021 Annual Action Plan was approved by City Council on June 28, 2021.

Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The most significant housing issues in Billings include housing cost burden, the availability of affordable housing, and equal opportunity in homeownership for minority households.

Housing Cost Burden: Over 80% of low income households have been paying more than 30-50% of their income for housing costs. Minorities are disproportionately impacted by housing cost burden including Black / African American, Asian, Native American, and Hispanic families.

Affordable Housing Availability: Housing affordability and availability are the most significant factors in limiting housing choice for both renters and homeowners. While there are an adequate number of housing units in Billings to accommodate the population, there is a housing deficit of over 4,700 units for households with incomes less than 30% of the AMI. There are also over 6,200 households on the Housing Authority of Billings waiting lists. Over 2,000 people are waiting for single-person housing.

Homeownership and Opportunity: Racial and ethnic minorities have a low homeownership rate than the White population (67%) in Billings. The Black cohort has the lowest homeownership rate at 16% followed by Native Americans at 31%. Thirty-three percent of the Hispanic cohort are homeowners.

The City's goals are to: create, preserve, and expand affordable housing options; promote neighborhood revitalization through foreclosure program, and to impact poverty. The City will continue to offer programs on a citywide basis to ensure equal opportunity in all Billings neighborhoods:

First Time Home Buyer

- Promote financial security, home equity, housing self-sufficiency, housing and neighborhood quality and stability.
- Increase minority homeownership, promote equal access and opportunity, and decrease segregation citywide.
- Improve affordable housing opportunities for the elderly, persons with disabilities, and other special populations.
- Reduce predatory lending through education and standardized procedures.

Housing Rehabilitation

- Help current homeowners maintain their homes in safe, quality condition.
- Increase value, quality, and durability of existing affordable housing stock.

Affordable Housing Development

- Expand access and availability of decent, affordable housing citywide.
- Improve the physical quality of affordable housing.
- Foster suitable living environment and quality of life through the improvement of physical conditions including infrastructure for housing projects and housing development.

Foreclosure, Acquisition, Rehabilitation

- Mitigate the negative community impact of vacant, foreclosed properties.

- Improve affordable housing quality, condition, safety, livability, and accessibility.
- Stabilize property values in neighborhoods with existing vacant, foreclosed homes.
- Eliminate the potential for crime related to existing vacant, foreclosed properties.

Billings Metro VISTA Project

- Provide resources to nonprofit organizations to undertake poverty impact activities and to support the low income individuals and families they serve.
- Focus areas include: education, healthcare, food security, economic opportunity, housing, financial literacy, and others.

HUD's EnVision Center Demonstration Project

In July 2018, HUD launched the EnVision Center demonstration project to leverage public and private resources for the benefit of individuals and families living in HUD-assisted housing. EnVision Centers focus on empowering people to leave HUD-assisted housing through self-sufficiency to become responsible homeowners and renters in the private housing market through promotion of the following four pillars:

- Economic Empowerment
- Educational Advancement
- Health and Wellness
- Character and Leadership

In May and June 2020, the City of Billings staff facilitated a connection between Housing Authority of Billings and HRDC District 7 to the regional EnVision Center representatives for HUD's Region 8. Planning for a Billings EnVision center is underway.

Regulatory Citations

Throughout the Consolidated Plan, staff has identified regulatory citations for the Code of Federal Regulations (CFR), shown in italics. The code references are located in sections of the Consolidated Plan required by federal regulation.

2020 HOME Income Limits

Household Size	30%	50%	60%	80%
1	$16,100	$26,850	$32,220	**$42,950**
2	$18,400	$30,650	$36,780	**$49,050**
3	$20,700	$34,500	$41,400	**$55,200**
4	$23,000	$38,300	$45,960	**$61,300**
5	$24,850	$41,400	$49,680	**$66,250**
6	$26,700	$44,450	$53,340	**$71,150**
7	$28,550	$47,500	$57,000	**$76,050**
8	$30,400	$50,600	$60,720	**$80,950**

Table is included in PDF version of the plan - uploaded as an IDIS Attachment

Evaluation of past performance

An evaluation of past performance that help the City choose goals or projects.

The City of Billings has been receiving CDBG funds since the 1970s and began receiving HOME funds in the mid-1990s. Performance on past goals and projects has been adequate, given declining resources. As a result, City staff have consolidated smaller programs focused on meeting priority needs, including affordable housing preservation and the provision of new housing opportunities.

In 2012, stakeholders recommended prioritizing loan programs to maximize sustainability of community development programs in order to continue funding programs in the future. Loan repayment revenue has increased by an annual average of $230,000 over the past seven years, which has enabled the City to serve dozens of additional low income households through home buyer and repair programs.

The FY2015-2019 Consolidated Plan included the following goals and the City met or exceeded each of the established goals as of mid-June 2020:

- Affordable Housing Preservation – all goals were met:
    - 20 homeowner homes were rehabilitated
    - One manufactured home was rehabilitated
    - Five foreclosed homes were acquired, rehabilitated, and sold to low income households
- New Affordable Housing Opportunity – goals were met or exceeded:
    - Four homeowner housing units were added
    - 280 households received direct financial assistance to purchase their first home
- Poverty Impact goal was exceeded:
    - Over 2,500 individuals were assisted in garnering access to health / mental health services, housing, education, and economic opportunity

City staff have witnessed a decline in homeowners seeking Housing Rehabilitation Loans and are likewise seeing an increased need in affordable housing and infrastructure development. Additional resources may be directed towards longer-term investments to benefit low income neighborhoods on the whole.

Summary of citizen participation process and consultation process *91.200(b)*

Summary from citizen participation section of plan.

A number of organizations in the community are involved in affordable housing and community development-related activities in Billings and are asked to comment on the Consolidated Plan. The continued cooperation of these organizations in pursuing affordable housing for the community is required to meet the Consolidated Plan goals. Consultations include review of the plan with public and private agencies that provide health care, social services and fair housing education. Populations targeted for consultation include low income neighborhoods and agencies providing services for children, the elderly, the disabled, minorities, persons with HIV / AIDS and their families, and homeless individuals and families.

The City of Billings has adopted a *Citizen Participation Plan* which is implemented during Consolidated Plan processes in order to ensure active participation by residents and affiliate organizations. The City has also adopted a *Language Assistance Plan* to ensure meaningful access to program information and equal opportunity for persons with hearing impairment and limited English proficiency. Both plans can be found online at www.BillingsMT.gov/CDreports.

Public Comments: The City must provide opportunities for public comment at least 30 days prior to Consolidated Plan submission, as required by HUD. City staff considers all written comments by citizens, public agencies and other interested parties prior to submission of its final Consolidated Plan and related reports to HUD and attach a summary of each comment to the final submission. If written comments are not accepted for inclusion in the Plan, the City will provide written explanation of why those comments were not accepted.

Summary of public comments

Brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

Public Comment & Hearing: The FY2020-2024 Consolidated Plan was open for public comment extending from March 28, 2020 to May 11, 2020. The extension from a 30 day to 45 day public comment period was primarily implemented to accommodate the universal response to the coronavirus pandemic.

A public hearing was held on May 11, 2020 during the Billings City Council meeting to accept public comments on the Consolidated and Annual Action Plans, and Community Development Board recommendations for funding allocation. To facilitate an open public involvement process, the public hearing was available live and remains available on demand at the www.comm7tv.com website and also on Community 7's public Facebook page at www.facebook.com/comm7tv.

These plans were adopted by the Billings City Council on May 11, 2020. Public comments made during the meeting are outlined below included in the Appendix.

Summary of comments or views not accepted and the reasons for not accepting them

All comments were taken into consideration during the development and prior to submission of the Consolidated Plan. Comments received following staff's presentation to the City Council are outlined below.

Councilmember Yakawich: He has heard the City's presentation seven times and this presentation was the best ever. He was inspired by the infrastructure project planned in the [Southwest Corridor] as he has been in the area and has had a friend living in the C & C Community for a long time. The idea [of moving from rental to homeownership] is rockin'! City staff noted that the C & C Community had to incorporate and become an official organization while NeighborWorks Montana facilitated the process. Beckett noted that the staff is excited about the project and are pleased with the improvements already made in the community after it was purchased by the residents.

Councilmember Joy: Totally supports this and wanted to thank City staff and the Community Development Board for doing a fabulous job on this. Wonderful job – the C & C Community happens to be in Ward 3, wonderful, absolutely wonderful. She said she was glad that the Community Development Board wanted to take on this infrastructure project; it's going to turn out really fabulous.

Public comments are continued in the Summary section below.

Summary

Councilmember Neese: Noted a question about the data pointing to adequate affordable housing availability and how it is not available [to low income households] because people are living below their means. He said, "Why do you think that is and how can we rectify that?" Staff noted they could only offer a personal opinion; everyone learned a lot in the recession. Living below household means is something everyone talks about. People with greater incomes occupy units affordable to low and very low income households, so City staff has prioritized development of affordable housing units in the Consolidated Plan. Staff noted the very high number of households on the waiting list for the Housing Authority of Billings, particularly single-person households.

Councilmember Neese asked if we could duplicate the [C & C Community ownership] process with other trailer / mobile home parks. Staff said they really hoped so. The model of collecting lot rents is very lucrative for manufactured housing park owners, particularly if they are not making improvements to the site. They can increase the density of the park to further increase their income. There has to be an owner willing to sell a park and there has to be an organization like NeighborWorks Montana. Mary Lou Affleck facilitated the incorporation and purchasing process for the residents. There were persons living in the units for decades that never spoke to one another while they were renters. As owners, they are working together and helping one another out during the pandemic, cleaning up the properties together, etc. Staff hopes the City can fund more of these types of projects and would recommend funding any infrastructure project in any low income neighborhood in the City. Councilmember Neese also asked about the total amount of funding used for CDBG and HOME administration.

Councilmember Ronning: The Housing Authority waiting list number is over 7,000 households; staff notes that this is the largest number we have ever seen. Councilmember Ronning really appreciates the presentation and she watched staff online on the Facebook livestreaming of the Community Development Board meeting. They are a great Board and they are really participating – exciting to see.

The AmeriCorps VISTA program is very significant on many different levels. One of the areas she hopes staff adds to the list [of VISTA accomplishments] is the Indian Child Welfare Act (ICWA) Court. That is massive – not just significant in Billings. ICWA Court was developed by a Billings VISTA volunteer and it was the fourth court established nationwide. The Billings ICWA Court now travels nationwide to give presentations, trainings, and teachings and that really put Billings on the national level due to the work of the Billings VISTA member. Staff noted that the VISTA member who put the ICWA Court together is Shannen Keene and she now is working at the Seattle Indian Health Board and there is also another VISTA alum working there as well.

Councilmember Purinton: Requested a copy of the presentation and also requested a breakdown of what administration would pay for. Staff explained that administration pays for staff salaries, training costs, printers, paper, office supplies, etc. There are 15 spaces in the Miller Building and the City Council pays for the office space. We can have over 50 VISTA members per year and 15 to 30 members on board at any one time, so a lot goes on in the office.

Jim Corson – Public Hearing Call-In Hotline: Noted he is on the Community Development Board. He praised City staff; they are absolutely wonderful, the best, so helpful, and everyone is great to work with. He was going to hype the presentation but the City Council seemed to like it. He encouraged the City Council to support the Consolidated Plan and funding recommendations. Mayor Cole thanked Mr. Corson for his work on the Board and his contribution to the community.

Section II: The Process

PR-05 Lead & Responsible Agencies

24 CFR 91.200(b)

Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The City of Billings - Community Development Division staff is responsible for preparing the Consolidated Plan and administration of CDBG and HOME grant programs.

Agency Role	Name	Department/Agency
CDBG Administrator	City of Billings Brenda Beckett, Division Manager	Community Development Division
HOME Administrator		

HUD Table 1 - Responsible Agencies

Consolidated Plan Public Contact Information

Brenda Beckett, Community Development Manager
Community Development Division, 2825 3rd Avenue North, Billings, MT
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Web: www.BillingsMT.gov/comdev

PR-10 Consultation

91.100, 91.200(b), 91.215(l)

Introduction

A number of organizations in the community are invited to participate in planning affordable housing and community development-related activities in Billings and are asked to comment on the Consolidated and Annual Action Plans. Consultations include review of the plan with public and private agencies that provide health care, social services and fair housing education. Populations targeted for consultation include agencies that provide services for children, the elderly, the disabled, minorities, persons with HIV / AIDS and their families, and homeless individuals and families.

The Consolidated Plan was distributed widely during the public comment period and interested persons were invited to attend a number of staff-facilitated, regularly scheduled meetings to find out more about Community Development initiatives. Routine meetings were facilitated through staff for the Community Development Board as the majority of Board members represent lower income neighborhoods.

Affirmatively Furthering Fair Housing: Historically, the five-year cycle utilized for the Billings Analysis of Impediments to Fair Housing Choice has not coincided with the City's five-year Consolidated Planning cycle. This schedule was implemented primarily due to the expense of conducting both fair housing and housing needs / market analyses in the same fiscal year. While HUD has recommended regional collaboration to affirmatively further fair housing and equal opportunity, the City's fair housing analyses have been limited to the City of Billings limits.

Therefore, the City of Billings has been working to reconcile the timing of the fair housing assessment process with the City's five-year Consolidated Plan cycle in order to heighten conformity to HUD's recommendations. Further, the City is committed to regional planning efforts along with other entitlement communities and the State of Montana.

In early 2017, the City of Billings started collaborating with entities across Montana to construct a regional 2020 fair housing analysis. This collaboration includes partnerships with the State of Montana's Department of Commerce (MDOC), the City of Missoula, and the City of Great Falls. Seven full-year AmeriCorps Volunteers in Service to America (VISTA) members have been placed to assist with this fair housing / equal opportunity initiative:

- **Montana Department of Commerce, Helena:** One member began in July 2017 and one additional member began in January 2018.
- **City of Billings:** One member began service in August 2017 in the Community Development Division. Two members began service in the Planning Division in January 2018.
- **Cities of Great Falls and Missoula:** One VISTA member was placed in each of these jurisdictions in January 2018 and a third VISTA member was placed in Missoula in January 2019.

Efforts to reach the public for public input on fair housing needs and issues include the development and distribution of a Fair Housing Community Survey in 2017 and a resiliency survey in 2018.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

Public Housing: The Housing Authority of Billings is primarily responsible for administration of the public housing and Section 8 Programs for the community. The Housing Authority is an independent organization established under the laws of the State of Montana. Board members for the Housing Authority are appointed by the Mayor for the City of Billings. *91.100(c)*

Housing Opportunities for Persons with AIDS: Public and private agencies have assisted the City in reviewing the Consolidated Plan. Local organizations providing housing, health services, and social services have been involved in planning processes for the homeless and chronically homeless. The City does not receive Housing Opportunities for Persons with AIDS (HOPWA) funding directly, but supports the Human Resources Development Council District 7 in their implementation of HOPWA goals and objectives. *91.100(b)*

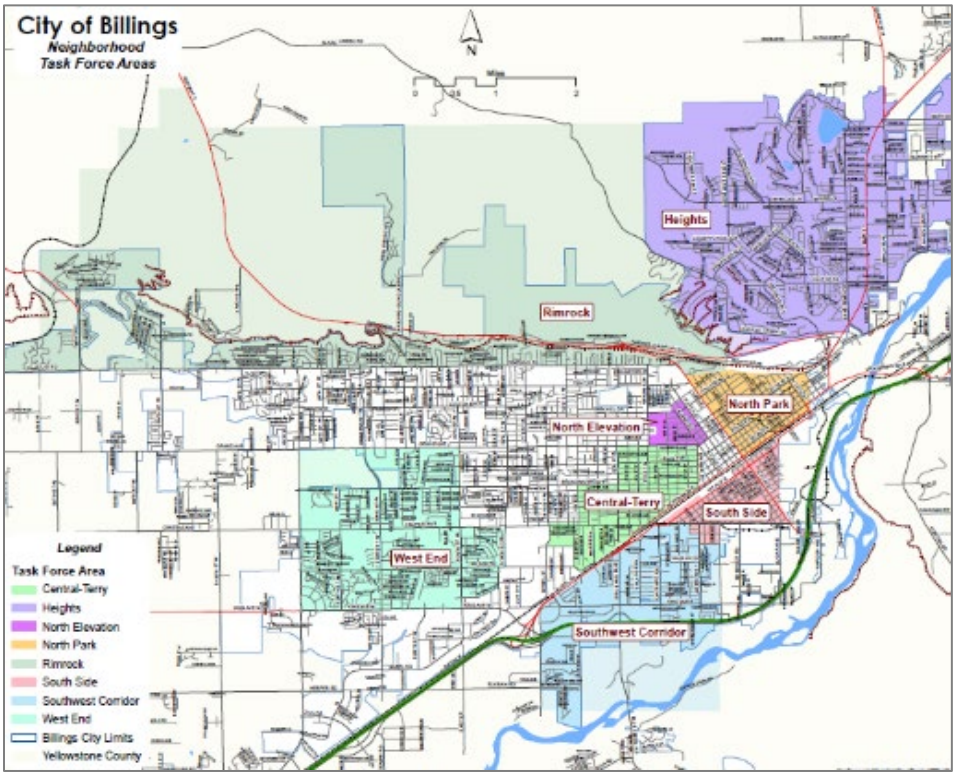
Adjacent Governments: Communication regarding non-housing community development needs is conducted via collaboration through adjacent units of local government including the State of Montana and Yellowstone County. *91.100(a)(4)*

Metropolitan Planning: The City of Billings - Community Development Division is included in the Planning and Community Services Department. The Department, overall, includes Code Enforcement, Planning / Transportation (includes the City of Billings and Yellowstone County), and the Building Division. These Divisions work internally to implement the Growth Policy, Infill Policy, Transportation Plan and Neighborhood Plans collectively. All City-assisted projects are reviewed for residential access to public transportation and broadband infrastructure. *91.100(a)(5)*

Community Development Board: The ***Community Development Board*** is a citizen's advisory board consisting of nine members who are appointed by the Mayor of Billings with the consent of the City Council. Six members are appointed to represent low income neighborhoods of the City as defined by federal regulations for the CDBG program and three members represent the community at large. This board serves in an advisory capacity to the City Council for the purpose of providing citizen input on policy decisions to the City Council. The Community Development Board makes recommendations to the City Council regarding the Consolidated Plan, the Annual Action Plan, the Citizen Participation Plan, and the CAPER. In addition, the Community Development Board reviews applications submitted for CDBG and HOME funding in order to make funding recommendations to the City Council for approval.

Billings City Council: The ***Billings City Council*** is the final governmental policy body that reviews and takes action on the Annual Action Plan, including the Citizen Participation Plan. The Community Development Board presents recommendations to the City Council during a scheduled work session preceding the public hearing each April in order to deliver information on decisions made regarding recommendations. After receipt and consideration of public comments, the City Council has the opportunity to approve the Consolidated Plan and Annual Action Plan and proposed funding allocations. Following approval, the Consolidated Plan and Annual Action Plans are forwarded to HUD.

Low-Income and Minority Households: In order to encourage citizen participation emphasizing the involvement of low income and minority residents in areas where housing and community development funds may be spent, the City's Community Development Board is comprised of six members representing lower income neighborhoods. The City's Planning and Community Services Department also continues to coordinate meetings with the Adjacent Neighborhood Committee including those representing the City's low income areas with high concentrations of minorities.



Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

Continuum of Care Funding: Funding is provided to the State of Montana and are distributed by the State to various regions in Montana through the Human Resource Development Councils (HRDCs). A Continuum of Care application is prepared on a statewide basis and the City plays a small role in this process. One or two organizations in Billings may receive Continuum of Care funding, but a very small percentage of the available Continuum of Care funding is allocated to local projects; five to seven percent annually.

Billings Metro VISTA Project: In order to maintain momentum for City's ten-year plan to impact homelessness, the City's Community Development Division created an AmeriCorps Volunteers in Service to America (VISTA) program known as the ***Billings Metro VISTA Project***; sponsored by the Corporation for National and Community Service. VISTA members work to create or expand community-based programs, services, and systems that prevent and intervene in homelessness. VISTA members may be supervised by City staff for over-arching, community-wide benefit programs and they can also be supervised by nonprofit organization staff that are spearheading efforts to impact poverty and homelessness.

Statewide Continuum of Care: The Montana Continuum of Care Coalition (MT CoC) is the statewide organization designed to bring homeless service providers together from across the state in order to identify needs, inventory resources, recognize gaps and prioritize HUD funding as part of a greater planning effort to eradicate homelessness in Montana. The coalition was formed to address homelessness with very few resources to cover Montana's vast geographical area. In 2012, MT CoC restructured to incorporate a Board of Directors to oversee the operations of the coalition. The MT CoC consists of 15 delegates; ten from districts mirroring the same planning districts used by the Montana Department of Health and Human Services and five at-large delegates. The Board of Directors is the decision-making entity for the MT CoC and is responsible for ensuring compliance with the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act.

Local Continuum of Care: The South Central Montana Continuum of Care serves as the City's local Continuum of Care organization. It is a subsidiary of the MT CoC and represents Big Horn, Carbon, Stillwater, Sweet Grass, and Yellowstone counties. The South Central Montana Continuum of Care collaboratively works to develop, support, and promote a continuum of resources, services, and housing opportunities that prevent homelessness and promote long-term stability.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate Emergency Solutions Grant (ESG) funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of Homeless Management Information System (HMIS)

The City does not receive ESG funds as an entitlement; these funds are distributed statewide by the Montana Department of Public Health and Human Services through ten HRDCs throughout the state. Therefore the City does not develop performance standards, evaluate outcomes or develop funding, policies or procedures for the administration of HMIS.

District 7 HRDC utilizes ESG funding for homeless prevention activities and rapid-rehousing. HRDC staff does not maintain a waiting list due to the volume of households in need. HRDC has received additional HUD Continuum of Care funds for rapid-rehousing homeless families living in shelters.

Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

Table 1 - Agencies, groups, organizations who participated

#	Agency/Group/Organization	Type(s)	Consolidated Plan Section(s)	How Consulted / Outcomes
1.	Housing Authority of Billings	Public Housing Authority; Services - Homeless	Housing Need Assessment; Public Housing Needs; Homeless Needs - Chronically Homeless, Families with Children, Veterans; Homelessness Strategy; Market Analysis; Anti-Poverty Strategy	Email / phone / web retrieval; data exchange for the development of relevant sections
2.	Homeword	Housing	Housing Need Assessment; Market Analysis; Anti-Poverty Strategy	
3.	Rimrock	Housing; Services - Persons with Disabilities	Housing Need Assessment; Homeless Needs - Chronically Homeless; Anti-Poverty Strategy	
4.	Mental Health Center	Housing; Services - Persons with Disabilities	Housing Need Assessment; Non-Homeless Special Needs; Anti-Poverty Strategy	
5.	Family Service, Inc.	Services - Housing	Housing Need Assessment; Market Analysis; Homeless Needs - Families with Children; Homelessness Strategy; Anti-Poverty Strategy	
6.	District 7 HRDC	Housing; Services - Housing, Children, Persons with HIV/AIDs, Homeless	Housing Need Assessment; Homeless Needs - Chronically Homeless, Families with Children; Homelessness Strategy; HOPWA Strategy; Anti-Poverty Strategy	
7.	Adult Resource Alliance	Services - Elderly Persons	Housing Need Assessment; Non-Homeless Special Needs; Anti-Poverty Strategy	
8.	Big Sky Senior Services	Services - Elderly Persons	Housing Need Assessment; Non-Homeless Special Needs; Anti-Poverty Strategy	
9.	Living Independently for Today and Tomorrow	Housing; Services - Persons with Disabilities	Housing Needs Assessment; Market Analysis; Non-Homeless Special Needs	
10.	City of Billings - Planning Division	Local Government; Planning Organization	Housing Needs Assessment; Market Analysis; Economic Development; Anti-Poverty Strategy; Broadband Access; Resiliency	
11.	YWCA Gateway House	Housing; Services - Domestic Violence, Children	Housing Needs Assessment; Market Analysis; Homeless Needs - Families with Children; Anti-Poverty Strategy	
12.	Billings Public Schools	Services - Homeless, Education	Homeless Needs - Families with Children; Anti-Poverty Strategy	
13.	Billings Job Service	Services - Employment	Economic Development; Anti-Poverty Strategy	
14.	Montana Fair Housing	Services - Fair Housing	Housing Needs Assessment; Non-Homeless Special Needs; Anti-Poverty Strategy	
15.	The Alliance	Health Agency	Non-Homeless Special Needs; Anti-Poverty Strategy	
16.	Montana Department of Commerce	State; Housing	Housing Need Assessment; Market Analysis; Anti-Poverty Strategy	
17.	Billings Public Works Department	Local Government	Non-Housing Community Development Needs	
18.	Billings Police Department	Local Government; Services - Domestic Violence, Homeless	Housing Need Assessment; Anti-Poverty Strategy	

#	Agency/Group/Organization	Type(s)	Consolidated Plan Section(s)	How Consulted / Outcomes
19.	Domestic Violence Unit	Local Government; Services - Domestic Violence	Housing Need Assessment; Anti-Poverty Strategy	Email / phone / web retrieval; data exchange for the development of relevant sections
20.	Big Sky Economic Development	County Government	Economic Development; Anti-Poverty Strategy	
21.	Montana Epidemiology, Addictive / Mental Disorders	Health Agency; Services - Health, Persons with HIV/AIDS, Disabilities, Homeless; State Government	Housing Need Assessment; Non-Homeless Special Needs	
22.	Civic Consulting	Services - Homeless	Homeless Strategy	
23.	NeighborWorks Montana	Housing	Housing Need Assessment; Market Analysis; Anti-Poverty Strategy	
24.	RiverStone Health	Health Agency; Services - Homeless	Non-Homeless Special Needs; Homeless Strategy; Lead-Based Paint Strategy; Anti-Poverty Strategy	
25.	Downtown Billings Alliance	Business and Civic Leaders	Homeless Needs - Chronically Homeless; Economic Development; Anti-Poverty Strategy	
26.	Adjacent Neighborhood Task Force	Civic Leaders; low income Area Representatives; Neighborhood Organization	All	Public Meeting
27.	Billings City Council	Local Government; Civic / Business Leaders	All	Public Notices / Public Hearing / Public Meetings
28.	Community Development Board	Civic / Business Leaders, Low income Area Representatives ; Neighborhood Leaders	All	Public Notices / Public Meeting
29.	Yellowstone County Emergency Services	County Government	Resiliency	Email / phone / web retrieval; data exchange for the development of relevant sections

Identify any Agency Types not consulted and provide rationale for not consulting

The City of Billings staff is not aware of any agency types that have not been consulted in preparation of the Consolidated Plan. City staff contacted many agencies to assist with the development of the Consolidated Plan and has widely circulated information relative to proposed programs and funding allocations to garner feedback. Additional efforts were made during the public comment period to distribute the Consolidated Plan for review and feedback.

Describe other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Montana State Continuum of Care	Identifies Federal and State resources to impact homelessness.
Growth Policy	City of Billings - Planning Division	Promotes affordable housing and infill development.
Infill Policy	City of Billings - Planning Division	Promotes affordable housing and infill development.
Annexation Policy	City of Billings - Planning Division	Promotes infill development.
Transportation Plan	City of Billings - Planning Division	Improves transit impacting project affordability
Neighborhood Plans	City of Billings - Planning Division and Neighborhood Task Forces	Guides development efforts in each neighborhood.
Consolidated Plan	Montana Department of Commerce - Community Development	State CDBG and HOME resources may be available to further projects. Consultation and coordination of statewide Analysis of Impediments to Fair Housing Choice.

HUD Table 3 - Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

The City of Billings - Community Development Division is included in the Planning and Community Services Department. The Department, overall, includes Code Enforcement, Planning / Transportation (includes the City of Billings and Yellowstone County), and the Building Division. These Divisions work internally to implement the Growth Policy, Annexation Policy, Infill Policy, Transportation Plan and Neighborhood Plans collectively. All projects are reviewed for residential access to public transportation.

PR-15 Citizen Participation

Summary of citizen participation process/Efforts made to broaden citizen participation. Summarize citizen participation process and how it impacted goal-setting.

Public comments are requested at least 30 days prior to submission of reports required under HUD's Consolidated Plan process. City staff has considered all written comments by citizens, public agencies and other interested parties prior to submission of its final Consolidated Plan and related reports to HUD and attach a summary of each comment to the final submission. If written comments were not accepted for inclusion in the Plan, City staff has provided written explanation of why those comments were not accepted.

Staff utilizes data-driven analysis processes along with citizen and community participation to establish goals, strategies and funded activities.

Citizen Participation Outreach

#	Mode of Outreach	Target of Outreach	Summary of response/attendance
Summary of comments not accepted and reasons: No comments were rejected.			
1	Public Notices	Nonprofit and other organizations with an interest in CDBG and / or HOME funding opportunities	Public Notices regarding the availability of CDBG and HOME funding were published through the Yellowstone County News on December 6 and 13, 2019.
	The City received one application for infrastructure development from NeighborWorks Montana for the C & C Community.		
2	Public Notices	Nonprofit organizations with an interest in AmeriCorps VISTA funding opportunities	Public Notices regarding the availability of AmeriCorps VISTA resources were published through the Yellowstone County News on December 6 and 13, 2019.
	The City received numerous proposals for AmeriCorps VISTA placements for projects designed to impact poverty.		
3	Public Notices	Minorities, Disabled, Broad Community, Public & Assisted Housing Residents, All Citizens	Public Notices regarding the publication of the drafted Consolidated Plan on the City's website, the public comment period from March 28 to May 11 and the May 11, 2020 City Council Public Hearing were published in the Yellowstone County News on March 27, April 3, and April 10, 2020. A revised notice was published on April 17 & 24, May 1, 8 & 15, 2020 to include additional public engagement options due to the coronavirus pandemic. Public comment period was extended from 30 to 45 days to accommodate additional planning and outreach efforts to include virtual meeting attendance and participation.
	See the appendix for a summary of responses.		
4	Website	Minorities, Disabled, Broad Community, Public & Assisted Housing Residents, All Citizens	The drafted Consolidated Plan was available online from March 28 to May 11, 2020 for public comment and feedback. Emails were also sent to Billings area nonprofit, healthcare, and housing organizations.
	See the appendix for a summary of responses.		
5	Public Meeting	Minorities, Disabled, Broad Community, Public & Assisted Housing Residents, All Citizens	Community Development Board meeting on May 5, 2020 was streamed live and video is available on demand on the Billings Planning and Community Services Department Facebook page.
	As of mid-June, 130 people were reached, the video was viewed 80 times, and there were 44 public engagements.		
6	Public Meeting	Minorities, Disabled, Broad Community, Public & Assisted Housing Residents, All Citizens	City Council public hearing held on May 11, 2020 was streamed live and video is available on demand at www.comm7tv.com. Streamed live and video is available on demand at www.facebook.com/comm7tv.
	As of mid-June, the video was viewed 324 times. See the appendix for a summary of responses.		

HUD Table 4 - Citizen Participation Outreach

Section III: Needs Assessment

NA-05 Overview

Needs Assessment Overview

The Needs Assessment is intended to provide a clear picture of the City's needs related to affordable housing, special needs housing, community development and homelessness. The overall intent of the Needs Assessment is to identify high priority needs that may be addressed by the Consolidated Plan.

NA-10 Housing Needs Assessment

24 CFR 91.205 (a,b,c)

Summary of Housing Needs

The City's Consolidated Plan must include a precise summary of the City's estimated housing needs projected for the duration of the Plan.

Demographics	Base Year: 2009	Most Recent Year: 2015	% Change
Population	104,170	108,135	4%
Households	41,841	44,095	5%
Median Income	$45,004	$51,012	13%

HUD Table 5 - Housing Needs Assessment Demographics *Data Source: 2005-2009 & 2011-2015 ACS*

Demographics: Billings has an estimated four percent population increase over the past several years. The number of households increased by five percent during this period, slightly exceeding the rate of population change, and median income increased by 13%.

Number of Households Table

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households*	5,797	5,465	7,985	4,530	20,315
Small Family Households* (two to four members)	1,544	1,414	2,574	1,480	9,700
Large Family Households* (five or more members)	100	230	595	290	1,760
Household contains at least one person 62-74 years of age	1,005	1,065	1,384	1,124	4,195
Household contains at least one person age 75 or older	829	1,115	1,465	455	1,424
Households with one or more children 6 years old or younger*	950	840	1,564	644	1,874
** the highest income category for these family types is >80% HUD Area Median Family Income (HAMFI)*					

HUD Table 6 - Total Households *Data Source: 2011-2015 CHAS*

Total Households: The HUD Area Median Family Income (HAMFI) analysis in the table above indicates the highest number of total households have income over 100% AMI. In this group, the following categories contain the largest number of households in all income categories: small family households and households with at least one person between the ages of 62 and 74. Excluding total households and households with incomes over 80%, the next largest cohort includes households with incomes between 50% and 80% AMI (7,985). The largest cohort in the low income categories is the small family households group (over 30%).

Housing Needs Summary Tables

1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	85	85	135	40	345	4	10	0	0	14
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	10	30	25	0	65	0	0	10	0	10
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	135	120	165	40	460	4	25	75	45	149
Housing cost burden greater than 50% of income (and none of the above problems)	2,549	630	130	70	3,379	909	570	380	85	1,944
Housing cost burden greater than 30% of income (and none of the above problems)	570	1,335	1,045	120	3,070	460	670	1,098	595	2,823
Zero/negative Income (and none of the above problems)	154	0	0	0	154	180	0	0	0	180

HUD Table 7 - Housing Problems *Data Source: 2011-2015 CHAS*

Cost Burden: Over 80% of low income households have been paying more than 30-50% of their income for housing costs and the cohort impacted most significantly are renters with very low incomes less than 50% of the AMI.

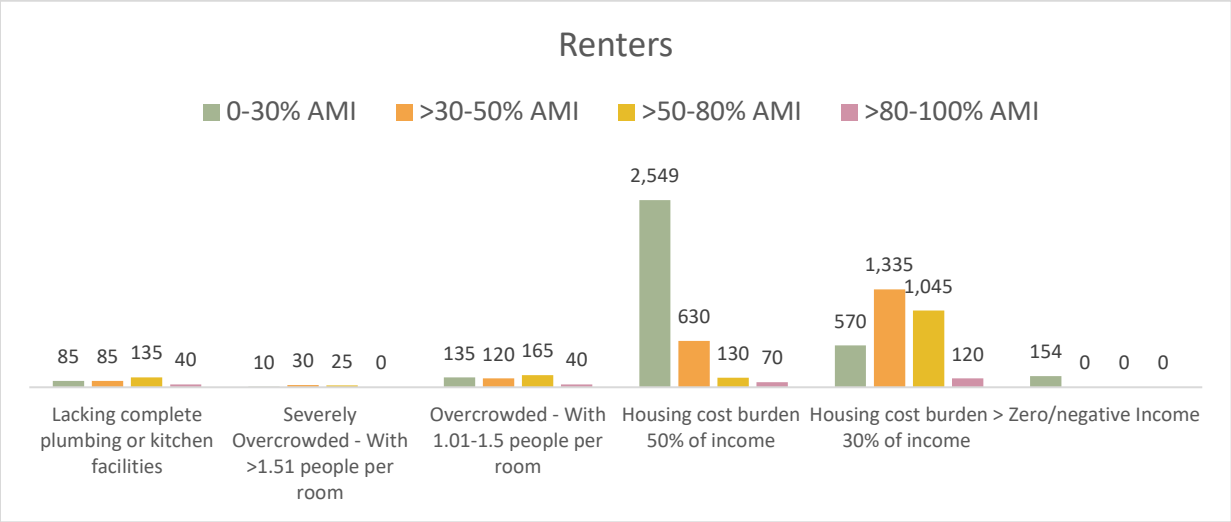


Chart is included in PDF version of the plan - uploaded as an IDIS Attachment

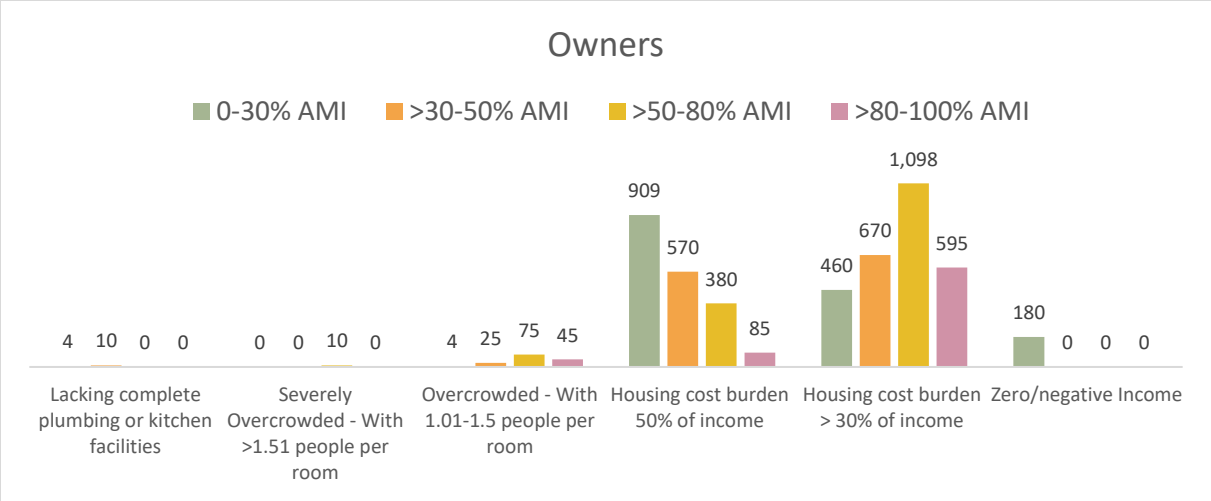


Chart is included in PDF version of the plan - uploaded as an IDIS Attachment

2. Housing Problems 2

Households with One+ Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	2,779	865	460	150	4,254	919	605	460	130	2,114
Having none of four housing problems	1,044	2,155	3,340	1,409	7,948	725	1,845	3,725	2,840	9,135
Household has negative income, but none of the other housing problems	154	0	0	0	154	180	0	0	0	180

HUD Table 8 - Housing Problems 2 *Data Source: 2011-2015 CHAS*

Housing Problems: The majority of renters and owners in most income categories do not have any of the four identified housing problems. A slightly higher percentage of low income households have one or more of the four housing problems than all households represented in the table above.

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	1,130	580	394	2,104	140	365	514	1,019
Large Related	45	110	85	240	19	20	205	244
Elderly	655	480	325	1,460	819	545	479	1,843
All Other Households	1,519	950	445	2,914	400	315	325	1,040
Total need by income	3,349	2,120	1,249	6,718	1,378	1,245	1,523	4,146

HUD Table 9 - Cost Burden > 30% *Data Source: 2011-2015 CHAS*

Cost Burdened Over 30%: Small related households *(two to four related members)* and the elderly represent nearly 60% of the total cost burdened renters and owners categories in the table above. Households with incomes less than 30% AMI represent 44% of the group. When separating renters from owners, the largest renter cohort paying over 30% of household income for housing expenses is the small-related cohort (32%). For owners, the largest group is the elderly (44%).

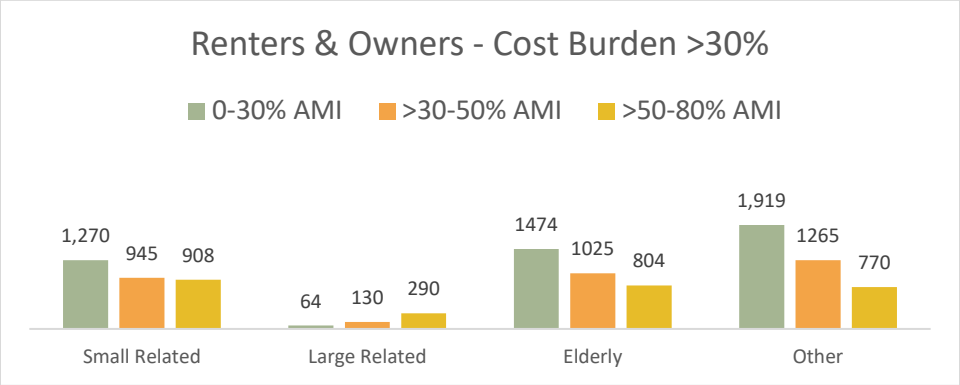


Chart is included in PDF version of the plan - uploaded as an IDIS Attachment

4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	895	170	25	1,090	105	195	160	460
Large Related	35	15	0	50	4	0	10	14
Elderly	530	275	140	945	484	205	145	834
All Other Households	1,244	230	25	1,499	325	170	65	560
Total need by income	2,704	690	190	3,584	918	570	380	1,868

HUD Table 10 - Cost Burden > 50% *Data Source: 2011-2015 CHAS*

Cost Burdened Over 50%: According to data provided in the above table, the highest need for all renter / owner household types is the zero to 30% AMI group, comprising 66% of total households. The highest need populations are the elderly followed by small-related households.

When considering renters alone, 75% of all renters with household incomes less than 30% AMI are cost burdened. Small-related and elderly households are the largest renter cohorts and comprise 57% of the overall group respectively.

Forty-nine percent of owners are in the zero to 30% AMI category. Overall, 45% of owner households are elderly followed by small-related households at 25%. Collectively, the elderly and small-related households comprise 69% of the overall homeownership households identified in the table.

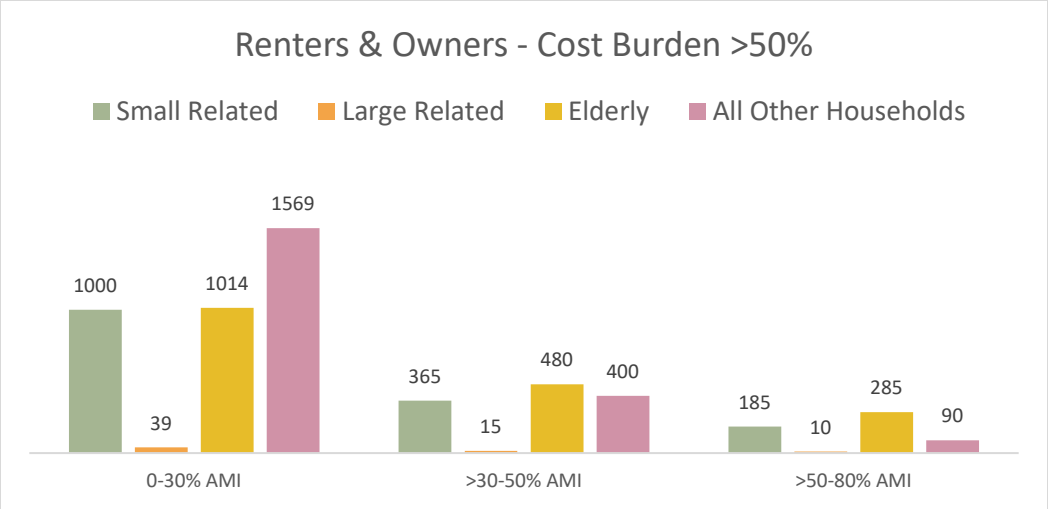


Chart is included in PDF version of the plan - uploaded as an IDIS Attachment

5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Single family households	145	120	190	40	495	4	0	85	35	124
Multiple, unrelated family households	0	30	0	0	30	0	25	0	15	40
Other, non-family households	10	0	0	0	10	0	0	0	0	0
Total need by income	155	150	190	40	535	4	25	85	50	164

HUD Table 11 - Crowding Information *Data Source: 2011-2015 CHAS*

Crowding: The City of Billings does not appear to have significant issues with crowding although households with very low incomes have a higher prevalence of crowding.

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
# Households with Children Present	42	40	51	133	1	7	23	31

HUD Table 12 - Crowding Information - 2 of 2 *Data Source: Statistical Atlas & 2011-2015 CHAS*

Children – Crowding: For the table above, City staff utilized Statistical Atlas to determine 26.8% of all households in Billings have children under the age of 18 in residence. HUD data was utilized with this percentage to estimate crowding by tenancy and household income.

Describe the number and type of single person households in need of housing assistance.

According to the 2010 Census, Billings had 43,945 households and one person occupied 32.6% of the homes (approximately 14,326 people / units). The percentage of people experiencing poverty may have decreased in recent years. According to Montana Quick Facts from the US Census, the 2009-2013 Billings poverty rate was 15.2%. The 2014-2018 American Community Survey estimated 10.2% of persons in Billings are experiencing poverty. Using the latter poverty estimate, 1,461 single person households may be in need of housing assistance. This estimate does not account for those individuals who have previously received assistance.

The Housing Authority of Billings has 2,220 and 2,166 single person households on their waiting list for public housing units and the Section 8 program, respectively. All of these households have incomes less than 30% of the AMI. This represents a significant need for housing assistance and smaller unit size, as the Housing Authority only manages 32 one-bedroom units at present.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.

Disabled: The American Community Survey identified 13,942 disabled residents in Billings (13% of the 107,130 population in 2017).

Living Independently for Today and Tomorrow (LIFTT) is a nonprofit organization employing and serving those with disabilities. The organization provides information and service referrals, linkage with personal care assistants, assists with independent living skills and offers a peer-mentoring program. LIFTT is also an advocacy organization supporting those with disabilities in all facets of life.

According to LIFTT staff, the most pressing needs for disabled citizens in Billings is rental assistance and accessible housing, both in rentals and ownership. LIFTT receives requests for the construction of ramps and for home modifications. LIFTT advocates for the rehabilitation of current housing units and new housing construction conformity to ***visitability*** standards, which includes no-step entrances, wide hallways and an accessible ground-level bathroom. Visitability standards accommodate residents and visitors with disabilities in addition to the aging population in Billings. New housing should be placed in areas of town with accessible sidewalks and public transportation.

The Housing Authority of Billings estimates 736 households classified as *disabled* on the public housing waiting list and an additional 799 disabled households on the waiting list for the Section 8 program; nearly 37% of the total waiting list. The need in this household category is not specific to household size; all bedroom sizes can accommodate these populations.

Domestic Violence: Domestic violence is a significant issue in Billings. In 2019, the Billings Police Department responded to 613 calls, up from a previous five-year high of 580 calls in 2017. This data was retrieved from a recent Billings Gazette article regarding a new domestic violence specialty court.

The Yellowstone Women's Christian Association (YWCA) Gateway program provides housing and services for victims of domestic violence in Billings. YWCA staff previously noted a lack of affordable housing for families transitioning out of Gateway. The organization recently opened a 24 one and two bedroom apartment complex on its campus. Residents have access to YWCA services at no cost, including financial, legal, and clinical counseling; education and skills training and job placement. The Housing Authority of Billings does not collect domestic violence status on housing assistance applications. The number of people in this special needs category on the waiting list cannot be determined.

What are the most common housing problems?

Cost Burden: HUD's data indicates the greatest housing problem in Billings for both owners and renters of all income levels is housing cost burden. Over 80% of low income renter / owner households have been paying more than 30-50% of their income for housing costs. In the renter category, the largest group is small-related households followed by the elderly. For owner households, the largest group is the elderly followed by small-related households.

Other data sources report that the majority of local citizens are not worried about the cost of housing, nor are they experiencing housing cost stress. According to the Community Health Needs Assessment, less than 30% of survey respondents worry about the cost of housing. This data point is in alignment with the City's National Citizen Survey results, as approximately 70% of respondents reported that they were not experiencing housing cost stress.

Access to Housing: The most recent vacancy rates available from the Housing Authority of Billings point to a tight assisted housing rental market. The vacancy rate is less than two percent for public housing and Section 8 housing is 100% leased. There are over 6,000 households on the waiting list for assistance through the Housing Authority and over 4,300 of these are one-person households with income less than 30% AMI. These data indicate an exceptionally high need for smaller housing units affordable to extremely low income citizens.

Overall housing vacancy rates are relatively stable at five percent over the last several years. Homeownership rates have also been stable and new affordable housing development has outpaced the City's population growth. A recent article published by the Federal Reserve Bank of Minneapolis notes the growth in home pricing has greatly exceeded median household income. The median price of a home was nearly three times the median household income in 2000. In 2017, the sale price was four times the median income.

The Community Health Needs Assessment survey respondents indicate housing access issues relative to low income households, and low barrier housing for people living with mental illness. Half of the City's National Citizen Survey respondents indicate adequate housing options are available in the community, although only 32% indicate adequate access to quality, affordable housing.

Housing Quality: Surveys conducted for renters, current and potential homeowners reveals a great need for increased housing affordability, quality and availability. Low income aging, disabled, and single-parent homeowners often need help with routine repairs and maintenance to keep their homes in good condition, but simply cannot perform the work themselves or afford to hire a contractor to complete the work. Disabilities congruent with increasing age may prevent the elderly from performing maintenance and home improvement tasks. Key informants participating in the Community Health Needs Assessment note that the City does not have a housing quality code. Renters may deal with a lack of heat, pests, and substandard housing conditions. Surveys conducted for renters and current homeowners revealed great need for affordable home repair programs, including a desire for enhancements to energy-efficiency.

Are any populations/household types more affected than others by these problems?

Cost burdening impacts extremely low income *(less than 30% AMI)* households the most. In the rental housing market, small families are the most affected followed by the elderly. For owners, the elderly are most cost burdened followed by small families.

Describe the characteristics and needs of low income individuals and families with children (especially extremely low income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance.

Poverty, coupled with limited affordable housing options, contribute to housing instability for many low income individuals and families in Billings. Persons at imminent risk of homelessness typically have a combination of influencing financial factors including a lack of living wage job, rent in excess of 30% of their income, medical or transportation costs. Households with limited incomes can also experience additional hardships, such as family conflict, domestic violence, doubled-up living arrangements, criminal history and / or mental health / chemical dependency. Any of these factors create housing instability, particularly in the event of an unforeseen or unplanned economic hardship.

Formerly homeless individuals and families need stable income commensurate with a livable wage, affordable housing, education, training, reliable transportation, health services, and employment opportunities. Families may also need affordable childcare to accommodate education and employment commitments.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates

The City is not including a numerical estimate of the at-risk population in Billings.

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

The high cost of rent and deposits in Billings are contributing factors to housing instability. These issues are compounded when the City's vacancy rate for assisted rental units is below two percent.

Discussion

In conclusion, cost burden is the most significant housing issue for low income households. Smaller families and the elderly are the largest cohorts experiencing housing cost burden. Over 80% of low income households have been paying greater than 30-50% of their income for housing costs. For renters, the cost burden is more significate with small related households followed by the elderly. With homeowners, cost burden is more significant with the elderly followed by small related households.

Homeownership housing pricing has outpaced income levels indicating a continued need for down payment and closing costs assistance to promote housing stability for low income families. The high percentage of elderly homeowners experiencing housing cost burden indicates the need for home repair programs.

There are enough housing units in Billings to accommodate the population, although there is a housing deficit of over 4,700 units for households with incomes less than 30% of the AMI. The total number of affordable units for the 50% and 80% AMI households exceeds the need. This has created a surplus of 1,193 housing units for 50% AMI households and over 9,000 units for households with incomes up to 80%

AMI. Many affordable units are occupied by higher income households. The data indicates a need for the development of housing units affordable to extremely low income families. There appears to be a surplus of housing affordable to higher income cohorts. Housing developers might consider converting existing, larger housing units to accommodate smaller families and single-person households.

The Housing Authority of Billings manages several federal housing programs and maintains a high performance status. The waiting list for access to Housing Authority units is particularly concerning. There are over 6,200 households on the Housing Authority of Billings waiting lists. Single-person households are the largest cohort on the waiting list, indicating a clear need for housing development or conversion to meet the needs of smaller households. Availability of housing affordable to very low income households is also a significant issue. Over 2,000 households are waiting for single-person housing. The high number of single-person households on the Housing Authority's waiting list indicates the need to expand the number of publicly assisted rental units.

NA-15 Disproportionately Greater Need: Housing Problems *91.205 (b)(2)*

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole. For this purpose, disproportionately greater needs exist when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least ten percentage points higher than the percentage of persons in the category as a whole.

Introduction

For the purposes of data analysis, HUD has provided data from the 2011-2015 Comprehensive Housing Affordability Strategy (CHAS) to demonstrate the number of households with certain housing problems in each income strata. This data is derived from the American Community Survey (ACS).

0%-30% of Area Median Income

Housing Problems - Lacks complete kitchen facilities - Lacks complete plumbing facilities - More than one person per room - Cost burden > 30%	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Percentage in need and comparison to baseline data	
Jurisdiction as a whole	4,728	734	334	82%	Baseline
White	3,814	624	309	80%	Similar
Black / African American	60	0	0	100%	Higher
Asian	35	0	0	100%	Higher
American Indian, Alaska Native	385	100	15	77%	Similar
Pacific Islander	0	0	0	-	-
Hispanic	334	14	10	93%	Higher

HUD Table 13 - Disproportionally Greater Need 0 - 30% AMI *Data Source: 2011-2015 CHAS*

Zero to 30% AMI - Housing Problems: The total number of households for the jurisdiction as a whole is 5,796 in the zero to 30% AMI category. The above table illustrates 82% of the jurisdiction as a whole *(baseline)* is experiencing one or more of the four housing problems, similar to the White and American populations. Black / African American, Asian, and Hispanic households are disproportionately impacted by housing problems. The Black / African American and Asian population represents less than two percent of the total population in this chart. However, the Hispanic cohort represents over six percent of the total population in this chart. Collectively, minorities with higher need than the baseline measurement comprise nearly eight percent of the total cohort.

30%-50% of Area Median Income

Housing Problems - Lacks complete kitchen facilities - Lacks complete plumbing facilities - More than one person per room - Cost burden > 30%	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Percentage in need and comparison to baseline data	
Jurisdiction as a whole	3,465	1,995	0	63%	Baseline
White	2,920	1,860	0	61%	Similar
Black / African American	85	0	0	100%	Higher
Asian	0	0	0	-	-
American Indian, Alaska Native	170	25	0	87%	Higher
Pacific Islander	0	0	0	-	-
Hispanic	260	60	0	81%	Higher

HUD Table 14 - Disproportionally Greater Need 30 - 50% AMI *Data Source: 2011-2015 CHAS*

30% to 50% AMI - Housing Problems: The total number of households for the jurisdiction as a whole is 5,460 in the 30% to 50% AMI category. The table above illustrates data showing 63% of the jurisdiction as a whole has one or more housing problems, similar to the White population. When compared to the jurisdiction as a whole, a higher percentage of Black / African American, American Indian, and Hispanic households have at least one housing problem. These minority populations represent nearly 11% of the total households in this category.

50%-80% of Area Median Income

Housing Problems - Lacks complete kitchen facilities - Lacks complete plumbing facilities - More than one person per room - Cost burden > 30%	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Percentage in need and comparison to baseline data	
Jurisdiction as a whole	3,059	4,920	0	38%	Baseline
White	2,529	4,420	0	36%	Similar
Black / African American	99	0	0	-	-
Asian	19	0	0	100%	Higher
American Indian, Alaska Native	180	140	0	56%	Higher
Pacific Islander	10	0	0	100%	Higher
Hispanic	130	299	0	30%	Lower

HUD Table 15 - Disproportionally Greater Need 50 - 80% AMI *Data Source: 2011-2015 CHAS*

50% to 80% AMI - Housing Problems: The total number of households for the jurisdiction as a whole is 7,979 in the 50% to 80% AMI category. The table above illustrates data showing 38% of the jurisdiction as a whole has one or more housing problems, similar to the White population. This baseline measurement is eight percent lower than the Hispanic population in the chart. The Asian, American Indian, and Pacific Islander populations in this chart have at least one housing problem. Collectively, this minority cohort represents just over four percent of the total households represented in the chart.

80%-100% of Area Median Income

Housing Problems - Lacks complete kitchen facilities - Lacks complete plumbing facilities - More than one person per room - Cost burden > 30%	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Percentage in need and comparison to baseline data	
Jurisdiction as a whole	995	3,533	995	18%	Baseline
White	910	3,283	910	18%	Same
Black / African American	0	0	0	-	-
Asian	20	15	20	36%	Higher
American Indian, Alaska Native	15	55	15	18%	Same
Pacific Islander	0	0	0	-	-
Hispanic	4	120	4	3%	Lower

HUD Table 16 - Disproportionally Greater Need 80 - 100% AMI *Data Source: 2011-2015 CHAS*

80% to 100% AMI - Housing Problems: The total number of households for the jurisdiction as a whole is 5,523 in the 80% to 100% AMI category. The above table illustrates data showing 18% of the jurisdiction as a whole has one or more housing problems, the same as White and American Indian populations. The Asian population has a much higher percentage of households with at least one housing problem. This cohort represents approximately one percent of the table's population.

Discussion

When considering the zero to 80% AMI households collectively, nearly 60% of the households have one or more of the four housing problems. The HUD tables above indicate 1,767 minority households from zero to 80% AMI have disproportionately greater need for resolution of one or more housing problem. A higher percentage of low income Black, Asian, Native American, and Hispanic families have one or more housing problem. Housing problems are impediments to fair housing choice for these cohorts.

The majority of local citizens are White, although the city is becoming more diverse. According to the Diversity Data website, Whites made up 91.5% of the population in Billings in the year 2000. This has decreased to 88.7% of the population by 2010 and to 87% in 2012. The greatest percentage change in the resident population by race and ethnicity appears to be greatest for the City's multi-racial category of two or more races, followed by African Americans, American Indians, Hispanic Americans and Asians. The overall change in population for the White cohort is just over ten percent.

The Analysis of Impediments to Fair Housing Choice identified a dual housing market; one for Whites and Asians and one for American Indians, Hispanics and African Americans. Differences between actual and expected racial / ethnic census tract composition are likely due to housing discrimination. The probability of a dual, discriminative market exacerbates access to local housing, particularly for minorities and special populations.



Chart is included in PDF version of the plan - uploaded as an IDIS Attachment

NA-20 Disproportionately Greater Need: Severe Housing Problems *91.205 (b)(2)*

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole. For this purpose, disproportionately greater needs exist when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least ten percentage points higher than the percentage of persons in the category as a whole.

Introduction

For the purposes of data analysis, HUD has provided data from the 2011-2015 Comprehensive Housing Affordability Strategy (CHAS) to demonstrate the number of households with certain housing problems in each income strata. This data is derived from the American Community Survey (ACS).

0%-30% of Area Median Income

Severe Housing Problems - Lacks complete kitchen facilities - Lacks complete plumbing facilities - More than 1.5 persons per room - Cost burden > 50%	**Has one or more of four housing problems**	**Has none of the four housing problems**	**Household has no/negative income, but none of the other housing problems**	**Percentage in need and comparison to baseline data**	
Jurisdiction as a whole	3,698	1,769	334	64%	Baseline
White	3,049	1,384	309	64%	Same
Black / African American	50	10	0	83%	Higher
Asian	0	35	0	0%	Lower
American Indian, Alaska Native	300	185	15	60%	Lower
Pacific Islander	0	0	0	-	-
Hispanic	214	130	10	60%	Lower

HUD Table 17 - Severe Housing Problems 0 - 30% AMI *Data Source: 2011-2015 CHAS*

Zero to 30% AMI - Severe Housing Problems: The majority of households in this income category have one or more of the listed housing problems overall. Asian, American Indian, and Hispanic households rank lower than the jurisdiction as a whole. However, the Black cohort has a higher percentage of households with one or more housing problem than the overall cohort population.

30%-50% of Area Median Income

Severe Housing Problems - Lacks complete kitchen facilities - Lacks complete plumbing facilities - More than 1.5 persons per room - Cost burden > 50%	**Has one or more of four housing problems**	**Has none of the four housing problems**	**Household has no/negative income, but none of the other housing problems**	**Percentage in need and comparison to baseline data**	
Jurisdiction as a whole	1,470	4,000	0	27%	Baseline
White	1,235	3,545	0	26%	Similar
Black / African American	4	80	0	5%	Lower
Asian	0	0	0	-	-
American Indian, Alaska Native	120	75	0	62%	Higher
Pacific Islander	0	0	0	-	-
Hispanic	85	235	0	27%	Same

HUD Table 18 - Severe Housing Problems 30 - 50% AMI *Data Source: 2011-2015 CHAS*

30% to 50% AMI - Severe Housing Problems: African Americans appear to have a lower percentage of persons in need compared to the jurisdiction as a whole. The American Indian population has a much higher percentage of housing problems when compared to any other cohort.

50%-80% of Area Median Income

Severe Housing Problems - Lacks complete kitchen facilities - Lacks complete plumbing facilities - More than 1.5 persons per room - Cost burden > 50%	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Percentage in need and comparison to baseline data	
Jurisdiction as a whole	920	7,065	0	12%	Baseline
White	720	6,245	0	10%	Similar
Black / African American	25	74	0	-	-
Asian	0	19	0	0%	Lower
American Indian, Alaska Native	135	185	0	42%	Higher
Pacific Islander	0	10	0	0%	Lower
Hispanic	30	409	0	7%	Lower

HUD Table 19 - Severe Housing Problems 50 - 80% AMI *Data Source: 2011-2015 CHAS*

50% to 80% AMI - Severe Housing Problems: The American Indian population is the only cohort with a higher percentage of housing problems when compared to all other cohorts.

80%-100% of Area Median Income

Severe Housing Problems - Lacks complete kitchen facilities - Lacks complete plumbing facilities - More than 1.5 persons per room - Cost burden > 50%	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Percentage in need and comparison to baseline data	
Jurisdiction as a whole	280	4,249	0	6%	Baseline
White	215	3,984	0	5%	Similar
Black / African American	0	0	0	-	-
Asian	20	15	0	57%	Higher
American Indian, Alaska Native	4	60	0	6%	Same
Pacific Islander	0	0	0	-	-
Hispanic	0	125	0	0%	Lower

HUD Table 20 - Severe Housing Problems 80 - 100% AMI *Data Source: 2011-2015 CHAS*

80% to 100% AMI - Severe Housing Problems: The Asian cohort is the only group with a higher percentage of housing problems when compared to all other populations. This cohort accounts for 35 households in the above table.

Discussion

When comparing the baseline percentage of households with housing problems by race and ethnicity, the Black and American Indian cohorts are disproportionately impacted by severe housing problems if the household income is below 80% AMI. Severe housing problems are impediments to fair housing choice for these cohorts.

NA-25 Disproportionately Greater Need: Housing Cost Burdens *91.205 (b)(2)*

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole. For this purpose, disproportionately greater needs exist when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least ten percentage points higher than the percentage of persons in the category as a whole.

Introduction

For the purposes of data analysis, HUD has provided data from the 2011-2015 Comprehensive Housing Affordability Strategy (CHAS) to demonstrate the number of households with certain housing problems in each income strata. This data is derived from the American Community Survey (ACS).

The following HUD Table displays the cost burden information for Billings and each racial / ethnic group, including:

- No cost burden for those paying less than 30% of household income for housing
- Cost burden for those paying 30% to 50% of household income for housing
- Severe cost burden for those paying over 50% of household income for housing

Housing Cost Burden

Housing Cost Burden	<=30% No Cost Burden	30-50% Cost Burden	>50% Severe Cost Burden	No / negative income (not computed)	Percentage in need and comparison to baseline data	
Jurisdiction as a whole	31,168	6,919	5,668	334	29%	Baseline
White	28,800	5,875	4,840	309	27%	Similar
Black / African American	105	159	60	0	68%	Higher
Asian	185	65	20	0	31%	Similar
American Indian, Alaska Native	700	290	335	15	47%	Higher
Pacific Islander	0	10	0	0	100%	Higher
Hispanic	945	400	314	10	43%	Higher

HUD Table 21 - Greater Need: Housing Cost Burdens AMI *Data Source: 2011-2015 CHAS*

Discussion

Over 44,000 households are included in the table above. According to this table, the White and Asian populations are not experiencing housing cost burden. All of the ten Pacific Islander households represented in this chart are experiencing cost burden. The Black cohort represents the next highest percentage followed by the American Indian and Hispanic groups. Over 1,600 racial / ethnic minority households under 50% AMI are experiencing housing cost burden. Housing cost burden is an impediment to fair housing choice for these cohorts.

NA-30 Disproportionately Greater Need: Discussion 91.205(b)(2)

Are there any income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

Disproportionately greater need in racial / ethnic minorities relative to housing problems exists at all income levels. All racial / ethnic minorities have disproportionately greater need than the needs of the overall jurisdiction population. The total number of impacted households for all income categories is 2,698; just over 2,400 of these households qualifies as low income.

The American Indian population is the only cohort that is experiencing disproportionate need relative to one or more severe housing problem. This cohort represents over 1,100 families.

If they have needs not identified above, what are those needs?

The homeownership rate in Billings is much higher for the overall population, predominantly White, when compared to the rate of American Indian, Black, Hispanic and Asian residents. The highest percentage of people living in ownership housing are Whites, followed by Asians, Pacific Islanders, Hispanics, Blacks and American Indians. The percentage of people living in rental housing is directly opposite, with American Indians in the lead.

2010 Census - Billings	*Total Population in Occupied Housing Units*	*Mortgage*	*No Mortgage*	*Owner Occupied*	*% of Population in Owned Housing*	*Renter Occupied*	*% of Population in Rented Housing*
White Alone	92,227	48,969	15,451	64,420	70%	27,807	30%
Asian	597	299	68	367	61%	230	39%
Pacific Islander	105	45	6	51	49%	54	51%
Hispanic	4,182	1,654	336	1,990	48%	2,192	52%
African American	679	229	41	270	40%	409	60%
American Indian	3,964	934	166	1,100	28%	2,864	72%

Data Source: 2010 Census, Table is included in PDF version of the plan - uploaded as an IDIS Attachment

Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

Minorities appear more concentrated in several areas of the City. The Billings 2013 Analysis of Impediments to Fair Housing Choice indicated that the City has a rare opportunity to prevent segregation from developing. The early stages of segregation were identified in Census tracts 3.0, 9.02, and 2.0 with a pattern of segregation moving westward. There appears to be an isolated minority concentration on the far west end of Billings (Census Tract 17.03) with a ten percent minority population.

NA-35 Public Housing 91.205(b)

Introduction

The Housing Authority of Billings is responsible for the administration of the public housing and Section 8 programs for the community. The Housing Authority is an independent organization established under the laws of the State of Montana. The City of Billings' Mayor appoints Board members for the Housing Authority.

The mission of the Housing Authority of Billings is to help families and individuals with lower incomes achieve greater stability and self-reliance by providing safe, affordable, quality housing and links to the community. The Housing Authority of Billings' five-year plan describes specific goals and objectives and the plan is available for review at the Housing Authority of Billings office located at 2415 1st Avenue North, Billings, Montana.

Shelter Plus Care, Single Room Occupancy and Supportive Housing Program funding amounts are not included in the City's Action Plan, as the funds are not available for allocation through the City's Consolidated Plan process. Funding allocated to the Housing Authority of Billings is contained in their Annual Action Plan and the City is not duplicating the reporting requirements that already exist in the Public Housing Agency Plan.

City staff enjoy a positive, collaborative relationship with the Housing Authority of Billings for affordable housing and community development projects. The City provided the Housing Authority of Billings $1,543,191 in CDBG and HOME funding from 1996 to 2014 to support affordable housing, including: family self-sufficiency; tenant-based rental assistance; low income area infrastructure; and affordable housing development. This funding has aided in the development of 75 new affordable housing units.

Totals in Use

	Program Type								
				Vouchers					
							Special Purpose Voucher		
	Certificate	Mod-Rehab	Public Housing	Total	Project -based	Tenant -based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled*
# of units vouchers in use	0	0	269	539	0	493	30	0	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-Year, and Nursing Home Transition

HUD Table 22 - Public Housing by Program Type *Data Source: PIC (PIH Information Center)*

Housing Authority of Billings (HAB) Assistance Program Usage / Demand - February 2020

Assistance Programs	Vouchers / Units in Use	Current Waiting List
HAB Housing Choice Voucher / Section 8 (Certificate)	688	2,168
Moderate Rehabilitation Section 8	33	0
Public Housing (Income Eligibility)	274	3,292
Section 8 Project-Based Vouchers	102	96
Department of Commerce Housing Choice Voucher Managed through HAB	450	469
Veterans Affairs Supportive Housing (VASH) Housing Choice Vouchers	80	50
Shelter Plus Care Vouchers	0	0
HOME Units	35	50
Tax Credit Units	62	100
Total:	**1,724**	**6,225**

Source: Housing Authority of Billings – Entered as Table in IDIS

Characteristics of Residents

	Program Type							
				Vouchers				
							Special Purpose Voucher	
	Certificate	Mod-Rehab	Public Housing	Total	Project -based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program
Average Annual Income	0	0	12,898	10,761	0	10,715	8,585	0
Average length of stay	0	0	4	4	0	4	0	0
Average Household size	0	0	3	2	0	2	1	0
# Homeless at admission	0	0	0	0	0	0	0	0
# of Elderly Program Participants (>62)	0	0	18	90	0	83	6	0
# of Disabled Families	0	0	52	205	0	186	10	0
# of Families requesting accessibility features	0	0	269	N/A	N/A	N/A	N/A	N/A
# of HIV/AIDS program participants	0	0	0	0	0	0	0	0
# of DV victims	0	0	0	0	0	0	0	0

HUD Table 23 - Characteristics of Public Housing Residents by Program Type *Data Source: PIC (PIH Information Center)*

Race of Residents

Program Type									
Race	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled*
White	0	0	162	430	0	390	25	0	0
Black/African American	0	0	6	19	0	18	1	0	0
Asian	0	0	0	4	0	4	0	0	0
American Indian/Alaska Native	0	0	100	84	0	80	3	0	0
Pacific Islander	0	0	1	2	0	1	1	0	0
Other	0	0	0	0	0	0	0	0	0
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-Year, and Nursing Home Transition									

HUD Table 24 - Race of Public Housing Residents by Program Type *Data Source: PIC (PIH Information Center)*

Ethnicity of Residents

Program Type									
Ethnicity	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled*
Hispanic	0	0	9	47	0	41	5	0	0
Not Hispanic	0	0	260	492	0	452	25	0	0
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-Year, and Nursing Home Transition									

HUD Table 25 - Ethnicity of Public Housing Residents by Program Type *Data Source: PIC (PIH Information Center)*

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units

Public Housing Tenant Needs: Data provided in the Housing Authority's Usage / Demand table represent the total number of vouchers and units available in the Billings area. The Public Housing program has a waiting list of over 3,000 households while only 274 units are available.

Waiting List for Accessible Units: The Housing Authority serves many households with a variety of special needs due to a disability. The Public Housing program has 37 handicap accessible units and the Housing Authority corporate subsidiary has 31 adaptable units. The Housing Authority has added several fully accessible and adaptable units of varying unit sizes to ensure accessibility for all applicant types including the vision impaired, hearing impaired or wheelchair accessible to accommodate the mobility impaired. When a wheelchair accessible unit becomes available, the Housing Authority staff spend several weeks trying to find an applicant with those needs ready to move, making the units sometimes difficult to fill.

What are the number and type of families on the waiting lists for public housing and Section 8 tenant-based rental assistance? What are the most immediate needs of residents of Public Housing and Housing Choice voucher holders?

There are 3,292 households on the Public Housing waiting list and 2,168 households on the Section 8 tenant-based waiting list. This indicates a high need for deposit, rent, and mortgage assistance. Applicants currently on all waiting lists by unit size are as follows:

- One bedroom: 2,220
- Two bedroom: 622
- Three bedroom: 211
- Four bedroom: 239

This data supports the high need for smaller units, particularly one-bedroom rentals. The Housing Authority of Billings only has 32 one-bedroom public housing units, indicating a high need for access to affordable housing coupled with a need for housing assistance. The elderly and disabled are typically higher need and placed first, leaving the remaining households on the waiting list.

The Housing Authority can meet the needs of hundreds of households through the Housing Choice Voucher / Section 8 program while thousands of households remain on the waiting list. Section 8 clients often have a difficult time finding units they can rent in higher income areas. Many rental units in Billings are too expensive for prospective tenants to use their Section 8 voucher. Housing Authority of Billings staff indicates many of those issued a voucher are actually unable to find a rental unit.

Voucher holders typically have less income, which makes daily life more challenging on most levels. Many need access to basic necessities such as education, literacy, transportation, employment, parenting skills, access to preschool, medical care / coverage and funds to support daycare expenses. They also need support to be able to follow through with program compliance and develop better skills to obtain higher paying jobs in the community.

How do these needs compare to the housing needs of the population at large

The needs of voucher holders greatly exceeds the housing needs of the population at large. Competition to secure housing often favors households who do not have credit barrier, can come up with required deposits and can pay premium rates for housing units. Additionally, the population at large is able to access housing in wide range of income areas, unlike voucher holders who are often unable to find affordable units in higher income areas that will accept their Section 8 voucher.

Introduction

The overall homeless population includes easily visible cohorts and others that are less visible, including unaccompanied youth, families, single adults, veterans and the working poor. Homelessness is not a lifestyle choice for the majority of those experiencing it. According to the Montana point-in-time count, there were 465 people experiencing homelessness in January 2019. Previous surveys indicate a decrease in homelessness in Billings by over 200 people. An article in the Billings Gazette noted that homelessness in Billings increased in 2017 by ~29% with 709 individuals participating in the point-in-time count.

Bob Buzzas, Montana Continuum of Care, provided data for the charts in this section. The grey columns contain information the Montana Continuum of Care does not submit to the HUD Data Exchange nor does it have an effective method for estimating this data.

Homeless Needs Assessment

Population	Estimate # of persons experiencing homelessness on a given night		Estimate # experiencing homelessness each year	Estimate # becoming homeless each year	Estimate # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Unsheltered	Sheltered				
Persons in Households with Adult(s) and Child(ren)	6	45				
Persons in Households with Only Children	0	2				
Persons in Households with Only Adults	47	113				
Chronically Homeless Individuals	8	14				
Chronically Homeless Families	6	25				
Veterans	6	23				
Unaccompanied Youth	0	2				
Persons with HIV	0	0				

HUD Table - Data Source: Bob Buzzas, Montana Continuum of Care, February 2020

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

Chronically homeless individuals are often the most visible amongst the homeless population. HUD defines *chronic homelessness* as having a disability and either having been homeless for over a year or having experienced at least four episodes of homelessness within the past three years. In Billings, only seven percent of those represented in the charts above were chronically homeless individuals. An additional ten percent of those counted were chronically homeless families. Seventeen percent of those experiencing homelessness in Billings are households with adults and children. Veterans comprise ten percent of the overall homeless population and unaccompanied youth represent less than one percent of the total population.

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans

According to the data provided in the above tables, there are 51 persons in households with adults and children and 29 veterans. Data is not available relative to the needs of families of veterans.

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group

According to the data provided herein, the Billings homeless population is predominantly White (52%). American Indians are the largest and most disproportionately represented minority group amongst the homeless community. Despite representing less than four percent of the general population in Billings (2017 American Community Survey), American Indians represent 41% of the total homeless population. The Hispanic population represents 18% of the homeless population identified in the chart below and just over five percent of the overall population is Hispanic in Billings.

Nature and Extent of Homelessness

Race:	Sheltered	Unsheltered
White	70	18
Black or African American	6	1
Asian	1	1
American Indian	44	26
Pacific Islander	1	3
Ethnicity:	**Sheltered**	**Unsheltered**
Hispanic	21	14
Not Hispanic	119	39

HUD Table - Data Source: Bob Buzzas, Montana Continuum of Care Coalition
February 2020

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness

Pursuant to the HEARTH Act, sheltered and unsheltered homeless are defined as follows:

- **Sheltered Homeless:** An individual or family living in a supervised publicly or privately operated shelter designed to provide temporary living arrangements *(including congregated shelters, transitional housing, and hotels and motels paid for by charitable organization or by federal, state, or local government).*
- **Unsheltered Homeless:** An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

Seventy-five percent of those represented in the charts above were sheltered and 75% were reportedly sheltered.

Introduction

HUD requires the City to describe, to the greatest extent practicable, the level of housing need for persons who are not homeless but require supportive housing, including the elderly, frail elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and victims of domestic violence, dating violence, sexual assault and stalking.

American Community Survey and Census estimates may be useful at some level to determine overall disability rates, it is also important to note the margin of error for some data sets is quite large in many combined categories.

Describe the characteristics of special needs populations in your community

Elderly (ages 62+): There are 109,550 people living in Billings (2018 Census estimates) and 16.4% of the total population in Billings is aged 65 and older, totaling 17,966 people.

Frail Elderly *(requires assistance with three or more activities of daily living, such as bathing, walking, and performing light housework):* The 2017 five-year American Community Survey estimated 1,268 people between the ages of 65 and 74 with a disability *(+/-165)* and an additional 1,382 *(+/- 187)* aged 75 years and older with a disability. The survey provided estimates for people over the age of 65 with the following difficulties: hearing *(1,093 people, +/- 324);* vision *(364 people, +/- 138);* self-care *(1,185 people, +/- 746);* or independent living *(4,793 people, +/- 1,067).*

Persons with Disabilities: The American Community Survey estimates indicate a civilian non-institutionalized population of 107,620 individuals, of which, 13.5% / 13,594, have a disability. Just over 12% of the White population is disabled while nearly 19% of those reporting two or more races are disabled.

Addiction: Montana's Office of Epidemiology and Scientific Support provides recent statistics on drug / alcohol use. The annual death rate from alcohol-related causes is much higher than the national rate (42 deaths per 100,000 people versus 29 in the nation). The Community Health Needs Assessment indicates 205 area adults are excessive drinkers.

Mental Health: The Office of Epidemiology and Scientific Support alcohol states 270 Montana citizens die by suicide each year and in 2017, the suicide rate was two times higher than the national *rate (29 deaths per 100,000 people versus 14 deaths per 100,000 people in the United States).* Males account for 80% of suicide deaths in Montana. One in ten high school students reported having attempted suicide in the past twelve months. According to the Community Health Needs Assessment, behavioral health is the most difficult health care option to access in the county.

Persons with HIV/AIDS: According to the Montana Department of Health and Human Services, approximately 21 people are diagnosed with HIV each year. In 2018, 24 newly diagnosed HIV cases were reported in Montana. Data is not currently available relative to the number of cases in Billings.

Domestic Violence Victims: Over 20% of Community Health Needs Assessment survey respondents indicate they have been a victim of domestic violence at least one time in their life. This figure is higher than the nation's 14% data point.

What are the housing and supportive service needs of these populations and how are these needs determined?

One of the most significant housing problems in Billings for both owners and renters of all income levels and populations is housing cost burden. Single-person households with incomes less than 30% AMI are also a very high need as per the Housing Authority of Billings waiting list. Nearly 1,800 minority households with incomes less than 80% AMI are experiencing one or more housing problems.

Elderly: Housing affordability continues to be a challenge for the elderly, particularly those who are homeowners.

Persons with Disabilities, HIV/AIDS and Domestic Violence Victims: Service providers indicate continued need for rental housing assistance and owner-occupied housing rehabilitation. Supportive services include linkage to transportation, medical / dental care, child care, reliable and sustainable food sources, and case management.

Addicted Persons: The development of sober living housing options are in demand in Billings, along with behavioral / addiction health services. Additionally, a short-term sobering center with accelerated access to inpatient, detoxification treatment and long-term addiction treatment options would be helpful in serving addicted persons.

Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area

The Community Health Needs Assessment indicates 103 individuals in Yellowstone County are living with HIV. Nearly 75% of new HIV infections occur in men and 45% of new infections occur in African Americans, 35% in Whites, and 17% in Hispanics.

NA-50 Non-Housing Community Development Needs 91.215 (f)

Describe the jurisdiction's need for Public Facilities

Information on local nonprofits who manage senior centers, facilities for the disabled, facilities serving the homeless, youth centers, child care and health facilities can be found in other sections of this Consolidated Plan. Federal HUD funds are not presently utilized for public facilities outside of affordable housing development, but may be included in future Annual Action Plans based on funding applications submitted to the City.

For public facilities specific to City management, the Public Works Department spearheads a five-year Capital Improvement Planning process beginning each November. All City departments are given an opportunity to review past projects and proposed projects for the next five years. Worksheets aid in the development of proposals for new projects and financial or descriptive modifications to existing projects. By mid-January, projects are prioritized based on input from the public during the course of the year. Every two years in February, the Public Works Department holds two public hearings to review the Capital Improvement Plan in order to garner need and prioritize projects over the next five years. For a full listing of CIP projects, the entire plan can be found online here.

Current public facility needs include the development of two new fire stations to meet national standards. The new stations would be located in the Heights (northern Billings) and on the western area of Billings. The area covered by the fire department has increased significantly and needs have outpaced fire station capacity. Construction of the new stations may be included in future efforts to pass a public safety mill levy. Other public facility needs have been identified in the Capital Improvement Plan available online.

How were these needs determined?

Needs are determined through public hearings and input gathered throughout the year. Data from the Billings Police and Fire Departments has also been provided during public meetings and is available on the City's website.

The City has also conducted extensive *Citizen Surveys* to garner feedback regarding community needs. The Citizen Surveys can be found on the City's website at the following link. The survey focuses on many City attributes, including: community quality; design; public safety; environmental stability; recreation and wellness; community inclusiveness; civic engagement; and public trust. Most residents rated the overall quality of life in Billings positively. Compared to national benchmarks, employment opportunities ranked much higher in Billings.

Describe the jurisdiction's need for Public Improvements

The need for public improvements is outlined in the City's current Capital Improvement Plan. Please see information provided above.

How were these needs determined?

Please see information provided above.

Describe the jurisdiction's need for Public Services

City Public Services: The City's Citizen Survey's open-ended questions indicated a strong need for public safety including response to crime and safety services. Data provided by the Billings Police Department indicate historic increases in violent and property crime. Crime rates are driven largely by addiction and mental illness.

Improvements to downtown safety include increased foot, bike, and vehicle patrols along with improved crime mapping analysis and interventions. Staffing needs to be increased to support prosecutor caseloads. Special emphasis on crime prevention efforts, code enforcement, and traffic safety have also been identified as jurisdictional public service needs.

Food Security and Poverty-Impact: According to local social service providers, there is a demonstrated need for food security and poverty-impact initiatives in the Billings area. Many individuals are experiencing housing cost burden, which constrains household income available to meet other basic needs. Social service agencies serving the elderly note specific food security issues as a high need.

Health Care: Lower income residents are experiencing poorer health due to lack of access to medical and dental care, mental and physical health issues, and unhealthy behaviors. They are also classified as having greater health risk and a higher prevalence of chronic conditions than higher income individuals. Access to healthcare coverage continues to be an issue for many low income households.

How were these needs determined?

As previously noted, the City's Citizen Survey reports and Community Health Needs Assessment were utilized to determine needs. Additional consultation was completed with local social service providers.

Section IV: Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview

Billings is the largest and most populated city in Montana. The City spans over 44 square miles and approximately 110,000 people reside within the city limits. The City has prospered economically and has been able to withstand market changes like the recession. However, there are more significant housing issues that need to be addressed.

The majority of low income households in Billings are experiencing housing cost burden. There are enough housing units to accommodate the population, however there is a significant deficit of affordable housing units available to extremely low and very low income households. Minorities are disproportionately impacted by housing problems; lacking a complete kitchen or plumbing facilities; overcrowding; and / or housing cost burden. Housing problems are a significant impediment to fair housing choice for these cohorts.

MA-10 Number of Housing Units

91.210(a)&(b)(2)

Introduction

The American Community Survey identified over 47,000 housings units in Billings; the majority are single-family residences. Over 80% of the owner-occupied housing units have three or more bedrooms while rental units are slightly smaller; 44% of rental units have two bedrooms.

The City's Growth Policy includes projections for several different growth scenarios in Billings, including anticipated costs and revenues for each. Infill and adjacent neighborhood growth was the lowest cost and highest revenue option, while low density expansion through the west end of Billings was the highest cost option. Infill and adjacent growth also has the highest anticipated return on investment at 14% compared to all other scenarios (under six percent).

The City manages 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.

All residential properties by number of units

Property Type	Number	%
1-unit, detached structure	28,790	61%
1-unit, attached structure	2,850	6%
2-4 units	5,515	12%
5-19 units	3,785	8%
20 or more units	2,934	6%
Mobile Home, boat, RV, van, etc.	3,180	7%
Total	47,054	100%

HUD Table 26 - Residential Properties by Unit Number *Data Source: 2011-2015 ACS*

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	50	0%	515	3%
1 bedroom	325	1%	4,395	27%
2 bedrooms	4,780	17%	7,154	44%
3 or more bedrooms	22,565	81%	4,300	26%
Total	27,720	99%	16,364	100%

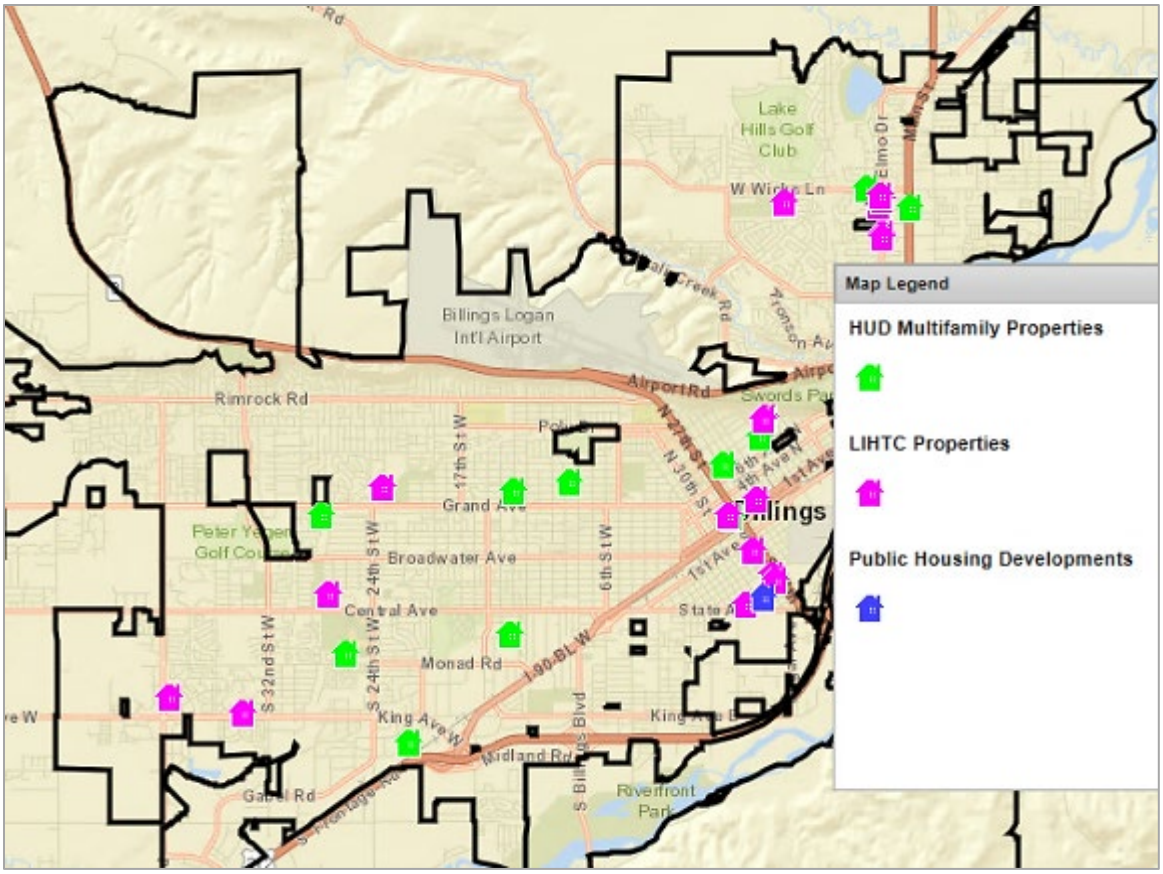
HUD Table 272 - Unit Size by Tenure *Data Source: 2011-2015 ACS*

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs

Local: The City's First Time Home Buyer program assists 30 to 50 low income households under 80% AMI each year with down payment and closing costs. Several owner-occupied households are assisted in making necessary repairs through the Housing Rehabilitation program. Many of the households served through repair programs require accessibility repairs / installations to accommodate those with disabilities. The City also manages the Foreclosure Acquisition / Rehabilitation program and has acquired, rehabilitated and sold homes for the past decade. Properties are sold to households with incomes less than 80% AMI. Several of these homes have been sold to very low income families and to households with disabled person(s).

The Billings Metro VISTA Project provides health, mental health, housing, and economic development activities for nonprofits working with those experiencing poverty. Over the past five years, the VISTA members assisted nonprofit organizations in assisting 2,000 low income people with services.

The Housing Authority of Billings provides housing for over 1,700 families. Additional information regarding the services provided by the Housing Authority is located in the MA-25 section of this Consolidated Plan.



CPD Maps, https://egis.hud.gov/cpdmaps/

Federal: HUD Multifamily Properties in Billings include (but are not limited to):

- Volunteers of America, Aspen Grove, 64 Units
- Volunteers of America, Magic City Terrace, 84 Units
- Big Sky Apartments, 80 Units (78 Assisted)
- Pleasant View, 101 Units (100 Assisted)
- Sunrise Manor, 24 Units
- Grand View Apartments, 24 Units
- Rose Park Plaza, 112 Units, also a Low Income Housing Tax Credit (LIHTC) project
- Western View Apartments, 84 Units (34 Assisted)
- Beartooth Homes, 15 Units
- Fraser Tower, 64 Units, also a LIHTC project
- Prairie Tower Apartments, 109 Units (108 Assisted)
- Ponderosa Acres, 120 Units

State: Billings LIHTC Projects include (but are not limited to):

- Sage Tower, 81 Units (76 Assisted)
- Acme Hotel Apartments, 19 Units
- Agape Housing, 9 Units
- Southern Lights, 20 Units

- Central Court Village, 81 Units (80 Assisted)
- Spring Garden Apartments, 8 Units
- South Forty Apartments, 100 Units
- Shiloh Glen Apartments, 120 Units
- YWCA Gateway VISTA Apartments
- Chapel Court, 50 Units

Whitetail Run Apartments received additional federal funding to develop 32 units in 2009. An additional public housing unit is identified on the Community Planning Development (CPD) Maps website with a total of 274 units. This figure likely represents the 274 housing units owned and managed by the Housing Authority of Billings.

Affordable Housing Online has identified 27 total federally-assisted affordable rental housing projects in Billings containing 1,517 units. The number of units, on average, for affordable rentals is 56 and the largest project is West Park Village at 179 total units. Seven projects provide 477 housing units for the elderly. A total of 1,378 units also come with rental assistance to make the cost of housing affordable for very low income households.

Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts

Outside of the sale of single-family housing units, the Housing Authority does not anticipate any loss in affordable housing units during the period of this plan. The Housing Authority plans on developing smaller housing units to better accommodate waiting list families. City staff does not anticipate the loss of other assisted housing units in the Billings community owned by other nonprofit housing providers during the period of this plan.

Does the availability of housing units meet the needs of the population?

According to the Federal Reserve Bank of Minneapolis, the population in Billings has increased by 12,300 residents, nearly eight percent, from 2010 to 2018. The local housing market has produced about 8,400 units since 2010, representing a nearly 12% increase. The majority of these housing units are single-family residences. Given these figures, housing development is outpacing population growth.

However, the housing needs of extremely and very low income households have been exacerbated by rising costs and there are not enough rental housing units affordable. The number of low income renters outnumber the supply of housing units they can afford.

There are enough housing units in Billings to accommodate the population, although there is a housing deficit of over 4,700 units for households with incomes less than 30% of the AMI. The total number of affordable units for the 50% and 80% AMI households exceeds the need. This has created a surplus of 1,193 housing units for 50% AMI households and over 9,000 units for households with incomes up to 80% AMI. Many affordable units are occupied by higher income households.

The Housing Authority of Billings manages several federal housing programs and maintains a high performance status. The waiting list for access to Housing Authority units is particularly concerning. There

are over 6,200 households on the Housing Authority of Billings waiting lists. Single-person households are the largest cohort on the waiting list, indicating a clear need for housing development or conversion to meet the needs of smaller households. Availability of housing affordable to very low income households is also a significant issue. Over 2,000 households are waiting for single-person housing.

Describe the need for specific types of housing

The greatest housing need in Billings is the development and renovation of affordable housing for both owners and renters with incomes from zero to 80% AMI. Local housing options are limited due to cost burden and increased competition for available units. The Housing Authority of Billings has identified over 2,000 low income households on the waiting list for single-person households, indicating a high need for smaller affordable housing units.

MA-15 Housing Market Analysis: Cost of Housing 91.210(a)

Introduction

Rental and ownership housing costs have increased significantly over time. Utilizing HUD-provided data provided in the City's last Consolidated Plan and the table methodology below, the median home value has increased 98% over the past 15 years and the median contract rent has increased 59%. In the year 2000, the median home value was $96,700 and in 2015 it was $191,200. On average, median home values have increased by 6.5% per year. Median contract rent was $425 in the year 2000 and in 2015, the rent was $677. This represents a 59% increase and an annual average increase of 3.9%. The majority of renters are paying $500 to $999 per month, followed by those paying less than $500 per month.

Cost of Housing

	Base Year: 2009	Most Recent Year: 2015	% Change
Median Home Value	160,300	191,200	19%
Median Contract Rent	546	677	24%

HUD Table 283 - Cost of Housing *Data Source: 2005-2009 & 2011-2015 ACS*

Rent Paid

Rent Paid	Number	%
Less than $500	3,648	22.3%
$500-999	9,968	60.9%
$1,000-1,499	1,969	12.0%
$1,500-1,999	365	2.2%
$2,000 or more	420	2.6%
Total	16,370	100.0%

HUD Table 29 - Rent Paid *Data Source: 2011-2015 ACS*

Housing Affordability

Number of units affordable to households earning	Renter	Owner
30% HAMFI	1,084	No Data
50% HAMFI	4,784	1,874
80% HAMFI	10,643	6,480
100% HAMFI	No Data	10,275
Total	16,511	18,629

HUD Table 30 - Housing Affordability *Data Source: 2011-2015 CHAS*

Monthly Rent

Monthly Rent ($)	Efficiency *(no bedroom)*	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom
Fair Market Rent	597	708	936	1,308	1,594
High HOME Rent	597	708	936	1,183	1,300
Low HOME Rent	597	668	801	925	1,032

HUD Table 31 - Monthly Rent *Data Source: HUD FMR and HOME Rents*

Is there sufficient housing for households at all income levels?

While there are enough overall affordable housing units in Billings, there are not enough units for extremely low income households. As previously noted, housing cost burden is most acute for households with incomes from zero to 30% AMI.

In the table below, data from HUD Table 30: Housing Affordability are compared to HUD data provided in the Total Households table (NA-10). This comparison estimates the difference between the number of affordable housing units and the number of households by income strata. There appears to be a disparity relative to the very low income households as there is a 4,700 unit deficit. Contrarily, nearly 1,200 units are available but not needed by the 50% AMI group and over 9,000 units available to 80% AMI households but are not needed.

Number of units affordable to households earning	Total # affordable units	Total Households by Income	Difference Between # Units and Households
30% HAMFI	1,084	5,797	(4,713)
50% HAMFI	6,658	5,465	1,193
80% HAMFI	17,123	7,985	9,138
Total	24,865	19,247	5,618

Data Source: HUD IDIS, 2011-2015 CHAS, Table is included in PDF version of the plan - uploaded as an IDIS Attachment

This disparity was also noted by the Federal Reserve Bank of Minneapolis. A recent article included CHAS data from 2012-2016 comparing household income with the number of households in rental units by housing unit affordability. Over 5,600 moderate / > median income households are living in extremely low, very low, or low income housing units (nearly 30% of all low income units).

		Number of households in rental units by housing unit affordability				
		Extremely Low Income Units	*Very Low Income Units*	*Low Income Units*	*Moderate Income Units*	***Total Households***
Household Income	Extremely Low Income	1,453	1,878	1,174	225	**4,730**
	Very Low Income	519	2,123	1,237	289	**4,168**
	Low income	469	2,112	2,184	355	**5,130**
	Moderate Income	182	644	1,130	119	**2,075**
	> Median Income	250	1,228	2,715	864	**4,517**
Total Housing Units		**2,873**	**7,995**	**7,900**	**1,852**	

Federal Reserve Bank of Minneapolis, 2012-2016 CHAS, Table is included in PDF version of the plan - uploaded as an IDIS Attachment

Another way to look at housing affordability is to compare what a household makes at varying income levels compared to fair market rents in Billings. In the following chart, gross income limits for the HOME program are utilized to demonstrate recommended maximum monthly housing costs.

30% Monthly Limits on Household Costs for Mortgage/Taxes/Insurance or Rental Unit

% AMI		30% AMI	50% AMI	80% AMI
HUD Category		Extremely Low Income	Very Low Income	Low Income
Household Size	1	$411	$686	$1,098
	2	$470	$784	$1,254
	3	$533	$881	$1,410
	4	$644	$979	$1,566
	5	$754	$1,058	$1,693
	6	$865	$1,136	$1,818
	7	$975	$1,214	$1,943
	8	$1,086	$1,293	$2,068

Community Development Division, 2019 HOME Income Limits
Table is included in PDF version of the plan - uploaded as an IDIS Attachment

Rental Housing: At fair market rates, a single-person household with an income housing cost limit of 30% AMI ($411) would not be able to afford an efficiency apartment at a rate of $597. Local housing choice is limited for extremely and very low income households, as shown in the table below. Housing choice is greatest for households with incomes over 80% AMI.

Affordability of Fair Market Rental Units by Household Size and Income Level

% AMI		30% AMI	50% AMI	80% AMI
HUD Category		Extremely Low Income	Very Low Income	Low Income
Household Size	1	-	Efficiency	Efficiency, 1 or 2 Bedroom
	2	-	Efficiency, 1 Bedroom	Efficiency, 1 or 2 Bedroom
	3	-		Efficiency, 1, 2, or 3 Bedroom
	4	Efficiency	Efficiency, 1 or 2 Bedroom	Efficiency, 1, 2, 3 or 4 Bedroom
	5	Efficiency, 1 Bedroom		
	6			
	7	Efficiency, 1 or 2 Bedroom		
	8			

Community Development Division, 30% of 2019 HOME Income Limits & Fair Market Rents
Table is included in PDF version of the plan - uploaded as an IDIS Attachment

Ownership Housing: In Yellowstone County, the median price of homes in 2009 was $181,000 and in 2014, the median sales price was just under $220,000. This represents nearly $40,000 increase in home prices over the past five years; $7,780 per year.

How is affordability of housing likely to change considering changes to home values and/or rents?

Housing affordability is expected to be more of a challenge as rent and housing prices continue to increase. Overall, citizens should expect to pay more for both rental and homeownership housing in Billings in future years.

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

HOME rental rates are higher than Fair Market Rent rates for both three and four bedroom units, which is similar to average rental rates in Billings. The Best Places website indicates the average rents are as follows: Studio - $605; One Bedroom - $715; Two Bedrooms - $945; Three Bedrooms - $1,325; and Four Bedrooms - $1,628. Rental housing development and rehabilitation remain primary strategies for the City of Billings to meet priority needs.

Monthly Rent

Monthly Rent ($)	Efficiency *(no bedroom)*	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom
Fair Market Rent	597	708	936	1,308	1,594
High HOME Rent	597	708	936	1,183	1,300
Low HOME Rent	597	668	801	925	1,032

HUD Table 324 - Monthly Rent *Data Source: HUD FMR and HOME Rents*

MA-20 Housing Market Analysis: Condition of Housing 91.210(a)

Introduction

The City has managed housing rehabilitation programs throughout the years in order to preserve and sustain the affordable housing stock in Billings. Decades of assistance to low income households has resulted in relatively few neighborhoods where the condition of housing is a primary concern. In recent years, the City has purchased foreclosed, vacant properties to help stabilize neighborhoods. All of the foreclosed properties purchased by the City required substantial rehabilitation. When complete, the units have been sold to low income households with affordable mortgages to support the long-term success of each assisted family.

Describe the City's definition for *substandard condition* and *substandard condition but suitable for rehabilitation.*

For the purposes of this plan, *standard condition* is a housing unit that passes Housing Quality Standard or Uniform Physical Condition Standards review via on-site staff inspection. Substandard condition of housing is defined by the City as properties requiring more than $25,000 in funding to complete all required code related improvements to the property. *Substandard condition but suitable for rehabilitation* would be those properties where a $25,000 investment would address all safety hazard conditions related items associated with the house within primary systems ranging from electrical, plumbing, heating, roofing, and foundation repairs.

HUD has defined housing condition problems as follows:

- Lacking a complete kitchen.
- Lacking complete plumbing facilities.
- Cost burdened - paying more than 30% of household income for housing costs.
- Overcrowded - more than one person per room, not including common spaces such as bathrooms, porches, hallways, etc.

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	5,610	20%	7,230	44%
With two selected Conditions	85	0%	470	3%
With three selected Conditions	10	0%	20	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	22,025	79%	8,645	53%
Total	**27,730**	**99%**	**16,365**	**100%**

HUD Table 33 - Condition of Units *Data Source: 2011-2015 ACS*

Year Housing Units Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	5,099	18%	2,169	13%
1980-1999	6,440	23%	3,699	23%
1950-1979	13,010	47%	7,075	43%
Before 1950	3,175	11%	3,425	21%
Total	**27,724**	**99%**	**16,368**	**100%**

HUD Table 34 - Year Unit Built *Data Source: 2011-2015 CHAS*

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	16,185	58%	10,500	64%
Housing Units build before 1980 with children present	2,837	10%	1,735	11%

HUD Table 35 - Risk of Lead-Based Paint *Data Sources: 2011-2015 ACS & 2011-2015 CHAS*

Need for Owner and Rental Rehabilitation

According to data provided in the Condition of Units table, the majority of homes in Billings, both owner- and renter-occupied, do not have any of HUD's defined housing condition problems. A total of 555 units have been identified with two housing condition problems; a very small portion of the overall housing inventory in Billings. Thirty housing units have been identified with three selected conditions.

Housing units with incomplete plumbing or kitchen facilities have been a small portion of the total housing units in the community. Despite their limited numbers, these units are of concern as some may be used by very low income households. Housing units are described as lacking complete plumbing facilities if there is an absence of hot and cold piped water, or a flushing toilet, or a bathtub or shower. Units are described as lacking complete kitchen facilities if there is an absence of a sink with piped water, or range / stove, or a refrigerator.

Most of the owner-occupied units rehabilitated through the City's programs have both complete kitchens and plumbing facilities. However, all of the units remodeled through the City's programs have suffered from extensive deferred maintenance, causing overall property deterioration and neighborhood decline. The City also provides funding through the Affordable Housing Development program to support rental redevelopment and renovations.

Vacant Units: The City of Billings does not have access to HUD data on the number of vacant units suitable for rehabilitation, therefore, the Vacant Units table was not available in IDIS. The rental vacancy rate in Billings was fairly high in 2012 at 7.8% and it has decreased to under five percent in recent years.

Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

Approximately 60% of all housing units (nearly 27,000 units) in Billings were built before 1979 and are at risk of containing lead-based paint. Not all of the homes built prior to 1979 contain lead-based paint and lead hazards. However, projects involving structures built prior to 1978 are considered to have the

potential for lead-based paint and consistent procedures have been developed to ensure compliance with federal regulations.

There are hundreds of housing units with lead-based paint hazards in each low income neighborhood that are occupied by low income families. For example, the North Park neighborhood is one of the City's lowest-income areas and there are approximately 357 owner-occupied and 473 renter-occupied housing units built before 1980. Just over 70 rental and 22 ownership housing units are in poor condition. The Southside neighborhood has a higher overall homeownership status; 137 rental and 48 homeownership units are in poor condition.

MA-25 Public and Assisted Housing 91.210(b)

Introduction

The Housing Authority of Billings was created in 1973 and ceased new development in the mid-1990s. Thorough information regarding the Housing Authority of Billings has been noted previously in the Needs Assessment - Public Housing (NA-25) section of this plan.

Totals Number of Units

Program Type									
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project -based	Tenant -based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled*
# of units vouchers available			274	618			271	0	0
# of accessible units									
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-Year, and Nursing Home Transition									

HUD Table 36 - Total Number of Units by Program Type *Data Source: PIC (PIH Information Center)*

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan

The Housing Authority of Billings owns and maintains many single- and multi-family housing developments across the City of Billings, totaling 274 units; designed in a variety of configurations. Housing Authority staff note a city the size of Billings should have triple the number of public housing units in comparison to other communities who continued new housing development activities.

The Housing Authority owns and manages 274 scattered site units in good condition. Units are continually upgraded with new siding, efficient mechanical systems, new roofs, appliances, energy efficient windows, lighting, floor coverings, and interior / exterior painting. A new energy performance contracting effort is under way to reduce utility consumption to make the units more energy-efficient.

Local public housing units must be inspected for adherence to quality standards on an annual basis. If the HAB achieves a *High Performer* score through the Public Housing Assessment System (PHAS), HAB staff can complete annual inspections. An outside contractor can then perform the inspections on a bi-annual basis.

Public Housing Condition

Public Housing Development	Average Inspection Score
AMP 1	High Performer / 96

HUD Table 37 - Public Housing Condition

Describe the restoration and revitalization needs of public housing units in the jurisdiction

The Housing Authority develops and implements improvement plans to maintain all of their units. The Housing Authority also plans to continue efforts to improve energy efficiency in lighting and water usage.

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing

The Housing Authority plans to continue providing prompt and efficient maintenance in order to maintain properties inside and out. The Housing Authority's standards are very high and this assists in maintaining tenant pride in their living environments. The Housing Authority also facilitates connections to community services that benefit tenants and encourages the development and support of whole and healthy families. The Housing Authority enforces lease provisions relative to safe and drug-free living.

The Housing Authority continually encourages involvement in the Family Self-Sufficiency program, promotes the development of sustainable food sources, and provides linkage to literacy and education programs. The promotion of homeownership opportunities through the Section 8 program will continue, which assists two to five households per year achieve homeownership. The Housing Authority also promotes involvement and service opportunities to support the community at large.

MA-30 Homeless Facilities and Services 91.210(c)

Introduction

A network of over 50 local service providers in the community strive to meet the diverse needs of those experiencing homelessness, those who are at-risk of homelessness, and people experiencing poverty. Available resources in the community do not adequately meet the needs of the general homeless population, particularly in regards to housing and temporary shelter beds. The current inventory of beds does not meet the needs of the approximately overall homeless individuals in Billings each night. The following agencies assist in the provision of emergency housing in Billings:

- **Community Crisis Center** provides an intervention services to unique individuals per month who are in crisis due to mental health, substance abuse or social service needs. Individuals who engage in mental health assessment and qualify for extended care may utilize stabilization service for up to 24 hours per visit.
- **Family Promise of Yellowstone Valley** provides emergency shelter to several families at a time in a network of church congregations. The organization also operates a transitional housing program that provides apartments for those who have graduated from the shelter program.
- **YWCA Gateway House** provides housing for female-headed households who have been victims of domestic violence. Additional services provided include case management, mental health treatment, budgeting assistance, and the facilitation of access to benefits. The organization also provides transitional housing and permanent supportive housing.
- **HRDC District 7** receives Emergency Shelter Grant funds and manages a rapid rehousing program to provide deposit and rent payment assistance to help families quickly regain stability into permanent housing.
- **Tumbleweed** provides emergency services for youth and families including emergency shelter placement.
- **Montana Rescue Mission** provides emergency shelter in year-round beds. The **Women and Family Shelter** provides year-round beds and some of the beds are reserved for individuals without children.

Facilities and Housing Targeted to Homeless Households

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Current & New Year-Round Beds	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	44	3	28	39	0
Households with Only Adults	67	20	40	80	0
Chronically Homeless Households	0	0	0	21	0
Veterans	0	0	39	103	0
Unaccompanied Youth	4	0	9	1	0

HUD Table 38 - Facilities and Housing Targeted to Homeless Households

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons

Health and Mental Health Services:

- **RiverStone Health** is an essential provider of personal and public health through medical and dental clinics.
- **Healthcare for the Homeless** provides health / mental health care and serves homeless adults and families who stay in emergency shelters, sleep in makeshift shelters and/or on the streets, temporarily live with friends or family members, eat in soup kitchens or visit drop-in centers or other sites providing temporary assistance.
- **Rimrock** is the largest drug and alcohol services provider in the region and the organization provides mental health and healthcare services for substance abuse and co-occurring disorders.
- Crisis intervention and mental health services are provided by the **Community Crisis Center**, as previously mentioned.
- Mental health services are provided by the **Mental Health Center - The HUB** program; a drop-in day service.

Employment Services:

- **Dress for Success** and **Billings Family Service** provide education for better employment, job training, and interview apparel programs.
- **YWCA Billings** provides services to support economic independency through employment counseling, job skills training, certificate programs, and college education.
- **HRDC District 7** facilitates adult, youth and young adult employment opportunities and job training and retention services for those in need. The organization also assists families with transportation needs to and from work.
- **Family Promise of Yellowstone Valley** provides skills training in housing, employment, family and social relations, life skills, budgeting, and community involvement.
- **Tumbleweed** provides life and skills development for youth and young adults.
- Employment services can also be accessed through **Job Service** and **The HUB**.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

Chronically Homeless: Those experiencing chronic homelessness can be served through Enterprise House; Rimrock's sober living unit specifically designed to provide housing, addiction treatment, and employment services. The YWCA administers Shelter Plus Care units to house people experiencing chronic homelessness, mental illness, addiction issues, and co-occurring mental illness / addiction. The Community Crisis Center also provides intervention services for the chronically homeless. Rimrock provides addiction treatment and mental health counseling.

Families with Children: Family Promise of Yellowstone Valley provides transitional housing for chronically homeless families. The YWCA provides shelter and transitional housing opportunities for homeless families with children.

Veterans and Unaccompanied Youth: Volunteers of America - Independence Hall provides transitional housing for veterans who have experienced homelessness. The organization also provides homeless prevention, rapid rehousing, and supportive services. City staff facilitated the development of a Veteran Resource List as part of an overall effort to support veterans and military families in Billings with the assistance of Elizabeth Donald, an AmeriCorps VISTA member. Unaccompanied youth are provided with shelter and supportive services through Tumbleweed.

Resource Map & Notepad: The following documents were developed through the Community Development Division as part of an overall effort to impact homelessness and was sponsored by the Mayor's Committee on Homelessness. Kelly Fessler, an AmeriCorps VISTA member through the Billings Metro VISTA Project, facilitated initial development and design.

- The Resource Map a portable, user friendly guide that quickly connects individuals and families experiencing homelessness with downtown community resources. The map illustrates direct access points for shelter, food, clothing, health care, legal aid, restroom, shower and laundry facilities.
- The Resource Notepad is a tool designed for case managers, organizations and individuals to quickly make referrals to community resources providing direct services to anyone within the following major categories: Food Assistance & Household Needs, Housing, Transportation, Healthcare, Shelter, Employment Services, Education Opportunities, Financial Assistance, Children's Services, and Addiction Treatment Options.

The first printing of these resources was supported through the City of Billings and RiverStone Health; 4,000 maps and 120 notepads. Each notepad contains 25 service guides, resulting in the distribution of 7,000 total maps and notepads combined. After quickly distributing the initial run, the Montana Rescue Mission and District 7 HRDC sponsored the second printing of 10,000 maps and 500 notepads / 12,500 service guides. A third printing was sponsored by the Center for Children & Families, Rimrock and the City of Billings totaling 10,000 maps and 500 notepads /12,500 guides.

Overall reach of the project to date includes the printing and distribution of 24,000 total maps and 27,750 service guides. City staff recently connected several community partners to update the Resource Map and Notepad and the documents should be published in 2020.

MA-35 Special Needs Facilities and Services 91.210(d)

Introduction

There are many organizations serving the needs of the elderly, those with disabilities, addicted persons and individuals who have been diagnosed with HIV/AIDS. A number of supportive services serving the elderly and disabled are available through the Adult Resource Alliance organization, including nutrition programs, minor home repair, and volunteer engagement. The Alliance also operates an aging and disability resource center to provide long-term care information and referral services, options for counseling, and access to private and public benefits.

Big Sky Senior Services serves the elderly through nursing, respite care, homemaking services, prevention of elder abuse and personal care. There are also two senior centers in Billings; the Southside Senior Center and the Billings Community & Senior Center. Food services are provided at the Southside Senior Center and the Billings Community & Senior Center provides access to computers, a health and fitness center, a variety of classes and activities, free or low-cost screenings, trips and tours.

A comprehensive service array is available to assist those with disabilities in Billings. Organizations providing housing and services include: AWARE, Inc.; Living Independently for Today and Tomorrow; the Montana Center on Disabilities, Support and Technologies for Empowering People, COR Enterprises, Easter Seals Goodwill, and Job Connection. Organizations serving those with addictions or who have been diagnosed with HIV/AIDS have been mentioned previously in this Consolidated Plan and include: Rimrock; Mental Health Center; and HRDC District 7.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

As previously mentioned, the greatest housing problem in Billings for both owners and renters of all income levels and populations is housing cost burden, followed by access to housing in tight rental and ownership markets. Housing quality is also a concern, as renters and owners with incomes less than 80% AMI are dealing with one or more housing problems. The need for case management and supportive services has been a consistent concern with special needs populations.

Elderly: Demand for special living facilities for the elderly appears to remain high, according to facility and Census Bureau data. Housing affordability continues to be a challenge for the elderly and disabled like other populations. The Housing Authority owns a 102-unit Section 8 project-based complex which exclusively serves the elderly. Affordable Housing Online lists 34 total federally-assisted affordable rental housing projects in Billings containing 1,972 units; an increase of 455 units over the past five years. Thirteen housing projects provide housing units for the elderly.

The State of Montana Quality Assurance Division provides data on the number and types of facilities available in Billings to assist the elderly and disabled. In 2010, there were 47 facilities in Billings classified as providing assisted living services, long term care, or retirement with a total of more than 2,569 beds in Billings. In 2020, there are now 48 facilities with 2,635 beds; a total increase of 66 beds. These facilitates should alleviate some of the housing needs for the elderly. There is continued need for the

implementation of Universal Design concepts in housing construction and rehabilitation.

Persons with Disabilities, HIV/AIDS and Domestic Violence Victims: Service providers indicate a high need for rental housing assistance and owner-occupied housing rehabilitation. Supportive services include linkage to transportation, medical / dental care, child care, reliable and sustainable food sources, and case management.

Addicted Persons: The development of sober living apartments would assist those exiting inpatient treatment in Billings. A short-term sobering center with accelerated access to inpatient, detoxification treatment and long-term addiction treatment options would also meet the needs of addicted persons in Billings.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

The **South Central Montana Regional Mental Health Center** provides mental health and chemical dependency care in the Billings area and surrounding region. The organization owns and manages several supportive housing programs including an eight-bed adult group home, cooperative living settings, and independent living apartments. These supportive housing placements require involvement in case management and treatment planning.

Rainbow House, the Mental Health Center's day treatment program, has provided an important service to the community since de-institutionalization of Montana State Hospital in 1975. Although Rainbow House is not a live-in facility, the program is designed to assist clients in successful independent living while incorporating support from other Mental Health Center programs and community care providers.

The HUB, the Mental Health Center's drop-in center, serves homeless and at-risk individuals by acting as a resource site to connect individuals with community resources and supportive services. HUB case managers as well as outreach liaisons from the Projects for Assistance in Transition from Homelessness (PATH) engage individuals with disabling mental illness or serious emotional disturbance and are homeless or at risk of homelessness because of their mental illness. Liaisons provide sources of community support and enrollment in mental health services.

The **Community Crisis Center** serves a vital role in the community as a crisis management facility. Previous to the Community Crisis Center, emergency departments of the two local hospitals served as the de facto option for people in mental health / substance abuse crisis. The Crisis Center operates 24 hours per day and provides assessment and referral services.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

The City of Billings offers several programs to address the housing needs for households with members having special needs, and will continue to offer these programs for the next year and foreseeable future:

- **First Time Home Buyer:** This program provides down payment and closing cost assistance to low income households to purchase their first home. Priority is given to large households and

households including a disabled individual requiring special home modifications or other considerations.

- **Housing Rehabilitation / Manufactured Home Repair:** These programs provide affordable financing to low income households to make necessary repairs to owner-occupied housing units to create safe, stable access to housing. Improvements are based on safety hazard and address special needs including construction of wheelchair ramps, the installation of grab bars, retrofitting bathrooms for accessibility, etc.
- **Affordable Housing Development:** This program provides affordable financing to housing developers to build or renovate housing units for low income households and may include housing options for those with special needs. The City requires a percentage of the units be accessible for the mobility, visual and hearing impaired.
- **Foreclosure Acquisition / Rehabilitation:** The City purchases vacant, foreclosed homes for the purpose of rehabilitation and sale to income qualified, first time home buyers.
- **Billings Metro VISTA Project:** This AmeriCorps VISTA program places full-time and summer associate volunteers with nonprofit host sites to build capacity for serving those in need, including those experiencing poverty.

Please refer to the City's one-year goals in the Action Plan.

MA-40 Barriers to Affordable Housing *91.210(e)*

Negative Effects of Public Policies on Affordable Housing and Residential Investment

According to the City's most recent Analysis of Impediments to Fair Housing Choice, most of the typical exclusionary provisions that would hinder affordable housing development do not exist in current zoning codes. However, the following issues may act as barriers to affordable housing investment:

- Density bonuses (increasing the number of dwelling units per acre) have not been established to offset the cost of development if a project contains a certain percentage of affordable housing.
- There is currently not a way to fast-track the approval processes for affordable housing development projects. However, fast-tracking may not be as important in Billings as it is in other parts of the country. Subdivision review times are set by the Montana State Legislature. Building permit reviews for single-family homes (one to four units) are three to five days and commercial permits, including multi-family with five or more units in a structure, take four to six weeks to review. Other areas of the country, and some cities in Montana, take 30 days or longer for single-family reviews and four to six months for commercial reor leviews.
- The City does not currently permit a waiver or reduction of impact fees, including water and wastewater system development fees, to promote affordable housing development.
- The use of accessory dwelling units is not currently a widely practiced housing development strategy.

Other public policy concerns relate to a dated zoning code and inadequate funding to further affordable housing development. The City is currently in the process of revising the zoning code and one of the main goals of the project is to expand affordable housing choice across the City. The Billings City Council is expected to act on the adoption of the new zoning code in 2020. Additional information can be found online at Project Re:Code.

MA-45 Non-Housing Community Development Assets 91.215 (f)

Introduction

Billings is one of the nation's largest trade areas covering over 125,000 square miles and serving nearly 400,000 people with medical, retail, educational and business services. According to the Bureau of Labor Statistics, the civilian labor force has been relatively stable over the past several years; approximately 87,000. The average annual unemployment rate has also been level, ranging between three and four percent.

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	1,290	366	3	1	-2
Arts, Entertainment, Accommodations	7,593	9,505	15	16	0
Construction	3,234	2,890	6	5	-2
Education and Health Care Services	9,353	12,392	19	20	2
Finance, Insurance, and Real Estate	3,038	3,962	6	6	0
Information	983	1,233	2	2	0
Manufacturing	2,011	2,305	4	4	0
Other Services	2,441	3,013	5	5	0
Professional, Scientific, Management Services	4,004	5,414	8	9	1
Public Administration	0	0	0	0	0
Retail Trade	7,729	10,066	15	16	1
Transportation and Warehousing	2,056	2,176	4	4	-1
Wholesale Trade	3,552	4,365	7	7	0
Total	47,284	57,687	--	--	--

HUD Table 39 - Business Activity Data: 2011-2015 ACS (Workers), 2015 Longitudinal Employer-Household Dynamics (Jobs)

Labor Force

Total Population in the Civilian Labor Force	57,933
Civilian Employed Population 16 years and over	55,655
Unemployment Rate	3.91
Unemployment Rate for Ages 16-24	14.60
Unemployment Rate for Ages 25-65	2.58

HUD Table 40 - Labor Force Data Source: 2011-2015 ACS

Occupations by Sector

Occupations by Sector	Number of People
Management, business and financial	12,360
Farming, fisheries and forestry occupations	2,205
Service	6,909
Sales and office	13,895
Construction, extraction, maintenance, repair	5,755
Production, transport, material moving	2,590

HUD Table 41 - Occupations Sector, Data: 2011-2015 ACS

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	48,077	91%
30-59 Minutes	3,374	6%
60 or More Minutes	1,614	3%
Total	53,065	100%

HUD Table 42 - Travel Time Data: 2011-2015 ACS

Education

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		
	Civilian Employed	Unemployed	Not in Labor Force
Less than high school graduate	2,160	225	1,204
High school graduate (includes equivalency)	11,585	545	3,655
Some college or Associate's degree	15,135	398	3,700
Bachelor's degree or higher	15,550	294	1,979

HUD Table 43 - Educational Attainment by Employment Status *Data Source: 2011-2015 ACS*

Educational Attainment by Age

	Age in Years					Totals	%
	18-24	25-34	35-44	45-65	65+		
Less than 9th grade	134	240	135	325	600	1434	**2%**
9th to 12th grade, no diploma	1,515	1,144	665	1,080	1,085	5,489	**7%**
High school graduate, GED, or alternative	3,619	4,354	3,302	8,200	5,385	24,860	**31%**
Some college, no degree	3,874	4,779	3,382	6,679	4,074	22,788	**29%**
Associate's degree	450	1,068	1,185	2,164	750	5,617	**7%**
Bachelor's degree	708	3,636	2,835	6,214	2,925	16,318	**21%**
Graduate or professional degree	70	1,244	1,309	2,650	1,589	6,862	**9%**
Totals	10,370	16,465	12,813	27,312	16,408		
%	**13%**	**21%**	**16%**	**34%**	**21%**		

HUD Table 44 - Educational Attainment by Age *Data Source: 2011-2015 ACS*

Educational Attainment - Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	19,500
High school graduate (includes equivalency)	120,069
Some college or Associate's degree	183,470
Bachelor's degree	208,626
Graduate or professional degree	230,334

HUD Table 45 - Median Earnings in the Past 12 Months *Data Source: 2011-2015 ACS*

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

The largest business industries noted in the Business Activity table are education and health care services, followed by retail trade and arts, entertainment and accommodations. The number of jobs exceeds the number of workers in all of these business categories. The table also illustrates that there are more workers than jobs in the agriculture, mining, oil / gas extraction and construction businesses.

According to the Long Streets Project, mining and healthcare job opportunities have the highest income potential coupled with recent increases in new job opportunities. Billings offers the most employment positions (109,000) and the highest wages in the State of Montana ($51,400 in 2016). Employment change in Billings is greatest with service positions followed by healthcare, trade, construction, natural resources, government, and manufacturing.

Describe the workforce and infrastructure needs of the business community.

Big Sky Economic Development Authority recently published a State of the Workforce report that includes data and projections for the Billings workforce. The report noted employers do not have an adequate supply of talent to meet industry needs and for most, the lack of available workers inhibits industry growth. There is a gap of 2,221 employment positions between current jobs with job growth compared to new college graduates. In this report. growth rates are most promising with Physician Assistant, Respiratory Therapists, and other medical professions. Additional training in general employability skills is also needed, including emphasis on drug-free status, decision making, problem solving, and critical thinking.

Travel time is less than 30 minutes for over 90% of the citizens in Billings and very few people travel more than 60 minutes. Infrastructure needs cited by the region's Comprehensive Economic Development Strategy include, but are not limited to:

- Housing availability, variety, and condition
- Shortage of long-term planning efforts
- Infrastructure improvements
- Access to funding and funding incentives
- Reductions in revenue for local and state governing bodies

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

In a recently posted video, BillingsWorks notes that there will be 7,660 new jobs in Billings over the next 10 years and an additional 42,683 jobs due to baby-boomer retirements and job exits. This results in over 50,000 new positions by 2030. BillingsWorks is focusing on attracting millennials and others to Billings to meet business employment demands.

Downtown Billings has been designated an Opportunity Zone to encourage long-term investments in low income areas. This program provides federal tax incentives to taxpayers who reinvest capital gains in development activities such as revitalization, workforce development, affordable housing, infrastructure, business startup, and business expansion.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

Out of a total of 83,368 persons noted in the Educational Attainment by Age table, the largest cohort are those between the ages of 45 to 65; 34% of the total population. Those between the ages of 25 and 34 and 65+ each represent 21% of the population. Ninety-six percent graduated with at least a high school diploma or equivalent (five percent higher than in 2015). Sixty-five percent have attended some college or earned a college degree (four percent higher than in 2015). Median earnings are highest for those with graduate or professional degrees and lowest for those without a high school diploma.

As noted in the State of the Workforce Report, employers have been challenged in finding workers with the required education, experience and employability skill set to fill vacant positions. The report noted

employers do not have an adequate supply of talent to meet industry needs and for most, the lack of available workers inhibits industry growth. The most difficult positions to fill are in the following areas: manufacturing, engineering, energy, technical / skilled trade positions; information technology and professional services; health care positions; and retail / hospitality.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

The Big Sky Economic Development Authority created BillingsWorks to increase collaboration, accountability and reporting related to workforce needs. BillingsWorks supports the Consolidated Plan by working to address workforce development and attraction needs, providing linkage to and coordination with higher education systems in the community, and developing talent attraction campaigns.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)? If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

Yellowstone County is covered by the Beartooth Resource Conservation and Development District's Comprehensive Economic Development Strategy. The latest plan was developed in 2019 and includes projections through 2023.

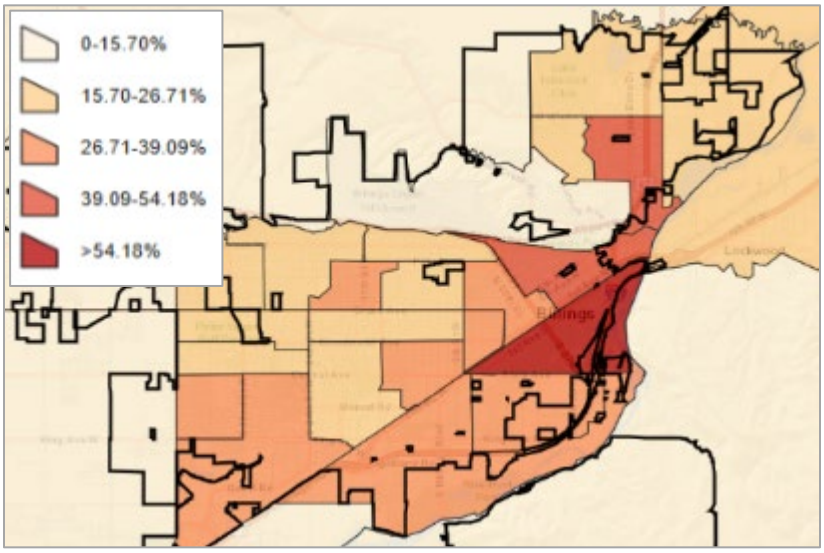
The Community Development Division has collaborated with Beartooth Resource Conservation and Development on the provision of first time homebuyer education and is now collaborating on the Home Center initiative. The Big Sky Economic Development Authority is also working on economic development activities for Yellowstone County including a new campaign, Better off in Billings.

MA-50 Needs and Market Analysis Discussion

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

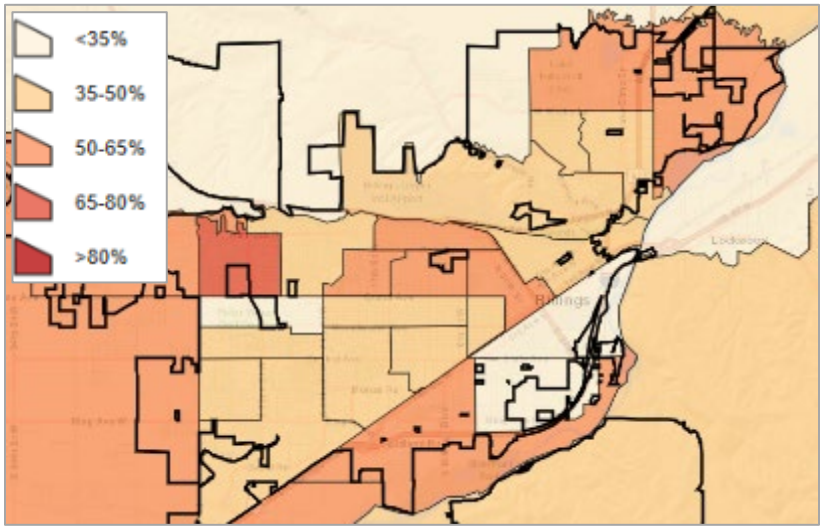
HUD's Community Planning Development mapping system identified the highest concentration of low income households; the south side, followed by north park, and lower Billings heights neighborhoods. Other neighborhoods with higher concentrations of low income households are in the southwest corridor and throughout central and west end neighborhoods. Interestingly, the south side and part of the southwest corridor neighborhoods have the lowest concentration (35%) of low income households with any of the four severe housing problems. Less than 50% of the households in central Billings and part of the heights neighborhoods have any of the four severe housing problems. A small area in the northwest Billings has the highest concentration (between 65% and 80%) of severe housing problems.

Percent Low income Households



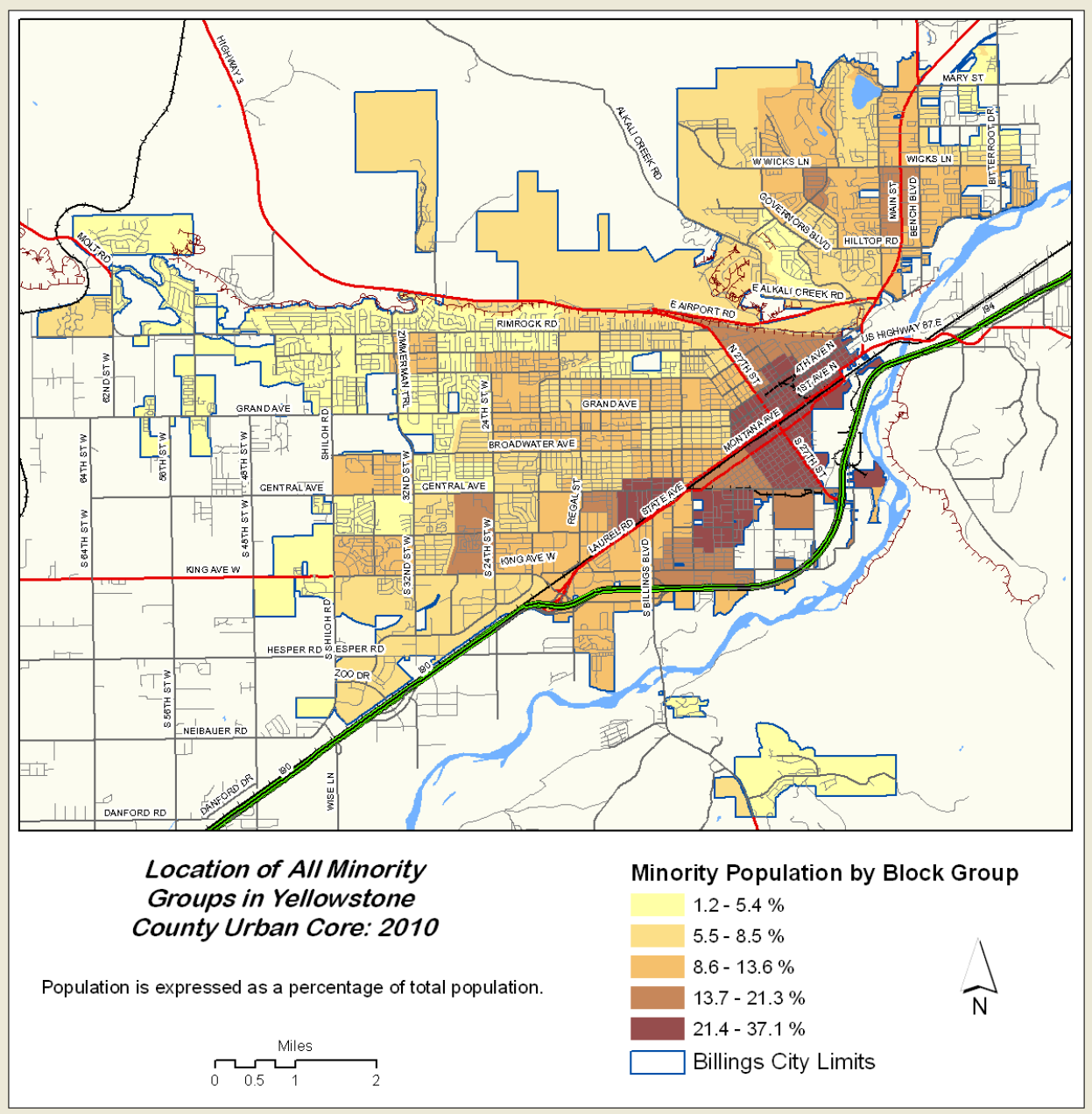
Percent of Low income Households with Any of Four Severe Housing Problems

Lacks complete kitchen / plumbing facilities, more than 1.5 persons per room, or cost burden >50%



Are there any areas in the jurisdiction where racial or ethnic minorities or low income families are concentrated? (include a definition of "concentration")

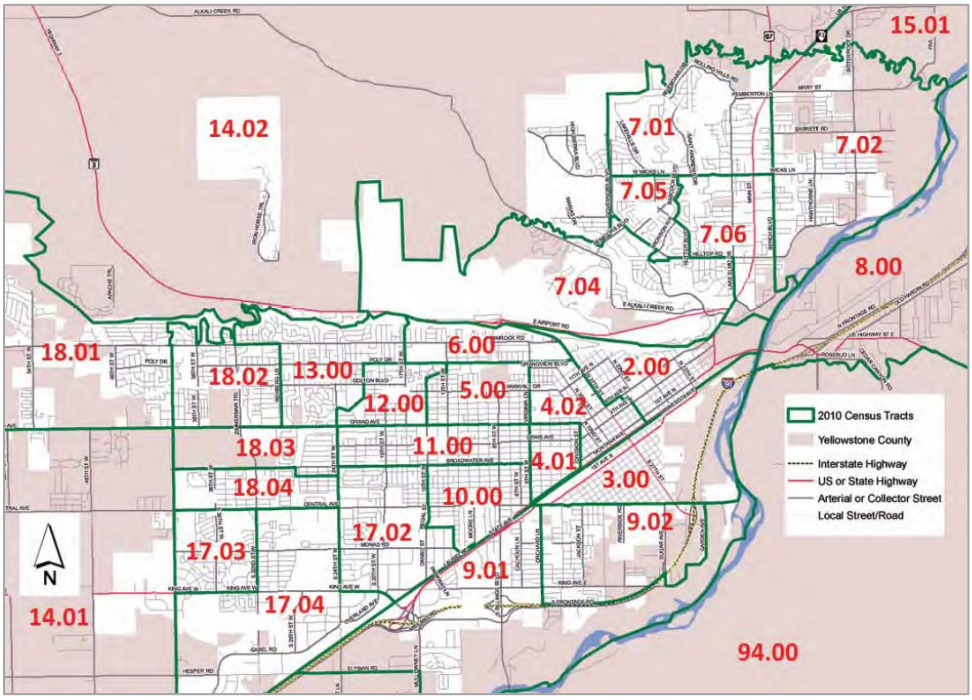
The following map illustrates the concentrations of racial / ethnic households within the City of Billings limits. The term *concentration* refers to those areas in town where at least 5.5% of the households are occupied by racial / ethnic minorities. Higher numbers of racial / ethnic households are evident in the central, southwest, downtown, and central heights areas of Billings.



City of Billings Planning / GIS Division

What are the characteristics of the market in these areas/neighborhoods?

Data from the American Community Survey has been utilized to detail neighborhood characteristics. Neighborhood graphics were constructed by Candi Millar, Planning & Community Services Department. The following map illustrates the location of the City's Census Tracts for ease of reference.



City of Billings Planning / GIS Division

North Park: Comprising a total of 3.5% of the City's population, the North Park neighborhood is located in Census Tract Two. There are 2,054 housing units in this area and the majority are renter-occupied (1,416). There are a total of 155 vacant units noted in this area of town, and the average family size is 3.07 and household median income is $24,656.



A comparison of racial and Hispanic household compositions was conducted by utilizing U.S. Census data from the year 2000 (households) and 2010 (individuals). Most of the households in this area of town are living in poverty (over 94% as per the Best Beginnings Council Neighborhood Analysis). The neighborhood contains older, rental housing and mixed commercial / industrial areas. The Analysis of Impediments identified the possibility that minorities, American Indians in particular, are being steered to this tract and that low income non-Hispanic Whites are being steered away from this neighborhood.

The Billings Industrial Revitalization District was created in 2006 to capture tax increments to improve the North Park neighborhood. This area of town contains a very large, well developed park with playground and spray park features in addition to a community center.

South Side: This neighborhood is identified as Census Tract Three and residents comprise 3.8% of the total population in Billings. The neighborhood contains a total of 1,684 housing units, 974 of which are renter-occupied and 133 are vacant. The average family size is 2.96 members per household and the median household income is $25,851. Many of the homes in this neighborhood were built in the early 1900s and have historic significance. Part of this neighborhood is supported by the North 27th Street Tax Increment District.



A comparison of the racial and Hispanic household compositions was conducted by utilizing U.S. Census data from the year 2000 (households) and 2010 (individuals). In 2000, the proportion of Hispanics and American Indians is much higher than what would be expected in a housing market free of discrimination for this Census tract. By 2010, nearly half of Census Tract Three were members of minority groups; indicating the beginnings of segregation.

Southwest Corridor: Census Tract 9.02 contains just over five percent of the total population in Billings. The area has 2,015 housing units, predominantly owner-occupied (1,290). Eighty-nine of the units are vacant and the average family size is 3.21. The median household income is $40,050. This area is supported by the South Billings Boulevard Urban Renewal District and the master plan set long-term goals for land use, community design, transportation development and capital improvements through 2032.



A comparison of the racial and Hispanic household compositions was conducted by utilizing Census data from the year 2000 (households) and 2010 (individuals). In 2000, the proportion of minorities was much higher than what would be expected in a housing market free of discrimination for this Census Tract. By 2010, the proportion of Whites decreased by nearly eight percent while minorities increased nearly nine percent. American Indians were cited as nearly half of this increase.

Are there any community assets in these areas/neighborhoods?

All three neighborhoods are part of established Tax Increment Districts, which should substantially contribute to meeting infrastructure, housing and other development needs. All of the areas have established City parks, affordable housing, and networks of community members who are engaged in the development and long-term success of their neighborhoods.

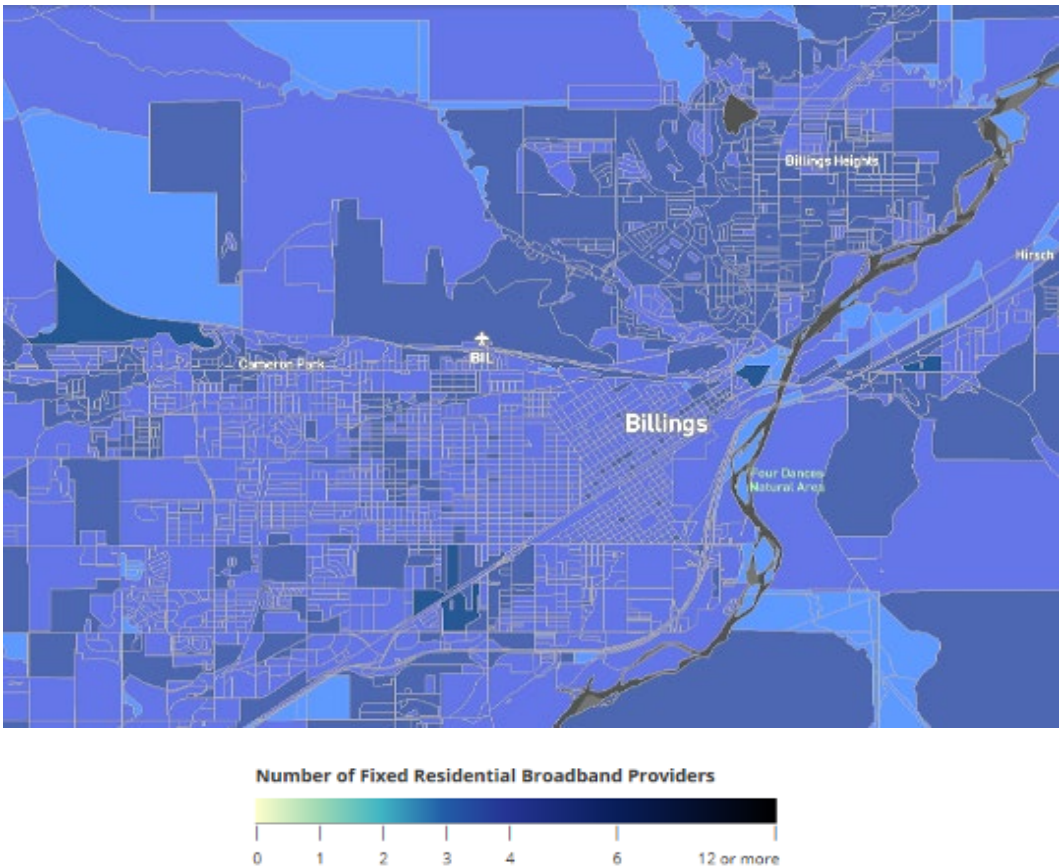
Are there other strategic opportunities in any of these areas?

Strategic opportunities are present in all three neighborhoods, bolstered by the availability of Tax Increment Financing through established Districts. A complete list of opportunities can be found in current Neighborhood and Urban Renewal Plans; available online.

MA-60 Broadband Needs of Housing *91.210(a)(4), 91.310(a)(2)*

Describe the need for broadband wiring and connection for households, including low- and moderate-income households and neighborhoods.

The City must determine the broadband internet access needs of housing occupied by low / moderate income households based on analysis of data for low income neighborhoods. The National Broadband Map indicates the vast majority of Billings residents, including those residing in lower-income neighborhoods, have adequate access to internet / broadband service providers. According to the 2014-2018 ACS, nearly 82% of households have a broadband internet subscription.



National Broadband Map, Federal Communications Commission

Describe the need for increased competition by having more than one broadband internet service provider serve the jurisdiction.

According to BroadbandNow, there are a total of seven broadband internet service providers serving residents in the City with speeds from 140 Mbps to 940 Mbps. The average location in Billings has three providers at any given address or 3.05 ISPs in each census block. Less than six percent of Billings residents has one option for residential broadband. BusinessInternet reports Billings is more competitive than 95 percent of cities in the State of Montana and 66 percent of cities nationally with 36 providers offering business services. Each business in Billings has an average of 2.2 wired internet service providers available at their location.

MA-65 Hazard Mitigation

91.210(a)(5), 91.310(a)(3)

Describe the jurisdiction's increased natural hazard risks associated with climate change.

The City is required to describe the vulnerability of housing occupied by low / moderate income households to increased natural hazards associated with climate change based on an analysis of data, findings, and methods to analyze this vulnerability.

On July 1, 2019, Governor Bullock issued Executive Order 8-2019, creating the Montana Climate Solutions Council and joining the State of Montana to the U.S. Climate Alliance. The Council is tasked with creating a plan including recommendations and strategies aimed at preparing Montanans for climate impacts:

- Reducing greenhouse gas emissions
- Advancing the research, development and commercialization of new technologies necessary to meet these goals
- Addressing the needs of communities and workers in transitions through economic and workforce development efforts

The Montana Climate Solutions Plan indicates state temperatures are three degrees warmer on average than a few decades ago. Early spring runoff impacts water availability and causes flooding. Fire seasons are more severe and nearly 80 days longer than they were 30 years ago. The plan includes verbiage related building on the Montana Ready Communities Initiative to promote resiliency for the state's lower income communities. This initiative was sponsored by the City of Billings' AmeriCorps VISTA program and three VISTA members participated in the development of the state's strategic framework.

The Yellowstone County Multi-Hazard Mitigation Plan was updated in May 2019. The plan mentions its obligation to identify and address any disproportionately high adverse human health or environmental effects of its projects on minority or low income populations (page 511), although impact is not identified.

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

The Yellowstone River is south of Billings and historic flooding events may impact the Southwest Corridor and Southside neighborhoods. Fire is a seasonal concern for the entire city, although all of the neighborhoods in Billings are serviced by the Billings Fire Department. While risk of natural hazards in Billings are low, City resources can be rerouted to meet the needs of lower income neighborhoods if impacted by natural hazards.

Section V: Strategic Plan

SP-05 Overview

Strategic Plan Overview

The Community Development Division's strategies for addressing community needs are included herein. The City's primary needs are affordable housing and poverty impact. As per findings and recommendations from the City's Analysis of Impediments to Fair Housing Choice, the investment of federal funds is not predominantly geographically distributed; funds are invested based on the needs of low income households and citizens.

SP-10 Geographic Priorities 91.215 (a)(1)

Geographic Area

The City of Billings utilizes federal funding on a citywide basis, targeting qualified low income households for investment and programs.

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

Priorities for funding are based on both the most recent Needs Assessment in this Consolidated Plan and the Analysis of Impediments to Fair Housing Choice. Citation 24 CFR 91.220(f) reads as follows, *"When appropriate, jurisdictions should estimate the percentage of funds they plan to dedicate to target areas."* Estimating the percentage of funds planned for dedication to target areas is not appropriate for the Billings community due to the following reasons:

- Geographic area is defined by the current City of Billings limits.
- Target areas include high concentrations of low income households, particularly those with higher concentrations of racial / minority households.
- Citywide strategies encourage the distribution of resources to support affirmatively furthering fair housing and equal opportunity to avoid segregation in Billings.
- Geographic distribution of investments description includes the focus of resources on a citywide basis to support diversity across the community.
- The City of Billings is classified as a smaller city on a national scale.
- The actual dollar amount dedicated to each program is included in the Annual Action Plan.

The City plans to focus distribution of investments on a citywide basis in order to support diversity and mixed-income development across the community. The City's performance in serving predominantly low income households is clear via Integrated Distribution Information System reporting; nearly 100%. Neighborhood Revitalization Strategy areas ***have not been established*** in Billings and there is no specific amount of funding allocated for a target area in the City's geographic distribution of resources. **Therefore, the City plans to dedicate zero percent of funding to target areas in favor of supporting a citywide approach to further fair housing, equal opportunity and anti-segregation efforts.**

SP-25 Priority Needs 91.215(a)(2)

#	Priority Need	Priority Level	Population	Family Types	Homeless Categories		Non-Homeless Special Needs	
1	**Affordable Housing**	High	Extremely Low Low Income	Large Families With Children Elderly Public Housing	Chronic Homeless Individuals Families w/Children Mentally Ill Chronic Substance Abuse	Veterans HIV/AIDS Domestic Violence Victims Unaccompanied Youth	Elderly Frail Elderly Disabled – All Addicted Persons	HIV/AIDS Domestic Violence Victims
		Description: The city will prioritize activities to promote affordable housing access, quality, and availability for low income citizens.						
		Basis for Relative Priority: The majority of low income renters and owners in Billings are experiencing housing cost burden as determined by the Needs Assessment, Market Analysis, and community outreach activities. Affordable housing is highlighted as a priority and continues to be a strong focus for the City's programs and funding allocation.						
2	**Poverty Impact**	High	Extremely Low Low Income	Large With Children Elderly Public Housing	Chronic Homeless Individuals Families w/Children Mentally Ill Chronic Substance Abuse	Veterans HIV/AIDS Domestic Violence Victims Unaccompanied Youth	Elderly Frail Elderly Disabled - All Addicted Persons	HIV/AIDS Domestic Violence Victims
		Description: The city will support housing and community development activities specific to lower income and special needs households through poverty-impact initiatives.						
		Basis for Relative Priority: According to the Needs Assessment, Market Analysis, and community outreach activities, at least ten percent of the people in Billings are experiencing poverty. Public service organizations require support to better meet poverty / homeless needs in the community.						

HUD Table 46

SP-30 Influence of Market Conditions 91.215 (b)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	There is great need in the Billings community for tenant housing assistance as evidenced by the Needs Assessment and Market Analysis. Those most in need may not have positive credit or rental histories to secure housing.
TBRA for Non-Homeless Special Needs	See above. The needs for special needs populations remains consistent, particularly for the disabled and elderly.
New Unit Production	The majority of rental and owner households are cost burdened. Affordable housing development, particularly smaller rental units for extremely low and low income households, is paramount to the City's success in meeting current housing needs in Billings.
Rehabilitation	Rental and owner rehabilitation greatly influences the quality of affordable housing stock in Billings. For owners, rehabilitation has been shown as an effective neighborhood stabilization tool that effectively lowers the costs to maintain housing. For renters, investment in the affordable housing stock where housing currently exists benefits both the neighborhood overall and maintains the quality of the rental market. Rehabilitation is also utilized as a tool to make accessibility improvements to sustain the affordable housing stock in order to meet the needs of those who are disabled and the elderly.
Acquisition, including preservation	Acquisition for affordable housing development, foreclosure rehabilitation, and first time homebuyer remains a high priority due to the high percentage of households experiencing housing cost burdens. Investment in the acquisition and rehabilitation of the affordable housing stock in Billings meets the needs of extremely low and low income households.

HUD Table 47 - Influence of Market Conditions

SP-35 Anticipated Resources

91.215(a)(4), 91.220(c)(1,2)

Introduction

The following table illustrates the CDBG and HOME resources expected for the first year of this Consolidated Plan. The total amount expected for the remaining four years of the Consolidated Plan are based on average allocations over the past five years. Other types of funding, including Emergency Shelter Grants, HOPWA funds, Section 8 funds, etc. are not included in the following table as the City of Billings is not a direct recipient.

CDBG administration allocations are capped at 20% of the new CDBG allocation in addition to eligible program income received during the project year. Maximum amounts for public service activities are capped at 15% of the new CDBG allocation and 15% of the previous year's program income. HOME administration activities are capped at 10% of the new HOME allocation and eligible program income received following the required affordability period. Revenue received during a project's affordability period is considered recaptured and may not be used for administration.

Expected revenues from the CDBG program include repayments for funding loaned through the Housing Rehabilitation Loan program and other revitalization efforts. The City expects to receive approximately $75,000 in repayments for the upcoming fiscal year which will be reprogrammed for programs identified herein. The City will not receive proceeds for Section 108 loan guarantees, surplus funds from urban renewal settlements, or float-funded activities.

Revenue expected for the HOME program includes recaptured and program income funding generated by the First Time Homebuyer Loan program. The City expects to receive approximately $150,000 in HOME funding through these venues, and the funding will be utilized to further programs identified in this Consolidated Plan. The City of Billings programs utilize 100% of CDBG and HOME funding to benefit low to moderate income households and / or areas. The City may also receive program income attributable to the Neighborhood Stabilization Program and other previously funded federal and state programs.

Routine revenues including program income, recaptured / repaid funds, and re-programmed monies will be utilized for existing and previously approved programs as it is received during each fiscal year. Routine revenues are allocated on a close- and shovel-ready basis to ensure timely commitment and expenditure. These changes are customary and facilitate funding allocations to projects and activities most in demand and do not require a substantial or minor amendment to the Consolidated Plan. The City also received $909,126 in CARES Act CDBG-CV funding to prevent, prepare for, and respond to the coronavirus. Funding will be allocated to public service and public facility improvements.

Program	Source of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of Con Plan	Narrative Description
		Annual Allocation	Program Income	Prior Year Resources	Total		
CDBG	Public / Federal	$657,719	$75,000	$0	$732,719	$2,520,000	Entitlement Allocation
	Uses of Funds: Administration, Homeowner Rehabilitation, Homebuyer Acquisition, New Housing Development, Public Services						
HOME	Public / Federal	$349,053	$150,000	$0	$499,053	$1,280,000	Entitlement Allocation
	Uses of Funds: Administration, Homebuyer Acquisition, New Housing Development						
CDBG-CV	Public / Federal	$909,126	$0	$0	$909,126	Leave Blank	CDBG-CV funds to be used to prevent, prepare for and respond to the Coronavirus.
	Uses of Funds: To prevent, prepare for, and respond to coronavirus						

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The HOME program requires 25% match funding for projects be dedicated from non-federal sources. The City of Billings meets HOME matching requirements through low-interest financing available for First Time Homebuyer Loans issued through the Montana Board of Housing (MBOH) and matching funds provided for other affordable housing projects undertaken with HOME funds, such as private contributions and other local bank financing.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

City staff does not anticipate publically owned land will be utilized to address needs identified in the Consolidated Plan.

SP-40 Institutional Delivery Structure 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, nonprofit organizations, and public institutions.

The City of Billings is the lead government entity responsible for Consolidated Plan activities funded through CDBG and HOME.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
City of Billings	Government	Planning Affordable Housing Ownership Affordable Housing Rental Public Services	City of Billings Jurisdiction
Housing Authority of Billings	PHA	Public Housing Affordable Housing Ownership Affordable Housing Rental	Billings Area

HUD Table 49 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

The City of Billings - Community Development Division is a small branch of the City's government with a total of 4.5 full time equivalent staff positions. Strengths of the Division include:

- **Longevity:** Staff have worked, on average, over 11 years in the Division and have over 42 years of collective experience in working with federal grant programs in the Division.
- **Advanced Training and Certifications:** Several of the staff members have HOME certifications, including: Regulations; Administration; and Rental Compliance. Staff members have also been trained in Lead-Based Paint Risk Assessment and Environmental Review.
- **Focused Goals and Programs:** When funding levels were higher, the Division was able to fund and manage many diverse programs to meet community needs. As funding levels diminished, staff has condensed program development, management and implementation on a few core programs, including: First Time Home Buyer; Home Repair programs; Foreclosure Acquisition / Rehabilitation; Affordable Housing Development; and the Billings Metro VISTA Project as the City's primary anti-poverty initiative. Streamlining programs has resulted in the development of comprehensive procedures and forms to maintain program compliance, including: Section 3, Lead-Based Paint, Subsidy Layering, Labor Standards, Environmental Review, etc.
- **Affordable Housing Partnerships:** City staff have forged strong relationships with the Housing Authority of Billings, local developers, realtors, contractors, lenders, and agencies interested in affordable housing development and preservation. City staff also maintains relationships with the staff working in HOME and CDBG programs across the state, including the Montana Department of Commerce, the Missoula Department of Grants and Community Programs, and the Great Falls Planning and Community Development Department.
- **Poverty and Homeless Services Partnerships:** Through the development and implementation of the City's anti-poverty initiative, the ***Billings Metro VISTA Project***, and the City's ten-year plan to impact homelessness, ***Welcome Home Billings***, City staff has created partnerships with over 50 social service

agencies, benefit providers, faith communities, philanthropic organizations and private industry leaders to expand coordination, collaboration and efficacy. Information on local Continuum of Care efforts can be found in the PR-10 Consultation section of this Consolidated Plan.

Gaps in the local institutional delivery system exist primarily due to funding limitations, particularly for administrative functions. Billings offers a great number of services to its citizens, but needs for funding, staffing, innovative programs and coordination exist. The ability to effectively relay information regarding the service array in Billings to those in need has been one of the community's greatest challenges. A comprehensive strategy for overcoming service gaps in the institutional delivery system is a priority of many organizations involved in overall community development initiatives.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Service Continuum	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	X
Legal Assistance	X		X
Mortgage Assistance	X		X
Rental Assistance	X	X	X
Utilities Assistance	X	X	X
Street Outreach Services			
Law Enforcement	X	X	
Mobile Clinics	X	X	
Other Street Outreach Services	X	X	X
Supportive Services			
Alcohol & Drug Abuse	X	X	X
Child Care	X	X	X
Education	X		X
Employment / Training	X		X
Healthcare	X	X	X
HIV/AIDS	X		X
Life Skills	X		X
Mental Health Counseling	X	X	X
Transportation	X	X	X
Other			
Housing First	X	X	

HUD Table 50 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

A complete listing of services to meet the needs of the homeless is located in MA-30 Homeless Facilities and Services. The services listed herein meet the needs of some who are experiencing homelessness in the Billings community. The main issue with service delivery is the lack of resources relative to the number of people seeking assistance. The greatest barrier in the coordination of the institutional delivery structure to serve the homeless is community capacity and funding sources to manage long-term efforts. Several nonprofits have greatly limited services due to overwhelming need and a greatly diminished donor pool.

Through efforts of the Community Development Division, with the support of the capacity building efforts of the Billings Metro VISTA Project, the community has benefitted from several initiatives aimed at

improving public awareness of service delivery structure including: Resource Notepads / Maps; Illuminate Homelessness; Faith Engagement; and resource development for over 50 nonprofit organizations.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

The service delivery system for special needs populations and the homeless in Billings is bolstered by the vast service array available for those seeking assistance. The Community Development Division has spearheaded many initiatives based on national best practices, including the development and implementation of the State's first ten-year plan to impact homelessness. The City has funded two *housing first* projects to provide chronically homeless families and individuals *housing first* to create a solid foundation prior to enhancing support service and benefits delivery. City staff have also created the Billings Metro VISTA Project to enhance capacity building efforts to support local nonprofit organizations serving special needs and the homeless.

While Billings provides a vast array of services to persons experiencing homelessness, the majority of services are only available to individuals enrolled to receive services. For others, the basic services are adequate to meet basic human needs such as food, clothing, toiletries, and referrals.

Resources are not adequate to meet the need of the general homeless population, including housing, temporary shelter beds, dental care, vision care, and day centers. The most urgent need in the community is housing, both *long-term affordable housing* and *safe sleeping / low-barrier facility* for those not meeting eligibility requirements for other programs.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

The City's goals are to: create, preserve, and expand affordable housing options; promote neighborhood revitalization through foreclosure program, and to impact poverty. The City has the comprehensive ability to address priority needs through home repair programs such as Housing Rehabilitation, and Foreclosure Acquisition / Rehabilitation. Contractors trained in lead-safe work methods are limited and staff advertises contractor opportunity through print media, on the City's website, through the Neighborhood Task Forces and holding public informational meetings when requested. Emphasis on the provision of opportunity to Section 3 and minority and women-owned businesses ensures furthering equal opportunity to low income owners / employers, racial / ethnic minorities and businesses owned by women.

The City maintains positive relations with the Housing Authority of Billings, developers, lenders, realtors and others to ensure collaboration and engagement in the implementation of First Time Home Buyer and Affordable Housing Development programs. The City has two certified Community Housing Development Organizations and is actively seeking additional organizations for the purposes of affordable housing development.

City staff maintain positive and close relationships with the staff at Montana Fair Housing, who is the primary organization in fair housing education and enforcement for the state. The City's Analysis of Impediments to Fair Housing Choice revealed the beginnings of segregated neighborhoods and for Hispanic Americans in Billings. The Analysis contained the following recommendation:

Billings should establish a housing service center, much like the Oak Park Regional Housing Center, where home seekers are introduced to housing options beyond the racial or ethnic neighborhoods to which they often feel they are limited. In Billings, the housing service center should seek to expand the housing search of minorities beyond the census tracts where the proportion of minorities is significantly greater than would be expected in a free market without discrimination. It should seek to expand the housing choices of Whites to those parts of the city where the proportion of Whites is less than would be expected in a discrimination-free housing market.

At the invitation of the City, NeighborWorks Montana researched the potential of a comprehensive housing center to serve low income renters and homeowners. All of the Billings housing organizations, including City of Billings, the Housing Authority of Billings, Rebuilding Together, District 7 HRDC, Rural Dynamics, Beartooth Resource Conservation and Development, and Homeword agreed to join together to form the Home Center of Billings. The Home Center building is located in downtown Billings, which is central to the City's low income and minority neighborhoods. The Home Center provides comprehensive housing services including fair housing information, housing education, counseling, development and revitalization.

CDBG and HOME resources are not adequate to meet the needs of the homeless and those experiencing poverty in Billings. The City's main anti-poverty initiative is the implementation of the Billings Metro VISTA Project. The City has provided full-year and summer associate support to over 50 nonprofit organizations to date and the continuance of this initiative is imperative to strengthen service delivery to those in need. The Billings Metro VISTA Project enables the City to support nonprofit organizations in a sustainable fashion since the provision of public service grants is no longer an option due to dwindling CDBG allocations.

SP-45 Goals Summary

91.215(a)(4)

Goal Summary Information for 2020-2024: Projects are funded on a close- and shovel-ready basis for core programs as described in this Plan.
An asterisk indicates *Housing development organizations housing development activities must be implemented by housing development organizations.

#	Goal Name	Category	Outcome	Objective	$	City Program	Goal Outcome Indicator	One Year Goal
1	**Create, preserve, and expand affordable housing options**	Affordable Housing	Affordability	Decent Affordable Housing	CDBG $351,256 HOME $314,216 NSP TBD	Affordable Housing Development	Public Infrastructure: Low-Income Housing Benefit	60 Households Assisted
							Rental Units Constructed	# Housing Units*
							Rental Units Rehabilitated	40 Housing Units*
							Homeowner Housing Added	# Housing Units*
						Housing Rehabilitation	Homeowner Housing Rehabilitated	4 Housing Units
						First Time Home buyer	Direct Financial Assistance to Homebuyers	35 Households Assisted
		• Encourage the citywide development of new affordable single-family, multi-family and special needs housing in the community through private developers and nonprofit organizations. • Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs citywide. • Provide affordable financing and support to promote homeownership opportunities citywide.						
2	**Neighborhood Revitalization: Foreclosures**	Affordable Housing	Affordability	Decent Affordable Housing	CDBG $100,000	Foreclosure Acquisition Rehabilitation	Homeowner housing rehabilitated	1 Housing Unit
							Buildings Demolished	# Buildings*
		• Revitalize neighborhoods through foreclosure remediation, redevelopment and infill development.						
3	**Impact Poverty**	Other: Poverty Impact	Availability / Accessibility	Create Suitable Living Environment	CDBG $75,000 CNCS TBD	Billings Metro VISTA Project	Public service activity for low-income benefit	200 Persons Assisted
		• Provide public service activity funding to support the Billings Metro VISTA Project to support local nonprofit organizations expand services for the homeless and special needs populations: Healthcare; Food Security; Education; Employment; Financial Literacy; and Housing.						
4	**Prevent, prepare for, and respond to coronavirus**	Other: Prevent, prepare for, and respond to coronavirus	Availability / Accessibility	Prevent, prepare for, and respond to coronavirus	CDBG-CV $909,126	CDBG-CV: Public Services	Public service activity for low-income benefit	500 Low-Income Persons Assisted
						CDBG-CV: Public Facility Improvements	Public facility or infrastructure activities	500 Low-Income Persons Assisted
		• Provide public service activity and public facility improvement funding to prevent, prepare for, and respond to the coronavirus. Priority needs have been identified in the City's Community Assessment Report, including, but not limited to: ○ **Low-Income Beneficiaries:** Rent, mental health care, meal distribution, mortgage payments, internet access, utility assistance, childcare, etc. ○ **Public Improvements & Facilities:** Handwashing stations, additional public restrooms / cleaning, infrastructure, etc. ○ **Social Service Agencies & Public Health Support:** Client remote access, vaccination activities, virtual service ability, exposure prevention - staff training, unmet hospital / public health needs, FEMA match, facility social distancing, etc.						

HOME Investment Partnerships Program(HOME), Community Development Block Grant (CDBG), Corporation for National and Community Service (CNCS), CARES Act (CDBG-CV)

HUD Table 51 - Goals Summary

Estimate the number of extremely low income, low income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

The City expects to:

- Assist 60 households with infrastructure improvements to support long-term housing affordability.
- Develop 10 new affordable rental housing units through new construction or rehabilitation.
- Assist 20 low income households with home repair programs.
- Assist 175 low income households through the First Time Home Buyer program.
- Acquire and rehabilitate five foreclosed, vacant homes to sell to low income households citywide.
- Serve 1,000 extremely low and low income individuals through poverty impact initiatives through the Billings Metro VISTA Project.

SP-50 Public Housing Accessibility and Involvement 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

The Housing Authority of Billings performed a baseline Section 504 Needs Assessment that was updated in detail for physical changes in 1992 and the assessment is reviewed annually. The Housing Authority keeps track of demand for accessible units and wait list needs to determine when more accessible units may be needed. The Housing Authority also keeps a list of accessible units in the community for the Section 8 and Shelter Plus Care participants to assist them in their search. This is completed via outreach survey to all landlords participating in the program. Outreach is facilitated throughout the year to those who may need housing in accessible units.

The Housing Authority performs outreach to many agencies several times annually and to other program lists to make sure staff are able to fill accessible units with a family or individual who may need such a unit. If staff is not able to serve households for accessible units when their application comes to the top of the waiting list, they are offered a voucher to look for housing within the community. If an accessible unit at another program managed by the Housing Authority has not been filled, applicants are allowed to transfer to that program.

The Housing Authority will continue to review 504 Assessment results to determine when additional units and bedroom sizes may be needed in the inventory and research how to best implement those needs as they arise. As part of all Housing Authority programs, the disabled and handicapped are encouraged and allowed to request reasonable accommodations using approved Fair Housing Office forms to assist with whatever physical or assistance needs they may have.

Activities to Increase Resident Involvements

Each year the Housing Authority assesses physical needs identified by tenants through their Resident Advisory Board for the Annual Plan process; comments are also solicited via Resident Council functions throughout the year. These comments, Board participation, tenant commissioners, and Public Housing Administration's daily communications with the Housing Authority's client base serve to assist in assessing client needs for physical adjustments, security issues, and needed links with the community. The physical needs improvements are implemented along with staff recommendations in the Capital Fund planning process.

Is the public housing agency designated as troubled under 24 CFR part 902?

No.

Plan to remove the 'troubled' designation

Not applicable to the Housing Authority of Billings.

SP-55 Barriers to Affordable Housing 91.215(h)

Barriers to Affordable Housing

According to the City's most recent Analysis of Impediments to Fair Housing Choice, most of the typical exclusionary provisions that would hinder affordable housing development do not exist in current zoning codes. However, the following issues may act as barriers to affordable housing investment:

- Density bonuses have not been established to offset the cost of development if a project contains a certain percentage of affordable housing.
- There is currently not a way to fast-track the approval processes for affordable housing development projects. However, fast-tracking may not be as important in Billings as it is in other parts of the country. Subdivision review times are set by the Montana State Legislature. Building permit reviews for single-family homes (one to four units) are three to five days and commercial permits, including multi-family with five or more units in a structure, take four to six weeks to review. Other areas of the country, and some cities in Montana, take 30 days or longer for single-family reviews and four to six months for commercial reviews.
- The City does not currently permit a waiver or reduction of impact fees, including water and wastewater system development fees, to promote affordable housing development.
- The use of accessory dwelling units is not a widely practiced housing development strategy.

Other public policy concerns relate to a dated zoning code and inadequate funding to further affordable housing development. The City is currently in the process of revising the zoning code and one of the main goals of the project is to expand affordable housing choice across the City. The Billings City Council is expected to act on the adoption of the new zoning code in 2020. Additional information can be found online at Project Re:Code.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

The City plans on assisting with: housing affordability for renters / owners; cost of development; difficulty in paying for needed repairs; manufactured housing developments; and tax structure by implementing the following programs:

- Housing Rehabilitation
- Foreclosure Acquisition / Rehabilitation
- First Time Home Buyer
- Affordable Housing Development

Relative to the barriers identified in the City's Analysis of Impediments to Fair Housing Choice, the City plans on the following activities:

- Produce and disseminate consumer education on Fair Housing issues through ongoing publicity campaigns to make people aware they can move anywhere in the area they can afford.

- Work to expand housing choices of existing and potential new residents beyond neighborhoods identified by their own race or ethnicity.
- Continue to partner with enforcement agencies providing testing of the real estate industry practitioners to identify discriminatory practices in rental and for-sale housing.
- Support the efforts of local housing counseling agencies, especially to Latinos, before they apply for a mortgage.
- Continue to provide brochures containing information apprising potential home buyers of the availability of housing counseling and how to spot / report discriminatory lending practices.
- Continue to work toward the provision of affordable housing through Community Development programs.
- Support the efforts of the Planning Division to implement Project Re:Code.
- Support efforts to promote economic diversity in all schools to ensure every school has a majority of pupils coming from middle-class / higher-income households.
- Support the Housing Authority's efforts to expand the geographic range where holders of Housing Choice Vouchers look for housing.

SP-60 Homelessness Strategy 91.215(d)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City does not directly receive Continuum of Care, Emergency Shelter Grant, or other federal funds to exclusively support efforts to impact homelessness. City staff does not provide direct services to those experiencing homelessness.

A network of over 50 local service providers in the community strive to meet the diverse needs of those experiencing homelessness, those who are at-risk of homelessness, and people experiencing poverty. The Mental Health Center manages a Projects for Assistance in Transition from Homelessness (PATH) outreach program to engage those living outside or in areas unfit for human habitation. Tumbleweed runs a Street Outreach program to seek out unaccompanied youth to engage them in services. A complete listing of services, including outreach, is included in the MA-30 Homeless Facilities and Services section of this Consolidated Plan.

To the greatest extent possible, City staff will continue to provide local nonprofit organizations access to AmeriCorps VISTA members through the ***Billings Metro VISTA Project*** resources. VISTA members may be placed at the City to undertake objective citywide initiatives. VISTA members may also be placed at nonprofit Host Site organizations to work on specific anti-poverty initiatives.

Addressing the emergency and transitional housing needs of homeless persons

The shelter needs for people experiencing homelessness in the Billings community are primarily met by the Montana Rescue Mission as they operate a men's shelter and a shelter to serve women and their children. Montana Rescue Mission does not seek nor utilize federal funds for its operation. Several local service providers assist homeless families by providing funding for rent, mortgage, utility, and deposit assistance.

The Community Crisis Center provides crisis intervention and 23 hour stays as a technique to impact chronic homelessness. The YWCA provides transitional housing for victims of domestic violence. A complete listing of services, including emergency and transitional housing, is included in the MA-30 Homeless Facilities and Services section of this Consolidated Plan.

YWCA Gateway House provides housing for female-headed households who have been victims of domestic violence. Additional services provided include case management, mental health treatment, budgeting assistance, and the facilitation of access to benefits. The organization also provides transitional housing and permanent supportive housing.

HRDC District 7 receives Emergency Shelter Grant funds and manages a rapid rehousing program to provide deposit and rent payment assistance to help families quickly regain stability into permanent housing.

A complete list of service providers offering housing, services and prevention support is located in MA-30 Homeless Facilities and Services.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Family Promise of Yellowstone Valley provides emergency shelter to several families at a time in a network of church congregations. The organization also operates a transitional housing program that provides apartments for those who have graduated from the shelter program.

YWCA Gateway House provides housing for female-headed households who have been victims of domestic violence. Additional services provided include case management, mental health treatment, budgeting assistance, and the facilitation of access to benefits. The organization also provides transitional housing and permanent supportive housing.

HRDC District 7 receives Emergency Shelter Grant funds and manages a rapid rehousing program to provide deposit and rent payment assistance to help families quickly regain stability into permanent housing.

Help low income individuals and families avoid becoming homeless, especially extremely low income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

The City does not receive McKinney-Vento Homeless Assistance Act funds and is not required to develop and implement a Discharge Coordination Policy. The Montana Continuum of Care (MT CoC) for the Homeless Coalition is the state's lead agency for addressing homeless activities, and is a statewide collaboration of diverse homeless service providers, nonprofit organizations and local and state governments. The coalition was formed to address homelessness with very few resources to cover Montana's vast geographical area. The system is established upon community and regionally based continuum of care systems, which form the statewide coalition and continuum of care process. The City supports the MT CoC in their efforts to establish a Statewide Discharge Coordination Policy.

The City does not receive Emergency Shelter Grant funds. These funds are distributed statewide by the Montana Department of Public Health and Human Services through ten HRDCs throughout the state. The local District 7 HRDC utilizes these funds to support rapid re-housing activities in conjunction with the local shelters.

SP-65 Lead Based Paint Hazards 91.215(i)

Actions to address Lead-Based Paint (LBP) hazards and increase access to housing without LBP hazards

The City continues to be in compliance with HUD's lead-based paint requirements as established in September of 2000. Projects involving structures built prior to 1978 are considered to have the potential for lead-based paint and consistent procedures have been developed to ensure compliance with federal regulations.

The City will continue diligence while undertaking rehabilitation and construction activities in order to maintain the safety of households participating in federal programs. Participants in the City's housing programs are made aware of the requirements the City must follow when providing assistance. Education on the hazards of exposure to lead is provided for each rehabilitation project. The City currently offers risk assessments, through certified staff, paint inspections, clearance testing, and has access to lead-safe certified contractors to ensure compliance.

How are the actions listed above related to the extent of lead poisoning and hazards?

Unlike many larger jurisdictions, the City of Billings does not have a high prevalence of lead poisoning. The City's actions related to housing rehabilitation and development activities are preventive in nature.

How are the actions listed above integrated into housing policies and procedures?

The City's procedures contain provisions for lead-based paint compliance in all programs. A complete set of forms is currently utilized by staff for the purposes of lead-paint inspection, assessment, notification, reporting and compliance.

SP-70 Anti-Poverty Strategy 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The Needs Assessment contains comprehensive information on the lower income status of local households. All of the Consolidated Plan strategies target the improvement of economic conditions of lower income households in the community, including housing development, financing home repair, continuing partnerships and funding public service activities. The City proposes to support the following specific activities in this Consolidated Plan to address economic conditions of low and moderate-income households in Billings:

- Continue to work with nonprofit organizations to help address the human service needs of lower income residents of the community in general and of our lower income neighborhoods in particular. This would be achieved primarily through supporting capacity building efforts of social service agencies through implementation of the ***Billings Metro VISTA Project***.
- Continue to apply for the AmeriCorps VISTA project status in order to bring full-time and summer associate volunteers to work on poverty-impact programs.

AmeriCorps VISTA is a national anti-poverty initiative that places full-year and Summer Associate volunteers with local projects. Full-year VISTA members are recruited locally and nationally, are college graduates and commit to at least a year of service with a project. Summer Associates are at least 18 years old and commit to ten weeks of service.

Focus Area	*Objective*	*Programming Area: Specific to People Experiencing Poverty*
Economic Opportunity	**Financial Literacy**	Financial services and related programs to enhance financial literacy.
	Housing	Services to improve housing situations and access to affordable housing, including transitioning individuals into or helping them remain in safe, healthy, affordable housing.
	Employment	Efforts to train and employ low income individuals. This includes literacy, vocational training aimed at building and gaining work-related skills.
Education	**School Readiness**	Services for children to make gains in school readiness in the following areas: Social / Emotional Development; Literacy Skills; and Numeracy / Math Skills.
	K-12 Success	Services to improve academic performance and engagement for students, particularly for students in low-achieving schools.
	Post-Secondary Success	Services to increase enrollment and completion of post-secondary education.
Healthy Futures	**Food Security**	Services to gain access to food resources and access to nutritious food.
	Access to Health Care	Services to gain access to preventative and primary health care services.
Veterans & Military Families	**Veterans Served**	Any of the above programming areas targeting services for low income veterans, family members, members of active duty military and military service members.

The structure of the Billings Metro VISTA Project serves to assist nonprofit organizations working on poverty issues. VISTA members may serve at the City to work on initiatives with citywide benefit such as: Faith Engagement in Homelessness; Illuminate Poverty; Resource Map and Notepad; Veterans and Military Families; and Food Security. More information on citywide initiatives can be found on the City's Poverty Impact Initiatives website. Information on VISTA can be found online at www.BillingsMT.gov/vista.

VISTA members may also be placed at nonprofit Host Site organizations to work on specific anti-poverty projects to benefit the organization's clients. Examples of organizations served include:

- Philanthropic organizations:
  - United Way of Yellowstone County

- Housing organizations:
  - Housing Authority of Billings
  - Rebuilding Together for Yellowstone County
  - NeighborWorks Montana

- Social service organizations:
  - Family Support Network
  - Center for Children and Families
  - Mental Health Center
  - Montana Rescue Mission
  - District 7 HRDC
  - Self Help Law Center
  - National Alliance on Mental Illness Billings
  - Tumbleweed Program, Inc.
  - Boys & Girls Club
  - Independence Hall, serving homeless veterans
  - Billings Family Service
  - Billings Head Start – Explorer's Academy
  - Friendship House
  - Family Promise of Yellowstone Valley
  - Crow Veteran's Affairs
  - YWCA Billings

- Adjacent public entities have also been served by the VISTA program, including:
  - Billings Public Library
  - Billings Public Schools
  - Downtown Billings Association
  - Billings Police Department
  - Planning & Parks Divisions

How are the Jurisdiction's poverty-reducing goals, programs, and policies coordinated with this affordable housing plan?

Poverty reduction is addressed through the Billings Metro VISTA Project and the City's affordable housing programs. Priority needs, program goals, policies and procedures are all in alignment with poverty impact and affordable housing activities.

Affordable Housing Development

- Expand access and availability of decent, affordable housing citywide.
- Improve the physical quality of affordable housing.
- Foster suitable living environment and quality of life through the improvement of physical conditions including infrastructure for housing projects and housing development.

Housing Rehabilitation

- Help current homeowners maintain their homes in safe, quality condition.
- Increase value, quality, and durability of existing affordable housing stock.

First Time Home Buyer

- Promote financial security, home equity, housing self-sufficiency, housing and neighborhood quality and stability.
- Increase minority homeownership, promote equal access and opportunity, and decrease segregation citywide.
- Improve affordable housing opportunities for the elderly, persons with disabilities, and other special populations.
- Reduce predatory lending through education and standardized procedures.

Foreclosure, Acquisition, Rehabilitation

- Mitigate the negative community impact of vacant, foreclosed properties.
- Improve affordable housing quality, condition, safety, livability, and accessibility.
- Stabilize property values in neighborhoods with existing vacant, foreclosed homes.
- Eliminate the potential for crime related to existing vacant, foreclosed properties.

SP-80 Monitoring 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The goals to be achieved through the Consolidated Plan will be monitored on a yearly basis as required as part of the CAPER submitted to HUD for the Consolidated Plan. Monitoring consists of:

- Examination of the community's use of available HUD, state, and local resources to meet the affordable housing and community development needs as outlined in the Consolidated Plan.
- Examination of the effectiveness of the programs in place.
- Review of public comments received on the community's performance in meeting the affordable housing and community development needs described in the City's Consolidated Plan.

The City may fund a variety of organizations to carry out City-funded activities each year and would enter into a written agreement specifically describing scope of work and funding use. Organizations receiving City funds will generally be monitored on-site by Community Development staff at to ensure compliance with the terms of the agreement and applicable regulations. Site visits will include monitoring in the following areas:

- Compliance with agreement timeframe
- Rate of expenditures
- Continued eligibility of the activities under the agreement
- Adequate documentation concerning client eligibility and service delivery

Compliance with federal regulations will also be monitored, including (but not limited to) a review of the following:

- American Disabilities Act
- Fair Housing Act
- Equal Employment Opportunity
- Section 3 of the Housing and Urban Development Act of 1968
- Uniform Administrative Requirements
- Davis-Bacon Labor Standards

Community Housing Development Organizations

The City requires Community Housing Development Organizations (CHDOs) apply for recertification on an annual basis to ensure continued requirements are being met for CHDO designation, including (but not limited to) maintenance of Board composition, including at least one-third membership by residents of low income neighborhoods and no more than one-third may be public officials or local / state employees. Staff also conducts a CHDO capacity review every time a new project is funded to ensure the organization has the ability to carry out functions of the proposed project.

Affordable Housing Projects

Housing projects are monitored via desk review and / or site-visits, including inspections, on a schedule based on the number of units in the project. On-site visits include property standards compliance

inspections, tenant file review, household income verification, etc. City staff will also conduct annual desk reviews to ensure leases are in compliance with HOME regulations; rents are compliant with HOME limits; tenant incomes are reviewed annually and they are within eligibility limits; the property owner/manager is inspecting the property at least annually; that adequate project reserves have been established and annual reports are received; and the year-end profit and loss statements show the project is profitable and/or sustainable for the period of affordability.

Affordable housing projects are also scrutinized via routine Risk Assessment in order for City staff to evaluate the relative level of risk of noncompliance for each project in the assisted portfolio. Projects with higher risk assessment scores are prioritized for intensive case management efforts to bring the project into compliance and may receive multiple site visits and technical assistance from City staff.

First Time Home Buyers

Homebuyers receiving assistance are monitored for residency requirements by US Postal Service and noncompliant projects are prioritized for intervention through the City's legal office.

Section VI: Annual Action Plan

AP-15 Expected Resources

Section is duplication – SP-35 *91.220(c)(1,2)*

Introduction

CDBG administration allocations are capped at 20% of the new CDBG allocation in addition to eligible program income received during the project year. Maximum amounts for public service activities are capped at 15% of the new CDBG allocation and 15% of the previous year's program income. HOME administration activities are capped at 10% of the new HOME allocation and eligible program income received following the required affordability period. Revenue received during a project's affordability period is considered recaptured and may not be used for administration.

Expected revenues from the CDBG program include repayments for funding loaned through the Housing Rehabilitation Loan program and other revitalization efforts. The City expects to receive approximately $75,000 in repayments for the upcoming fiscal year which will be reprogrammed for programs identified herein. The City will not receive proceeds for Section 108 loan guarantees, surplus funds from urban renewal settlements, or float-funded activities.

Revenue expected for the HOME program includes recaptured and program income funding generated by the First Time Homebuyer Loan program. The City expects to receive approximately $150,000 in HOME funding through these venues, and the funding will be utilized to further programs identified in this Consolidated Plan. The City of Billings programs utilize 100% of CDBG and HOME funding to benefit low to moderate income households and / or areas. The City may also receive program income attributable to the Neighborhood Stabilization Program and other previously funded federal and state programs.

Routine revenues including program income, recaptured / repaid funds, and re-programmed monies will be utilized for existing and previously approved programs as it is received during each fiscal year. Routine revenues are allocated on a close- and shovel-ready basis to ensure timely commitment and expenditure. These changes are customary and facilitate funding allocations to projects and activities most in demand and do not require a substantial or minor amendment to the Consolidated Plan.

The City also received $909,126 in CARES Act CDBG-CV funding to prevent, prepare for, and respond to the coronavirus. Funding will be allocated to public service and public facility improvements.

Anticipated Resources

Program	Source of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of Con Plan	Narrative Description
		Annual Allocation	Program Income	Prior Year Resources	Total		
CDBG	Public / Federal	$657,719	$75,000	$0	$732,719	$2,520,000	Entitlement Allocation
	Uses of Funds: Administration, Homeowner Rehabilitation, Homebuyer Acquisition, New Housing Development, Public Services						
HOME	Public / Federal	$349,053	$150,000	$0	$499,053	$1,280,000	Entitlement Allocation
	Uses of Funds: Administration, Homebuyer Acquisition, New Housing Development						
CDBG-CV	Public / Federal	$909,126	$0	$0	$909,126	Leave Blank	CARES Act
	Uses of Funds: Prevent, prepare for, and respond to coronavirus						

HUD Table 52 - Expected Resources - Priority Table, Duplicated from SP-35

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The HOME program requires 25% match funding for projects be dedicated from non-federal sources. The City of Billings meets HOME matching requirements through low-interest financing available for First Time Homebuyer Loans issued through the Montana Board of Housing and matching funds provided for other affordable housing projects undertaken with HOME funds, such as private contributions and other local bank financing.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

City staff does not anticipate publically owned land will be utilized to address needs identified in the Consolidated Plan.

AP-20 Annual Goals and Objectives, table is AP-23 in IDIS

Goal Summary Information: Projects are funded on a close- and shovel-ready basis for core programs as described in this Plan.
An asterisk indicates *Housing development organizations housing development activities must be implemented by housing development organizations.

#	Goal Name	Category	Outcome	Objective	$	City Program	Goal Outcome Indicator	One Year Goal
1	**Create, preserve, and expand affordable housing options**	Affordable Housing	Affordability	Decent Affordable Housing	CDBG $351,256 HOME $314,216 NSP TBD	Affordable Housing Development	Public Infrastructure: Low-Income Housing Benefit	60 Households Assisted
							Rental Units Constructed	# Housing Units*
							Rental Units Rehabilitated	# Housing Units*
							Homeowner Housing Added	# Housing Units*
						Housing Rehabilitation	Homeowner Housing Rehabilitated	4 Housing Units
						First Time Home buyer	Direct Financial Assistance to Homebuyers	35 Households Assisted
		• Encourage the citywide development of new affordable single-family, multi-family and special needs housing in the community through private developers and nonprofit organizations. • Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs citywide. • Provide affordable financing and support to promote homeownership opportunities citywide.						
2	**Neighborhood Revitalization: Foreclosures**	Affordable Housing	Affordability	Decent Affordable Housing	CDBG $100,000	Foreclosure Acquisition Rehabilitation	Homeowner housing rehabilitated	1 Housing Unit
							Buildings Demolished	# Buildings*
		• Revitalize neighborhoods through foreclosure remediation, redevelopment and infill development.						
3	**Impact Poverty**	Other: Poverty Impact	Availability / Accessibility	Create Suitable Living Environment	CDBG $75,000 CNCS TBD	Billings Metro VISTA Project	Public service activity for low-income benefit	200 Persons Assisted
		• Provide public service activity funding to support the Billings Metro VISTA Project to support local nonprofit organizations expand services for the homeless and special needs populations: Healthcare; Food Security; Education; Employment; Financial Literacy; and Housing.						
4	**Prevent, prepare for, and respond to coronavirus**	Other: (Blank - does not display SP-45 text)	Availability / Accessibility	Prevent, prepare for, and respond to coronavirus	CDBG-CV $909,126	CDBG-CV: Public Services	Public service activity for low-income benefit (GOI 3)	500 Low-Income Persons Assisted
						CDBG-CV: Public Facility Improvements	Public facility or infrastructure activities (GOI 1)	500 Low-Income Persons Assisted
		• Provide public service activity and public facility improvement funding to prevent, prepare for, and respond to the coronavirus. Priority needs have been identified in the City's Community Assessment Report, including, but not limited to: ○ **Low-Income Beneficiaries:** Rent, mental health care, meal distribution, mortgage payments, internet access, utility assistance, childcare, etc. ○ **Public Improvements & Facilities:** Handwashing stations, additional public restrooms / cleaning, infrastructure, etc. ○ **Social Service Agencies & Public Health Support:** Client remote access, vaccination activities, virtual service ability, exposure prevention - staff training, unmet hospital / public health needs, FEMA match, facility social distancing, etc.						

HOME Investment Partnerships Program(HOME), Community Development Block Grant (CDBG), Corporation for National and Community Service (CNCS), CARES Act (CDBG-CV)
HUD Table 53 - Goals Summary

AP-35 Projects *91.220(d)*

Introduction

The City of Billings is recommending the following projects for CDBG and HOME funding this fiscal year. Revenues received from CDBG, HOME, and other sources will be allocated to current programs under a close- / shovel-ready basis to ensure commitment and expenditure timeliness.

#	Project Name	FY2020-2021 Allocations	
		CDBG	HOME
4 & 5	Administration	$131,463	$34,837
6	Affordable Housing Development *In addition to $150,000 in current fiscal year repayment revenue*	$235,000	-
7	Community Housing Development Organizations	-	$52,358
8	Housing Rehabilitation	$50,000	-
9	First Time Home Buyer	$66,256	$261,858
10	Foreclosure Acquisition and Rehabilitation	$100,000	-
11	Billings Metro VISTA Project	$75,000	-
12	CDBG-CV: Administration	$181,825	-
13	CDBG-CV: Public Services	$363,650	-
14	CDBG-CV: Public Facility Improvements	$363,651	-

HUD Table 54 - Project Information, Funding Allocations do not include Program Income

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The allocation priorities were established by identifying community needs through the Needs Assessment and Market Analysis:

- **Affordable Housing:** Single- and multi-housing development, Housing Rehabilitation, and First Time Home Buyer, and Foreclosure Acquisition and Rehabilitation.
- **Poverty Impact:** Billings Metro VISTA Project.

The primary obstacle faced by the City in undertaking the activities described in its Consolidated Plan and meeting under-served needs is limited funding. The Needs Assessment identified the affordable housing needs and conditions of our community. These conditions, particularly the cost burden faced by very low income renters and homeowners, is difficult to address given existing resources.

AP-38 Project Summary

#	Project Name	Target Area	Goals / Needs	Funding – No Program Income	Target Date	Estimate # / Type Families Benefitting
4 & 5	Administration	City of Billings	Affordable Housing	CDBG $131,463 HOME $34,837	June 30, 2021	Not Applicable
		Description: General grant administration for CDBG and HOME programs.				
6	Affordable Housing Development	City of Billings	Affordable Housing	CDBG $235,000 In addition to $150,000 current repayment revenue	June 30, 2021	60 Low-Income Households Assisted
		Description: Encourage the citywide development of new affordable single-family, multi-family and special needs housing in the community through private developers and nonprofit organizations. Planned Activities: This funding would be utilized to facilitate the development of new affordable housing.				
7	Community Housing Development Organization	City of Billings	Affordable Housing	HOME $52,358	June 30, 2023	# Housing Units: Rentals constructed, rehabbed, or owner housing added
		Description: Encourage the citywide development of new affordable single-family, multi-family and special needs housing in the community through private developers and nonprofit organizations. Planned Activities: This funding would be utilized to facilitate the development of new affordable housing.				
8	Housing Rehabilitation	City of Billings	Affordable Housing	CDBG $50,000	June 30, 2021	4 Low-Income Housing Units
		Description: Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs citywide. Preserve existing affordable housing supply, particularly in older neighborhoods, to support the stability of the current affordable housing stock. Planned Activities: This program provides low-income households with zero interest, no payment financing to make needed improvements. This program revitalizes established neighborhoods and preserve the existing affordable housing stock through the completion of repairs to housing.				
9	First Time Home Buyer	City of Billings	Affordable Housing	HOME $261,858 CDBG $66,256	June 30, 2021	35 Low-Income Households Assisted
		Description: Provide affordable financing and support to promote homeownership opportunities citywide. Planned Activities: This program provides financial resources to support low-income first time homebuyers with down payment and closing costs.				
10	Foreclosure Acquisition & Rehabilitation	City of Billings	Affordable Housing	CDBG $100,000	June 30, 2021	1 Housing Unit – Low-Income Household
		Description: Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs citywide. Revitalize low-income neighborhoods through foreclosure remediation, redevelopment and infill development. Planned Activities: Funding to support the purchase of vacant and foreclosed properties for the purpose of rehabilitation and direct homeownership assistance to income-qualified homebuyers as their primary residence. Properties may also be demolished to make way for new construction of affordable housing. The purpose of the program is to stabilize neighborhoods, stem the decline of house values of neighboring homes due to foreclosure, and to preserve decent affordable housing.				
11	Billings Metro VISTA Project	City of Billings	Poverty Impact	CDBG $75,000	June 30, 2021	200 Low-Income Persons Assisted
		Description: Provide public service activity funding to support the Billings Metro VISTA Project to support local nonprofit organizations expand services for the homeless and special needs populations: Healthcare; Food Security; Education; Employment; Financial Literacy; and Housing. Planned Activities: AmeriCorps members work on poverty impact issues in the community including hunger, homelessness, education, and veterans / military family support. Members are placed at nonprofit organization Host Sites and the City to assist in strengthening services in the poverty-impact service continuum.				

#	Project Name	Target Area	Goals / Needs	Funding – No Program Income	Target Date	Estimate # / Type Families Benefitting
12	CDBG-CV: Administration	City of Billings	Prevent, prepare for, respond to coronavirus	CDBG-CV $181,825	August 31, 2022	Not Applicable
		Description: General grant administration for CDBG-CV programs.				
13	CDBG-CV: Public Services	City of Billings	Prevent, prepare for, respond to coronavirus	$363,650	August 31, 2022	500 Low-Income Persons Assisted
		Description: Provide public service activity funding to prevent, prepare for, and respond to the coronavirus. • **Activities benefitting low-Income beneficiaries:** Rent, mental health care, meal distribution, mortgage payments, internet access, utility assistance, childcare, etc. • **Social Service Agencies & Public Health Support:** Client remote access, vaccination activities, virtual service ability, exposure prevention - staff training, unmet hospital / public health needs, FEMA match, etc.				
14	CDBG-CV: Public Facility Improvements	City of Billings	Prevent, prepare for, respond to coronavirus	$363,651	August 31, 2022	500 Low-Income Persons Assisted
		Description: Provide public facility improvements funding to prevent, prepare for, and respond to the coronavirus. Priority needs have been identified in the City's Community Assessment Report, including, but not limited to: ○ **Public Improvements & Facilities:** Handwashing stations, additional public restrooms / cleaning, infrastructure, etc. ○ **Social Service Agencies & Public Health Support:** Client remote access, virtual service ability, unmet hospital / public health needs, FEMA match, facility social distancing, etc..				
Community Development Block Grant (CDBG) HOME Investment Partnerships Program (HOME) CARES Act (CDBG-CV)						

AP-50 Geographic Distribution 91.220(f)

Description of the geographic areas of the entitlement (including areas of low income and minority concentration) where assistance will be directed

The geographic area served by the Consolidated Plan is defined by the current City of Billings limits. Citation 24 CFR 91.220(f) reads as follows, *"When appropriate, jurisdictions should estimate the percentage of funds they plan to dedicate to target areas."* Estimating the percentage of funds planned for dedication to target areas is not appropriate for the Billings community due to the following reasons:

- Geographic area is defined by the current City of Billings limits.
- Target areas include high concentrations of low income households, particularly those with higher concentrations of racial / minority households.
- Citywide strategies encourage the distribution of resources support affirmatively furthering fair housing and equal opportunity to avoid segregation in Billings.
- Geographic distribution of investments description includes the focus of resources on a citywide basis to support diversity across the community.
- The City of Billings is classified as a smaller city on a national scale.
- The actual dollar amount dedicated to each program is included in this Action Plan.

The City will focus distribution of investments on a citywide basis in order to support diversity and mixed-income development across the community. Neighborhood Revitalization Strategy areas ***have not been established*** in Billings and there is no specific amount of funding allocated for a target area in the City's geographic distribution of resources. **Therefore, the City plans to dedicate zero percent of funding to target areas in favor of supporting a citywide approach to further fair housing, equal opportunity and anti-segregation efforts.**

Geographic Distribution

Target Area	Percentage of Funds
Citywide	100%

HUD Table 55 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The strategies identified in the Consolidated Plan will be addressed on a citywide basis to encourage the distribution of low income affordable housing and other assistance to lower income households throughout the community.

AP-55 Affordable Housing 91.220(g)

Introduction

Planned affordable housing for the upcoming year include Housing Rehabilitation, Foreclosure Acquisition / Rehabilitation, Affordable Housing Development, and First Time Home Buyer. While many of these programs may serve the homeless or special needs households, the programs are not designed to exclusively serve one or more of the following cohorts.

One Year Goals for the Number of Households to be Supported	
Homeless	
Non-Homeless	100
Special-Needs	
Total	100

HUD Table 56 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	
The Production of New Units	
Rehab of Existing Units	5
Acquisition of Existing Units	
Total	5

HUD Table 57 - One Year Goals for Affordable Housing by Support Type

AP-60 Public Housing 91.220(h)

Introduction

The Housing Authority of Billings serves extremely low income, very low income, and low income citizens. The Housing Authority plans to apply for all grants that will assist the organization in adding units to its existing programs and any programs that complement existing services and are able to be implemented. The Housing Authority will continue to assess and implement modernization funds to upgrade and restore units and complete energy efficient repairs as needed.

Actions planned during the next year to address the needs to public housing

The Housing Authority may apply for funding to develop affordable housing through the Affordable Housing Development Program. In the past, the City has granted funds to build new units through the HOME and CDBG programs in neighborhoods where Housing Authority property exists. The City has also provided funding for a variety of rehabilitation and new construction projects to neighborhoods that have public housing units in need of upgrading.

The City has helped rehabilitate properties, sold land for new businesses, and granted land to nonprofits to assist with neighborhood revitalization efforts in neighborhoods where Housing Authority complexes have been built. The City has provided funding for parks and play areas for the neighborhoods where Housing Authority families reside. In addition, the businesses that have moved into areas where Housing Authority properties are located have contributed to the economic stability of the Housing Authority clients. The City's First Time Home Buyer program assists with home ownership down payment assistance and home ownership counseling for clients considering homeownership.

The City coordinates with the Housing Authority for housing needs assessments, assists in funding new projects when appropriate, and assists with applications for supportive services when called upon for needed assistance.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The Housing Authority implements the Family Self-Sufficiency program. This program links participants to community agencies to help them become self-sufficient through individual goal setting. Fifty-five families participated in the program in 2014. Three families moved into homeownership, two with continued assistance and one without. Forty-one households have achieved homeownership through this program to date. Resident councils, an Advisory Board and the Family Self-Sufficiency Panel are involved in providing input on program needs and assisting others to become actively involved in the process. Additional information is included in the five-year plan on file at the Housing Authority office.

Each year, the Housing Authority goes through a process to assess physical needs addressed by tenants through their Resident Advisory Board for the Annual Plan process; comments are also solicited via Resident Council functions throughout the year. These comments, Board participation, tenant commissioners, and Public Housing Administration's daily communications with the Housing Authority's client base serve to assist in assessing client needs for physical adjustments, security issues, and needed

links with the community. The physical needs requests are implemented along with staff recommendations in the Capital Fund planning process.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable. The Housing Authority is a High Performer for PHAS and, therefore, a review of troubled status needs is not required.

AP-65 Homeless and Other Special Needs Activities 91.220(i)

Introduction

As previously stated in the SP-60 Homelessness Strategy of this Consolidated Plan, the Community Development Division's ongoing activities include:

- Continuing to distribute the City's *Resource Map*, *Notepad*, and the *Veteran's Resource Map.* These documents include comprehensive service directories for anyone seeking assistance.
- To the greatest extent possible, City staff will continue to provide local nonprofit organizations access to AmeriCorps VISTA members through the ***Billings Metro VISTA Project*** resources. VISTA members may be placed at the City to undertake objective citywide initiatives. VISTA members may also be placed at nonprofit Host Site organizations to work on specific anti-poverty initiatives.

The City does not directly receive Continuum of Care, Emergency Shelter Grant, or other federal funds to exclusively support efforts to impact homelessness. City staff does not provide direct services to those experiencing homelessness.

A network of over 50 local service providers in the community strive to meet the diverse needs of those experiencing homelessness, those who are at-risk of homelessness, and people experiencing poverty. The Mental Health Center manages a Projects for Assistance in Transition from Homelessness (PATH) outreach program to engage those living outside or in areas unfit for human habitation. Tumbleweed runs a Street Outreach program to seek out unaccompanied youth to engage them in services. A complete listing of services, including outreach, is included in the MA-30 Homeless Facilities and Services section of this Consolidated Plan.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Mental Health Center manages the PATH outreach program to engage those living outside or in areas unfit for human habitation. Tumbleweed runs a Street Outreach program to seek out unaccompanied youth to engage them in services. Additional services for the homeless are included in the MA-30 Homeless Facilities and Services section of this Consolidated Plan.

Addressing the emergency shelter and transitional housing needs of homeless persons

The shelter needs for those experiencing homelessness in the Billings community are primarily met by the Montana Rescue Mission. The organization operates men's shelter and a shelter to serve women and their children. Montana Rescue Mission does not seek nor utilize federal funds for its operation. Several local service providers assist homeless families by providing funding for rent, mortgage, utility, and deposit assistance.

The Community Crisis Center provides crisis intervention and 23 hour stays as a technique to impact chronic homelessness. The YWCA provides transitional housing for victims of domestic violence. Additional services for the homeless are included in the MA-30 Homeless Facilities and Services section of this Consolidated Plan.

For those living on the downtown streets of Billings, a new position has been created for an addiction / mental health counselor to accompany two downtown police officers when engaging people living on the streets. This initiative was undertaken as one of the many outcomes from the Community Innovations Summit, which was facilitated by the Community Development Division and the Downtown Billings Alliance. Non-federal funding through the City of Billings has been allocated to support the counselor staff position.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Family Promise of Yellowstone Valley provides emergency shelter to several families at a time in a network of church congregations. The organization also operates a transitional housing program that provides apartments for those who have graduated from the shelter program.

YWCA Gateway House provides housing for female-headed households who have been victims of domestic violence. Additional services provided include case management, mental health treatment, budgeting assistance, and the facilitation of access to benefits. The organization also provides transitional housing and permanent supportive housing.

HRDC District 7 receives Emergency Shelter Grant funds and manages a rapid rehousing program to provide deposit and rent payment assistance to help families quickly regain stability into permanent housing.

Helping low income individuals and families avoid becoming homeless, especially extremely low income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The City does not receive McKinney-Vento Homeless Assistance Act funds and is not required to develop and implement a Discharge Coordination Policy. The Montana Continuum of Care (MT CoC) for the Homeless Coalition is the state's lead agency for addressing homeless activities, and is a statewide collaboration of diverse homeless service providers, nonprofit organizations and local and state governments. The coalition was formed to address homelessness with very few resources to cover Montana's vast geographical area. The system is established upon community and regionally based continuum of care systems, which form the statewide coalition and continuum of care process. The City supports the MT CoC in their efforts to establish a Statewide Discharge Coordination Policy.

The City does not receive Emergency Shelter Grant funds. These funds are distributed statewide by the Montana Department of Public Health and Human Services through ten HRDCs throughout the state. The local District 7 HRDC utilizes these funds to support rapid re-housing activities in conjunction with the local shelters.

AP-75 Barriers to Affordable Housing *91.220(j)*

Introduction

Barriers to affordable housing are noted in the MA-40 and SP-55 Barriers to Affordable Housing sections of this Consolidated Plan.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City plans on assisting with housing affordability and poverty impact through the following programs:

- Housing Rehabilitation
- Foreclosure Acquisition / Rehabilitation
- First Time Home Buyer
- Affordable Housing Development
- Billings Metro VISTA Project

AP-85 Other Actions 91.220(k)

Introduction

The City's programs have been designed to meet priority needs in the community. However, there is very limited funding coming through the City to meet the needs of local citizens.

Actions planned to address obstacles to meeting underserved needs

The City plans on meeting underserved needs through the following programs:

- **First Time Home Buyer**
  - Promote financial security, home equity, housing self-sufficiency, housing and neighborhood quality and stability.
  - Increase minority homeownership, promote equal access and opportunity, and decrease segregation citywide.
  - Improve affordable housing opportunities for the elderly, persons with disabilities, and other special populations.
  - Reduce predatory lending through education and standardized procedures.

- **Housing Rehabilitation**
  - Help current homeowners maintain their homes in safe, quality condition.
  - Increase value, quality, and durability of existing affordable housing stock.

- **Affordable Housing Development**
  - Expand access and availability of decent, affordable housing citywide.
  - Improve the physical quality of affordable housing.
  - Foster suitable living environment and quality of life through the improvement of physical conditions including infrastructure for housing projects and housing development.

- **Foreclosure, Acquisition, Rehabilitation**
  - Mitigate the negative community impact of vacant, foreclosed properties.
  - Improve affordable housing quality, condition, safety, livability, and accessibility.
  - Stabilize property values in neighborhoods with existing vacant, foreclosed homes.
  - Eliminate the potential for crime related to existing vacant, foreclosed properties.

- **Billings Metro VISTA Project**
  - Provide resources to nonprofit organizations to undertake poverty impact activities and to support the low income individuals and families they serve.
  - Focus areas include: education, healthcare, food security, economic opportunity, housing, financial literacy, and others.

Actions planned to foster and maintain affordable housing

The City plans on maintaining affordable housing through the following:

- **Create, preserve, and expand affordable housing options:** Affordable Housing Development; Housing Rehabilitation; and First Time Home Buyer.
- **Neighborhood Revitalization – Foreclosures**: Foreclosure Acquisition Rehabilitation
- **Impact Poverty:** Billings Metro VISTA Project

Actions planned to reduce lead-based paint hazards

The City continues to be in compliance with HUD's lead-based paint requirements as established in September of 2000. Projects involving structures built prior to 1978 are considered to have the potential for lead-based paint and consistent procedures have been developed to ensure compliance with federal regulations.

The City will continue diligence while undertaking rehabilitation and construction activities in order to maintain the safety of households participating in federal programs. Participants in the City's housing programs are made aware of the requirements the City must follow when providing assistance. Education on the hazards of exposure to lead is provided for each rehabilitation project. The City currently offers risk assessments, through certified staff, paint inspections, clearance testing, and has access to lead-safe certified contractors to ensure compliance.

Actions planned to reduce the number of poverty-level families

As stated in the SP-70 Anti-Poverty Strategy section of the Consolidated Plan, the Needs Assessment contains comprehensive information on the lower income status of local households. All of the Consolidated Plan strategies target the improvement of economic conditions of lower income households in the community, including housing development, financing home repair, continuing partnerships and funding public service activities. The City proposes to support the following specific activities in this Consolidated Plan to address economic conditions of low and moderate-income households in Billings:

- Continue to work with nonprofit organizations to help address the human service needs of lower income residents of the community in general and of our lower income neighborhoods in particular. This would be achieved primarily through supporting capacity building efforts of social service agencies through implementation of the ***Billings Metro VISTA Project***.
- Continue to apply for the AmeriCorps VISTA project status in order to bring full-time and summer associate volunteers to work on poverty-impact programs.

AmeriCorps VISTA is a national anti-poverty initiative that places full-year and Summer Associate volunteers with local projects. Full-year VISTA members are recruited locally and nationally, are college graduates and commit to at least a year of service with a project. Summer Associates are at least 18 years old and commit to ten weeks of service.

Actions planned to develop institutional structure

As described in the SP-40 Institutional Delivery Structure section of the Consolidated Plan, the City of Billings maintains strong partnerships with housing and social service agencies. The only gaps in the institutional structure relate to funding limitations and the City's inability to dedicate time and resources to additional projects outside of the current funding structure.

Actions planned to enhance coordination between public and private housing & social service agencies

The City will continue coordinating with public, private, and social service agencies to further activities and projects identified herein, including participation in the following groups and initiatives:

- Nonprofit Organizations
- Neighborhood Task Forces
- Community Innovations Initiatives
- Resource Map and Notepad
- Veteran's Resource Map
- Billings Metro VISTA Project

AP-90 Program Specific Requirements 91.220(l)(1,2,4)

Introduction

The City of Billings has programmed all available revenues in current programs identified herein.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

1.	Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.	$0
2.	The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	$0
3.	The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	$0
4.	The amount of surplus funds from urban renewal settlements	$0
5.	The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	$0
6.	The amount of income from float-funded activities.	$0
	Total Program Income:	**$0**

Other CDBG Requirements

1.	The amount of urgent need activities.	$0
2.	The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two, or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specific the years covered that include this Annual Action Plan.	100%
	Years Covered are 2020-2021	

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)

1. **A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:**

   The above-noted regulation refers to the use of HOME funds for eligible activities. The City of Billings will not utilize HOME funds outside of the following allowable investments:

   - Equity investments, interest-bearing loans or advances, non-interest-bearing loans or advances, interest subsidies consistent with the purposes of this part, deferred payment loans, grants, or other forms of assistance that HUD determines to be consistent with the purposes of this part. Each participating jurisdiction has the right to establish the terms of assistance, subject to the requirements of this part.
   - Guarantee loans made by lenders and, if required, the participating jurisdiction may establish a loan guarantee account with HOME funds. The HOME funds may be used to guarantee the timely payment of principal and interest or payment of the outstanding principal and interest upon foreclosure of the loan. The amount of the loan guarantee account must be based on a reasonable estimate of the default rate on the guaranteed loans, but under no circumstances may the amount on deposit exceed 20% of the total outstanding principal amount guaranteed; except that the account may include a reasonable minimum balance. While loan funds guaranteed with HOME funds are subject to all HOME requirements, funds which are used to repay the guaranteed loans are not.

2. **A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:**

   Recapture provisions permit the original homebuyer to sell the assisted property to any willing buyer during the period of affordability while the City is able to recapture all or a portion of the HOME assistance provided to the original homebuyer. The City utilizes recapture provisions exclusively when assisting homeowners and the provisions are enforced via a Promissory Note (not recorded), the use of a Deed Restriction Agreement and a Montana Trust Indenture that are both recorded at the Yellowstone County Clerk and Recorder's office. These written, legal documents contain language outlining the recapture provisions as established herein. The City does not use subrecipients or other grantees to carry out these activities.

   Homebuyer Requirements: In order for homeownership housing to qualify as affordable housing eligible for HOME funding, it must be: single-family; considered modest housing; be acquired by a low income household for their principal residence; and meet affordability requirements for a single period of time as determined by the amount of assistance provided.

   Direct HOME Subsidy: The amount of HOME assistance that enabled the homebuyer to buy the unit. The direct subsidy includes down payment and closing costs provided directly to the homebuyer, which resulted in a reduced purchase price from the fair market value of the home to an affordable price. The entire amount of HOME assistance is subject to recapture.

   Net Proceeds: The sales price, less the superior loan repayment and any closing costs. The City will only recapture the net proceeds from a sale. Any loans or improvements made to the property after the time of the HOME assistance will be paid after the City is repaid the amount owed under its

recapture provisions. If the net proceeds are not sufficient to recapture the full HOME investment, the City will accept the available net proceeds as full payment.

Recapture Model - City Recaptures Entire HOME Assistance Amount: The City allows the assisted homebuyer to retain all appreciation and the City expects to recapture the entire direct HOME subsidy invested in the project. Therefore, the homeowner will retain any value of the appreciation of the property after the City's HOME assistance has been recaptured / repaid. The homeowner's down payment, principal payments, and any capital improvement investment made in the property after the HOME assistance was provided will be returned to the homeowner at closing after the City's HOME assistance is recaptured and repaid from the net proceeds as described above.

Subordination: The City does not subordinate loans in the First Time Homebuyer program and other homeowner-assisted projects without City Council approval. Therefore, if an assisted homeowner refinances the property, the City will need to be repaid the full amount of HOME assistance provided. Assisted homeowners wishing to pursue City Council approval may write a letter explaining the need for the subordination and submit it to the Community Development Division. Staff will then prepare a memo and place the subordination on the Community Development Board agenda for recommendation to the City Council.

Use of Recaptured Funds: Recaptured HOME funds will be used to assist other first time homebuyers to purchase property in Billings or other HOME-eligible activities to be determined through the City's budget allocation process in accordance with the Citizen Participation Plan. Homebuyers must be low income and must use the assisted property with the recaptured funds as their principal residence. Low income and first time homebuyer status will be determined based on HOME program regulations.

Resale: the objective of the resale provision is to continue the affordability of a property in the event of resale and applies to HOME assisted projects restricting assistance to a development subsidy; construction, infrastructure, land acquisition, etc. In the event the City provides HOME assistance as an exclusive development subsidy, the seller would be obligated to either find an income-eligible buyer (under 80% AMI) who could afford the sales price or would have to sell the property back to the City / Developer at a price that will keep the property affordable for the next low income buyer.

Housing providers may find the resale option beneficial as they may be able to retain control of the unit to ensure long-term affordability. Property sellers are entitled to a fair return on their investment; percentage of change in area median income over the period of ownership. The base price is the original homebuyer investment plus the value of any upgrades beyond maintenance. The sales price is the comparative price to the base price. In the event of a declining market, a loss on investment may constitute a fair return.

3. **A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds. See 24 CFR 92.254(a)(4) are as follows:**

Long Term Affordability: Under the recapture provision, there is no requirement that the original HOME-assisted homebuyer sell the unit to another low income homebuyer.

Affordability Periods: For City-assisted homebuyer units under the recapture provision, the period of affordability is based upon the direct HOME subsidy provided to the homebuyer that enabled the homebuyer to purchase the unit. Any program income used to provide direct assistance to the homebuyer is included when determining the period of affordability. Recapture provisions for the First Time Homebuyer program are either five or ten years for each assisted property beginning after

the transfer of the property to the property owner as evidenced by the Deed Restriction Agreement, Montana Trust Indenture and Promissory Note.

4. **Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:**

   The City of Billings does not propose the use of HOME funds to refinance existing debt secured by multi-family housing that is being rehabilitated with HOME funds.

Section VII: Appendix

Appendix A: CDBG Application for Federal Assistance (SF-424)

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424

* 1. Type of Submission: ☐ Preapplication ☒ Application ☐ Changed/Corrected Application	* 2. Type of Application: ☐ New ☒ Continuation ☐ Revision	* If Revision, select appropriate letter(s): * Other (Specify):
* 3. Date Received: 07/01/2020	4. Applicant Identifier: CDBG Entitlement Funding	
5a. Federal Entity Identifier: MT300066 Billings	5b. Federal Award Identifier: B-20-MC-30-0001	
State Use Only:		
6. Date Received by State:	7. State Application Identifier:	
8. APPLICANT INFORMATION:		
* a. Legal Name: City of Billings		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 81-6001237	* c. Organizational DUNS: 1947827800000	
d. Address:		
* Street1: PO Box 1178		
Street2:		
* City: Billings		
County/Parish:		
* State: MT: Montana		
Province:		
* Country: USA: UNITED STATES		
* Zip / Postal Code: 59103-1178		
e. Organizational Unit:		
Department Name: Planning & Community Services	Division Name: Community Development Division	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix:	* First Name: Brenda	
Middle Name:		
* Last Name: Beckett		
Suffix:		
Title: Community Development Manager		
Organizational Affiliation: City of Billings		
* Telephone Number: 406-657-8286	Fax Number:	
* Email: beckettb@billingsmt.gov		

OMB Control No: 2506-0117 (exp. 06/30/2018)

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

United States Department of Housing & Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

CDBG Entitlement Grant

*** 12. Funding Opportunity Number:**

FY2020

* Title:

Community Development Block Grant Program - Entitlement

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

City of Billings, Montana

Activities for approved use through the CDBG program, as indicated in the FY2020-2021 Annual Action Plan.

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

OMB Control No: 2506-0117 (exp. 06/30/2018)

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant: MT-001 * b. Program/Project: MT-001

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 07/01/2020 * b. End Date: 06/30/2021

18. Estimated Funding ($):

* a. Federal	657,719.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	657,719.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name: Chris

Middle Name: A.

* Last Name: Kukulski

Suffix:

* Title: city Administrator

* Telephone Number: 406-657-8430 Fax Number:

* Email: kukulskic@billingsmt.gov

* Signature of Authorized Representative: Christ A Kukulski * Date Signed: 11-10-12

OMB Control No: 2506-0117 (exp. 06/30/2018)

Appendix B: HOME Application for Federal Assistance (SF-424)

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424

* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s):
☐ Preapplication	☐ New	
☒ Application	☒ Continuation	* Other (Specify):
☐ Changed/Corrected Application	☐ Revision	

* 3. Date Received: 07/01/2020	4. Applicant Identifier: HOME Entitlement Funding
5a. Federal Entity Identifier: MT300066 Billings	5b. Federal Award Identifier: M-20-MC-30-0213
State Use Only:	
6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:	City of Billings
* b. Employer/Taxpayer Identification Number (EIN/TIN): 81-6001237	* c. Organizational DUNS: 1947827800000

d. Address:

* Street1:	PO Box 1178
Street2:	
* City:	Billings
County/Parish:	
* State:	MT: Montana
Province:	
* Country:	USA: UNITED STATES
* Zip / Postal Code:	59103-1178

e. Organizational Unit:

Department Name: Planning & Community Services	Division Name: Community Development Division

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:		* First Name:	Brenda
Middle Name:			
* Last Name:	Beckett		
Suffix:			

Title:	Community Development Manager
Organizational Affiliation:	City of Billings
* Telephone Number: 406-657-8286	Fax Number:
* Email:	beckettb@billingsmt.gov

OMB Control No: 2506-0117 (exp. 06/30/2018)

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

United States Department of Housing & Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

HOME Investment Partnerships Program - Entitlement

*** 12. Funding Opportunity Number:**

FY2020 HOME

* Title:

HOME Investment Partnerships Program - Entitlement to Cities

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

City of Billings, Montana

Activities for approved use through the HOME program, as indicated in the FY2020-2021 Annual Action Plan.

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

OMB Control No: 2506-0117 (exp. 06/30/2018)

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant: MT-001 * b. Program/Project: MT-001

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 07/01/2020 * b. End Date: 06/30/2021

18. Estimated Funding ($):

* a. Federal	349,053.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	349,053.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name: Chris

Middle Name: A.

* Last Name: Kukulski

Suffix:

* Title: City Administrator

* Telephone Number: 406-657-8430 Fax Number:

* Email: kukulskic@billingsmt.gov

* Signature of Authorized Representative: Chris A Kukulski * Date Signed: 11-10-20

OMB Control No: 2506-0117 (exp. 06/30/2018)

Appendix C: CDBG-CV Application for Federal Assistance (SF-424)

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424

* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s):
☐ Preapplication	☐ New	
☒ Application	☒ Continuation	* Other (Specify):
☐ Changed/Corrected Application	☐ Revision	

* 3. Date Received:	4. Applicant Identifier:
	CDBG Entitlement Funding
5a. Federal Entity Identifier:	5b. Federal Award Identifier:
MT300066 Billings	B-20-MW-30-0001
State Use Only:	
6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:	City of Billings
* b. Employer/Taxpayer Identification Number (EIN/TIN):	* c. Organizational DUNS:
81-6001237	1947827800000

d. Address:

* Street1:	PO Box 1178
Street2:	
* City:	Billings
County/Parish:	
* State:	MT: Montana
Province:	
* Country:	USA: UNITED STATES
* Zip / Postal Code:	59103-1178

e. Organizational Unit:

Department Name:	Division Name:
Planning & Community Services	Community Development Division

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	* First Name: Brenda
Middle Name:	
* Last Name:	Beckett
Suffix:	
Title:	Community Development Manager
Organizational Affiliation:	
* Telephone Number:	406-657-8286 Fax Number:
* Email:	beckettb@BillingsMT.gov

OMB Control No: 2506-0117 (exp. 06/30/2018)

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

United States Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

Community Development Block Grants/Entitlement Grants

*** 12. Funding Opportunity Number:**

FY2020

* Title:

Community Development Block Grant Program - Entitlement

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Activities Expected To Respond to Covid19 virus with CARES Act funds.

OMB Control No: 2506-0117 (exp. 06/30/2018)

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant: MT-001 * b. Program/Project: MT-001

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 07/01/2021 * b. End Date: 06/30/2024

18. Estimated Funding ($):

* a. Federal	909,126.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	909,126.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:	
* First Name:	Chris
Middle Name:	A.
* Last Name:	Kukulski
Suffix:	
* Title:	City Administrator
* Telephone Number:	406-657-8430
Fax Number:	
* Email:	kukulskic@billingsmt.gov

* Signature of Authorized Representative: Chris A Kukulski * Date Signed: 5.20.2021

Appendix D: Local Government Certifications

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

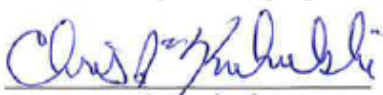
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.



Signature of Authorized Official

6-18-20

Date

City Administrator

Title

Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) 2020 [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

Compliance with Laws -- It will comply with applicable laws.

Chris Kukulski — Signature of Authorized Official

6-18-20 — Date

City Administrator — Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Appendix E: CDBG-CV Local Government Certifications

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.

Signature of Authorized Official

5-20-2021
Date

City Administrator
Title

Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) 2020 [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

Compliance with Laws -- It will comply with applicable laws.

Signature of Authorized Official

5.20.2021
Date

City Administrator
Title

OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Signature of Authorized Official

5.20.2021
Date

City Administrator
Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Appendix F: CDBG Assurances - Construction Programs

CDBG

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant:, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29) U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statue(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statue(s) which may apply to the application.

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CDBG

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
[signature]	city Administrator
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Billings	

SF-424D (Rev. 7-97) Back

Appendix G: HOME Assurances - Construction Programs

HOME

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant:, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29) U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statue(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statue(s) which may apply to the application.

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HOME

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Chris A Kukuchi	City Administrator
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Billings	6-20-2020

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Appendix H: CDBG-CV Assurances - Construction Programs

CDBG-CV

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant:, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29) U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statue(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statue(s) which may apply to the application.

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CDBG-CV

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
[signature]	City Administrator
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Billings	5-20-2021

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OMB Control No: 2506-0117 (exp. 06/30/2018)

Appendix I: Citizen Participation Plan - Slated for Revision, FY22

Citizen participation is the foundation of housing and community development programs. The Citizen Participation Plan for the City of Billings is designed to ensure citizen involvement in the planning and reporting on the City's programs covered under the HUD Consolidated Plan requirements. The purpose of the Citizen Participation Plan is to ensure that citizens, nonprofit organizations, and other interested parties are afforded adequate opportunity to review and comment on plans, programs, activities and reports regarding the City's federally funded housing and community development programs. Citizen participation pertains to the following documents herein referred to as "plans and reports":

- Consolidated Plan
- Annual Action Plans
- Citizen Participation Plan
- Limited English Proficiency Plan
- Comprehensive Annual Performance and Evaluation Reports
- Analysis of Impediments to Fair Housing Choice

Citizen Participation Plan Objectives

The primary objectives of the City's participation plan are to:

- Encourage citizen participation in the development of the City's plans and reports with emphasis on participation from individuals and households identified as:
    - Low / moderate income
    - Residents of blighted areas
    - Minorities and all protected class members
    - Those with limited English proficiency
    - Elderly
    - Disabled
    - Those with HIV / AIDS diagnoses
    - Homeless
    - Families with children
    - Those residing in areas where funding will be utilized
- Provide citizens with reasonable and timely access to meetings, information and records relating to the City's plan for utilizing funding in addition to allowing reasonable opportunity to comment on the above-noted plans and reports. All records regarding these activities are maintained according to the City Record Retention Schedule and as required by federal regulations.
- Consult with the local Public Housing Authority (Housing Authority of Billings) on the development and implementation of the above noted plans and reports, which includes input from residents of public and assisted housing.
- The City's Planning and Community Services Department will also continue to support the activities for the Adjacent Neighborhood Committee, which is comprised of Task Force Officers who meet bi-monthly to collaborate and exchange information regarding the lower-income neighborhood task force areas. The Community Development Division staff attends meetings of lower-income task force neighborhoods when requested for specific presentations. The lower-

income neighborhoods are comprised of higher concentrations of ethnic and racial minority populations.

- Facilitate public hearings to obtain citizen views and to respond to proposals and questions at all stages in developing and implementing activities as outlined in the City's plans and reports. All hearings and meetings shall be provided in areas where accommodations for the disabled can be provided.
- Consult with public and private agencies and organizations during the development of the City's plans and reports:
    - Assisted housing
    - Health and social services
    - Regional and local government agencies
    - Public Housing Authority
    - Fair Housing education and enforcement agencies
    - Continuum of Care organizations
    - Businesses
    - Housing developers
    - Nonprofit organizations
    - Philanthropic agencies
    - Faith-based communities

HUD Data

The City of Billings will share any HUD-provided data and other supplemental information relative to the City's plans and reports. HUD-provided data is also currently provided on the City's website at www.BillingsMT.gov/HUDdata.

Public Access and Engagement

The City of Billings takes the following actions to ensure public access to drafted / proposed plans and reports are published and accessible to ensure the public has reasonable opportunities to examine content and to submit comments.

- **Public Comment Periods:**
    - The City will publish and accept public comment on drafted Consolidated Plans, Annual Action Plans, Citizen Participation Plans, Limited English Proficiency Plans, and the Analysis of Impediments to Fair Housing Choice for a period of at least 30 days. The same timeline applies to amendments to the aforementioned documents.
    - The City will publish and accept public comment on drafted Comprehensive Annual Performance Evaluation Reports (CAPER) for a period of at least 15 days. The same timeline applies to amendments to the CAPER.
    - The City may request public comment for one or more plans / reports during the same public comment period for efficiency.

- Staff will consider citizen comments and views made prior to document finalization and comment summaries will also be included or attached to the document.
- The City will strive to provide written responses to all written complaints and grievances related to the City's housing and community development programs within 15 working days of receipt of the complaint or grievance where practical.
- In the event of a pandemic or other infectious disease, the City may alter public participation to include social distancing, virtual attendance, and other forms of virtual participation in lieu of or in addition to efforts described herein. The City may also implement shorter public comment periods as allowed by HUD.

- **Public Hearings:**
  - City staff will facilitate a public hearing during a Billings City Council business meeting to accept public comment prior to adoption or approval of the City's plans and reports.
  - Public hearings will be scheduled during a routine and televised Billings City Council business meeting to ensure and promote community access and participation. The hearings are also published on social media through the community's public television channel.
  - The City may facilitate one public hearing to accept public comment on one or more plans / reports for efficiency.
  - Staff will consider public hearing comments made prior to document finalization and comment summaries will also be included or attached to the document.
  - All public hearings are accessible to disabled individuals, publicized as required by State law and allow for accommodation of individuals with hearing, visual, or mobility impairments.
- **Published Notices:**
  - City staff will issue notices via widely-circulated print press in advance of public comment periods.
  - Notices will include the purpose of the document, a summary of the document contents, and instructions on how to access documents in their entirety.
  - Statements are included in notices of public hearings and service brochures indicating that office, meeting, and public hearing locations are accessible to persons with disabilities and they include the Montana Relay phone number 711.
- **Online Access:**
  - City staff will post drafted / proposed reports and plans online for free download at www.BillingsMT.gov/CDreports.
- **Hard Copy Access:**
  - City staff will make available free hard copies of drafted / proposed documents to the public including residents, groups, and organizations upon request at the City's Community Development office.
  - City staff will provide reasonable and timely access to information and records relating to all plans and reports, including the use of assistance under the programs managed by the

Community Development Division. Those requesting records can complete a Public Records Request and submit it to the City's Legal Department.

- **Access for the Disabled and Limited English Proficiency:**
    - The City will provide accommodations for individuals with disabilities in public meetings, public hearings and in written documentation regarding programs and services available from the Division.
    - Community Development offices and City Hall are accessible to those with disabilities.
    - Statements are included in notices of public hearings and service brochures indicating that office and hearing locations are accessible to persons with disabilities. Accommodations can be made for other disabilities as well.
    - Special arrangements for participation by individuals with hearing, speech, or vision impairment may be made upon request with three business days advanced notice.
    - Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance with the City's Language Assistance Plan.

Public Decision-Making Processes

The *Community Development Board* is a citizen's advisory board consisting of nine members who are appointed by the Mayor of Billings with the consent of the City Council. Six members are appointed from lower-income neighborhoods of the City as defined by federal regulations for the Community Development Block Grant (CDBG) program and three members represent the community at large. Staff is available to provide technical assistance to the Board in all aspects of planning and reporting processes.

This board serves in an advisory capacity to the City Council for the purpose of providing citizen input on policy decisions to the City Council. The primary responsibilities of the board are to review existing and proposed City policies and to review the Community Development Division's activities to ensure policies are being implemented and carried out. As six of the nine Board positions are held by low income area representatives, board composition meets basic federal requirements for low income citizen input and engagement.

The Community Development Board makes recommendations to the City Council relative to all plans and reports. In addition, the Community Development Board reviews applications submitted for CDBG and HOME funding in order to make funding recommendations to the City Council for approval.

The *Billings City Council* is the final citizen policy body that reviews and takes action on plans and reports. The Community Development Board presents recommendations to the City Council during a scheduled work session preceding the public hearing in April in order to deliver information on decisions made regarding recommendations. After receipt and consideration of public comments, the City Council approves reports / plans and proposed funding allocations.

Public notices announcing Community Development Board and City Council meetings are published in a widely-circulated newspaper prior to the meeting date. These notices are designed to provide reasonable and timely access to local meetings consistent with accessibility and reasonable accommodation requirements.

Plans and reports on the City's housing and community development activities are made available for review by citizens, public agencies, and other interested parties. These documents are available at the Community Development Division and posted on its website at www.BillingsMT.gov.

Criteria for amending the Consolidated Plan

24 CFR part 91.105(c) of the Final Rule requires grantees of CDBG and HOME programs make public the criteria the City will use for determining what changes in planned or actual activities constitute a substantial amendment to the five-year Consolidated Plan and the Analysis of Impediments to Fair Housing Choice.

Substantial changes to the Consolidated Plan are defined as *the creation of any new program, project, or activity to be funded or carried out under the City's CDBG and / or HOME programs.* All substantial changes to the Consolidated Plan must meet demonstrated need substantiated by HUD-approved data sources. Minor amendments include the *expansion of an existing program, project, or activity funded or carried out under the City's CDBG and / or HOME programs.* Minor changes must also meet demonstrated need by HUD-approved data sources.

Prior to the submission of any substantial change in the proposed use of federal housing and community development funds or to the Analysis of Impediments to Fair Housing Choice, the City will hold a public hearing to allow citizens reasonable notice of, and opportunity to comment on, proposed amendments. Public comment periods will not be less than thirty (30) days unless otherwise allowed by HUD.

Routine revenues including program income, recaptured / repaid funds, and re-programmed monies will be utilized for existing and previously approved programs as it is received during each fiscal year. Routine revenues are allocated on a close- and shovel-ready basis to ensure timely commitment and expenditure. These changes are customary and facilitate funding allocations to projects and activities most in demand and do not require a substantial or minor amendment to the Consolidated Plan.

City staff cannot predict annual HUD entitlement allocation amounts or repayment revenues for CDBG or HOME. Therefore, five-year Consolidated Plan numerical goals are established as estimates that may fluctuate during the five-year period based on funding received and demand for the City's programs. These changes are customary and do not require a substantial or minor amendment to the Consolidated Plan.

Technical Assistance

The Community Development Division provides technical assistance, as requested and as staff time allows, to lower income groups to develop proposals for the Division's housing and community development activities in the City limits. Technical assistance is offered any time proposals for the use of funding are requested, and is offered routinely in January prior to application deadlines for CDBG / HOME funding allocations.

Nondiscrimination, Accommodations & Grievances

The Community Development Division receives federal funding to support housing acquisition, repair, development and poverty impact programs and is required to adhere to the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Fair Housing Act, the Montana Human Rights Act, and other equal opportunity regulations. These regulations are designed to protect individuals with disabilities with equal access to employment opportunities and the services, programs and activities the City offers.

It is essential that all individuals have equal access to the Community Development Division's communication, open meetings, programs and services including: First Time Home Buyer; Home Repair; Housing Development; and the Billings Metro VISTA Project.

- **Federally Protected Classes:** Disability, including people with HIV / AIDS and people in recovery from alcohol / drugs; Race / Color; Religion; Sex, includes protection against sexual harassment; Familial Status, includes the presence of children under the age of 18 and / or pregnancy; and National Origin.
- **HUD Protected Classes:** Sexual Orientation; Gender Identity; and Marital Status.
- **Montana's Protected Classes:** Marital Status; Creed; and Age.

Accommodations: Auxiliary aids and services are available to facilitate effective communication to individuals with disabilities to ensure equal participation. Such aids and services are free to the public and may include sign-language interpreters, large print formats, and other aids to make information and communications accessible to individuals with speech, hearing or vision impairments.

Public Notices: The City of Billings - Community Development Division encourages all members of the community to participate. Special arrangements for participation by individuals with hearing, speech, vision impairment or physical disabilities can be made upon request. Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance the City's Language Assistance Plan. Fair Housing Equal Opportunity.

Grievance Procedure: If a citizen feels they have been denied equal access to Community Development programs, services or activities, they may file a written complaint including their contact information and a description of the alleged act(s) of discrimination, including the date and place of the act(s). The written complaint may be submitted to any Community Development employee or specifically directed to the Community Development Manager by phone at 406.657.8286 (Montana Relay 711), email beckettb@billingsmt.gov, in person (appointment recommended) or U.S. Postal Service at 2825 3rd Avenue North, 6th Floor, Billings, MT 59101. City staff will provide a timely, substantive written response to written citizen complaints as soon as practicable. Complaints may also be filed with the Denver HUD FHEO Office at 1670 Broadway, Denver, CO 80202.

Program Eligibility: If a citizen disagrees with a staff decision relative to program eligibility unrelated to discrimination, they may submit a written appeal to the Community Development Division. The letter must be received at least two weeks prior to the Community Development Board meeting when the appeal would be reviewed. If the Community Development Board upholds the staff decision, the citizen has the option to have the appeal reviewed during the next City Council meeting.

ADA / 504 Coordinator: The City of Billings ADA Coordinator is responsible for the City's overall Grievance Procedure and is also available to ensure compliance with the physical and general program accessibility

requirements of the ADA for other City Departments and Divisions. Please call 406.237.6294 (Montana Relay 711) with any questions.

Fair Housing Complaints: Please see the City's fair housing webpages for information on how to file a fair housing compliant.

Affidavit of Publication

STATE OF MONTANA

County of Yellowstone

RECEIVED
DEC 13 2019
CITY CLERK

Jonathan McNiven

Being duly sworn, deposes and says:

That he is the Legal Advertising Clerk of Yellowstone County News, a newspaper of general circulation published weekly in the Town of Huntley, in the County of Yellowstone, State of Montana, and that the **(3)** folio legal **Public Notice,** a true copy of which is hereto **Included**, was published in said newspaper on the following dates:

December 6, 2019; December 13, 2019;

making in all **(2)** publication(s).

Jonathan D McNiven

STATE OF MONTANA

County of Yellowstone

On this 13th day of December 2019, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Jonathan McNiven, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal that day and year first above written.

Victoria Walker

Victoria Walker

NOTARY PUBLIC for the State of Montana, residing at Huntley, MT.

My commission expires: June 30, 2022

VICTORIA WALKER NOTARIAL SEAL STATE OF MONTANA

VICTORIA WALKER
NOTARY PUBLIC for the
State of Montana
Residing at Huntley, Montana
My Commission Expires
June 30, 2022

PUBLIC NOTICE

HOUSING & COMMUNITY DEVELOPMENT FUNDING REQUESTS

As a part of the City of Billings' Consolidated Planning process, the City is accepting loan applications for FY2020-2021 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funding. The City of Billings anticipates allocating an estimated $650,000 in new CDBG funding for community development activities, which primarily benefit lower income neighborhoods or households. The City of Billings also anticipates allocating an estimated $300,000 in new HOME funding for activities to preserve or increase the supply of affordable housing for lower income households in Billings. Actual allocation figures are not available as of publication date. Applications may be downloaded from the City's website at www.CityofBillings.net/allocations. Requests for funding must be submitted to the Community Development Office by 5:00 p.m., Wednesday, January 22, 2020.

For further information on eligible activities or to obtain the application materials via email, please call Brenda Beckett, Community Development Manager, at 406-657-8286 (TTY 711) or contact via email beckettb@billingsmt.gov or write to:

Community Development Division
City of Billings
P.O. Box 1178
Billings, MT 59103

Technical assistance is available upon request to interested parties through the Community Development Office. The City of Billings encourages all members of the community to participate in the Consolidated Planning process. Special arrangements for participation by individuals with hearing, speech, vision impairment or physical disabilities can be made upon request. Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance the City's Language Assistance Plan. Fair Housing Equal Opportunity.

Published on December 6 & 13, 2019.

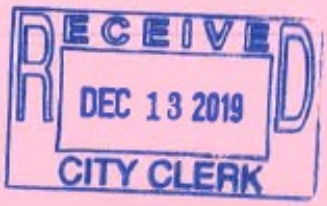
Denise R. Bohlman
Billings City Clerk
P.O. Box 1178
Billings, MT 59103

12/06, 12/13 2019
MNAXLP

Affidavit of Publication

STATE OF MONTANA

County of Yellowstone



Jonathan McNiven

Being duly sworn, deposes and says:

That he is the Legal Advertising Clerk of Yellowstone County News, a newspaper of general circulation published weekly in the Town of Huntley, in the County of Yellowstone, State of Montana, and that the **(4)** folio legal **Request for Proposals,** a true copy of which is hereto **Included**, was published in said newspaper on the following dates:

December 6, 2019; December 13, 2019;

making in all **(2)** publication(s).

Jonathan D. McNiven

STATE OF MONTANA

County of Yellowstone

On this 13th day of December 2019, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Jonathan McNiven, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal that day and year first above written.

Victoria Walker

Victoria Walker

NOTARY PUBLIC for the State of Montana, residing at Huntley, MT.

My commission expires: June 30, 2022

REQUEST FOR PROPOSALS
OPPORTUNITY FOR PARTNERSHIP
BILLINGS METRO VISTA PROJECT
FY 2020-2021

The Billings Metro VISTA Project (B-MVP) has been an AmeriCorps Volunteers In Service To America (VISTA) site since 2009. The B-MVP is sponsored by the Corporation for National and Community Service and is facilitated by the City of Billings - Community Development Division. In order to prepare an application to continue the BMVP through FY2020-2021, the Community Development Division is seeking partnerships with non-profit organizations and government agencies in acquiring Host Site status through a Request for Proposals process.

AmeriCorps VISTA is a national anti-poverty initiative placing volunteers with local projects through local and national recruitment efforts. The B-MVP supports community projects that address the following priority programming areas: Military Members, Veterans and their families; Housing; Financial Literacy; Employment; Food Security; Access to Health Care; School Readiness; Success in School; STEM Education; and Employment. Full-year VISTA members typically begin in January or July and are college graduates. Summer Associate VISTA members are at least 18 years old and commit to serving ten weeks beginning in May / June and ending in August.

More information on becoming a Host Site is available online at www.CityofBillingsnet/hostsite. A Request for Proposals Guide Book and Proposal form is available by request to Carly Collins via: phone 406.247.8675 (TTY 711); email collinsc@billingsmt.gov; or in person at the Community Development Division office located at 2825 3rd Avenue North, Sixth Floor, Billings, Montana 59101 (appointment recommended).

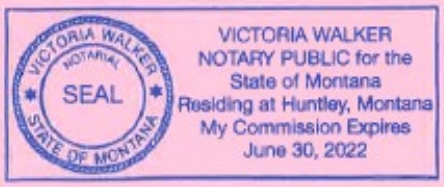
Proposals received by 5:00 pm on January 22, 2020 will be prioritized for July member placement consideration. However, proposals will be accepted throughout the year.

Technical assistance is available, upon request, to interested parties through the Community Development Division. Special arrangements for participation by individuals with hearing, speech, vision impairment or physical disabilities can be made upon request. Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance the City's Language Assistance Plan, Fair Housing Equal Opportunity.

Published on December 6 & 13, 2019.

Denise R. Bohlman
Billings City Clerk
P.O. Box 1178
Billings, MT 59103

12/06, 12/13 2019
MNAXLP



Affidavit of Publication

STATE OF MONTANA

County of Yellowstone

RECEIVED
MAY 15 2020
CITY CLERK

Jonathan McNiven

Being duly sworn, deposes and says:

That he is the Legal Advertising Clerk of Yellowstone County News, a newspaper of general circulation published weekly in the town of Huntley, in the County of Yellowstone, State of Montana, and that the **(9)** folio Legal **Revised Notice of Public Hearing,** a true copy of which is hereto **included**, was published in said newspaper on the following dates:

April 17, 2020; April 24, 2020; May 1, 2020; May 8, 2020; May 15, 2020;

making in all **(5)** publication(s).

Jonathan McNiven

STATE OF MONTANA

County of Yellowstone

On this 15th day of May 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Jonathan McNiven, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal that day and year first above written.

Tana McNiven

Tana McNiven

NOTARY PUBLIC for the State of Montana, residing at Huntley, MT.

My commission expires: August 23, 2020

REVISED NOTICE OF PUBLIC HEARING

City of Billings, **FY2020-2024 Consolidated Plan and FY2020-2021 Annual Action Plan** Community Development Block Grant (CDBG) and HOME Investment Partnership Programs (HOME)

The City of Billings will hold a PUBLIC HEARING on its FY2020-2024 Consolidated Plan and FY2020-2021 Annual Action Plan. Due to the COVID-19 health concerns, the format of the City Council meeting will be held in a virtual videoconferencing environment. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws:

- The Agenda Packet is available for viewing on the City's website at: Agenda Packet
- Councilmembers will attend the meeting via a remote location, using a virtual meeting method. City Hall and the Council Chambers will be closed during the meeting.
- The Public may view the meeting on the Community 7 TV - Channel 7 or Channel 607 – Spectrum Cable. The Public may also view online at www.comm7tv.com and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel in which to view the meeting.
- Public comment will be taken only during the Public Comment periods as indicated on the agenda, and during the Public Hearings under the Regular agenda. Comments may be sent to Council via email before 3:00 PM on Monday, April 27th, at: https://ci.billings.mt.us/1538/City-Council-E-mail-Messages
- Emails received after 3:00 PM and prior to 5:00 PM, may be read during the meeting.
- The Public may call in during specific Public Comment periods at 406.237.8196. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to 3 minutes of testimony as is customary.

The purpose of the public hearing is to obtain public comment on local housing and community development needs relative to proposed CDBG and HOME funding recommendations. The comments will be used along with special outreach to individuals and organizations currently involved with housing to finalize the plans for the use of CDBG and HOME resources and other housing and community development resources in Billings. The City of Billings anticipates allocating approximately $650,000 in new CDBG and $350,000 in new HOME funding annually over the next five years. In addition, the city anticipates receiving an additional $386,972 in CDBG-CV funding as a result of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act, Public Law 116-136).

The FY2020-2024 Consolidated Plan is intended to be a strategic planning document which identifies housing and community development needs, evaluates available resources, and develops workable strategies to address these needs in Billings for a five-year period; July 1, 2020 to June 30, 2025. The FY2020-2021 Annual Action Plan covers projects to be undertaken from July 1, 2020 to June 30, 2021. City staff is currently coordinating with Riverstone Health to plan and undertake pandemic response activities to meet the health care needs of low-income residents in Billings.

The Consolidated and Annual Action Plans will be available for public comment from March 28 through May 11, 2020. The plan will then be revised, as required, and the estimated date for submittal to the U.S. Department of Housing and Urban Development is May 15, 2020.

Proposed Consolidated / Annual Action Plans will be available on March 26, 2020 via the City's website at www.CityofBillings.net/CDreports. The public may also request hard copies of the plans by calling 406.247.8675 or 711 for TTY. Hard copies may be picked up at the front door of the Community Development office Monday through Friday, 8:00am to 5:00pm; 2825 3rd Avenue North, 6th Floor, Billings, MT. Hard copies can also be mailed via the U.S. Postal Service by request.

The City of Billings encourages all members of the community to participate in the Consolidated Planning process. The public hearing is accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance with the City's Language Assistance Plan.

Due to the current Novel Coronavirus (COVID-19) pandemic, the Centers of Disease Control and Prevention recommend implementing precautionary safety measures for meetings indoors. Those choosing to attend a City Council meeting in person may be assigned seating to promote the avoidance of close contact with others. The public comment period has been extended to a 45 day period to accommodate additional efforts to encourage public involvement in the development of the Consolidated Plan during the COVID-19 pandemic.

The public is also encouraged to participate via the following:

- Email written comments to beckettbl@BillingsMT.gov
- Leave a voice mail message by calling 406.657.8286
- Send a written letter to Community Development, PO Box 1178, Billings, MT 59103
- Community Seven Television also provides the following options to view City Council meetings:
  - o Streamed live or video on demand: www.comm7tv.com
  - o Facebook: www.facebook.com/comm7tv

Additional information regarding the proposed plans or the public hearing can be obtained by contacting Carly Collins at the Community Development office; phone 406.247.8675 (711 for TTY); or email collinsc@BillingsMT.gov.

Fair Housing Equal Opportunity.

04/17, 04/24, 05/01, 05/08, 05/15 2020
MNAXLP

Denise R. Bohlman
Billings City Clerk
P.O. Box 1178
Billings, MT 59103

TANA MCNIVEN
NOTARY PUBLIC for the
State of Montana
Residing at Huntley, Montana
My Commission Expires
August 23, 2020

Affidavit of Publication

STATE OF MONTANA

County of Yellowstone

Jonathan McNiven

Being duly sworn, deposes and says:

That he is the Legal Advertising Clerk of Yellowstone County News, a newspaper of general circulation published weekly in the town of Huntley, in the County of Yellowstone, State of Montana, and that the **(7)** folio Legal **Notice of Public Hearing,** a true copy of which is hereto **included**, was published in said newspaper on the following dates:

March 27, 2020; April 3, 2020; April 10, 2020;

making in all **(3)** publication(s).

Jonathan D. McNiven

STATE OF MONTANA

County of Yellowstone

On this 17th day of April 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Jonathan McNiven, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal that day and year first above written.

Tana McNiven

Tana McNiven

NOTARY PUBLIC for the State of Montana, residing at Huntley, MT.

My commission expires: August 23, 2020

TANA MCNIVEN NOTARY PUBLIC for the State of Montana Residing at Huntley, Montana My Commission Expires August 23, 2020

RECEIVED APR 17 2020 CITY CLERK

NOTICE OF PUBLIC HEARING

City of Billings, FY2020-2024 Consolidated Plan and FY2020-2021 Annual Action Plan Community Development Block Grant (CDBG) and HOME Investment Partnership Programs (HOME)

The City of Billings will hold a PUBLIC HEARING on its FY2020-2024 Consolidated Plan and FY2020-2021 Annual Action Plan on Monday, May 11, 2020 at 5:30 p.m. at the City Council meeting in Council Chambers at City Hall, 210 North 27th in Billings, Montana. Community Seven Television also provides the following options to view City Council meetings:

- Streamed live or video on demand: www.comm7tv.com
- Facebook: www.facebook.com/comm7tv

The purpose of the public hearing is to obtain public comment on local housing and community development needs relative to proposed CDBG and HOME funding recommendations. The comments will be used along with special outreach to individuals and organizations currently involved with housing to finalize the plans for the use of CDBG and HOME resources and other housing and community development resources in Billings. The City of Billings anticipates allocating approximately $800,000 in new CDBG and $350,000 in new HOME funding annually over the next five years.

The FY2020-2024 Consolidated Plan is intended to be a strategic planning document which identifies housing and community development needs, evaluates available resources, and develops workable strategies to address these needs in Billings for a five-year period; July 1, 2020 to June 30, 2025. The FY2020-2021 Annual Action Plan covers projects to be undertaken from July 1, 2020 to June 30, 2021.

The Consolidated and Annual Action Plans will be available for public comment from March 28 through May 11, 2020. The plan will then be revised, as required, and the estimated date for submittal to the U.S. Department of Housing and Urban Development is May 15, 2020.

Proposed Consolidated / Annual Action Plans will be available on March 28, 2020 via the City's website at www.CityofBillings.net/CDreports. The public may also request hard copies of the plans by calling 406.247.8675 or 711 for TTY. Hard copies may be picked up at the front door of the Community Development office Monday through Friday, 8:00am to 5:00pm; 2825 3rd Avenue North, 6th Floor Billings, MT. Hard copies can also be mailed via the U.S. Postal Service by request.

The City of Billings encourages all members of the community to participate in the Consolidated Planning process. The public hearing is accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance with the City's Language Assistance Plan.

Due to the current Novel Coronavirus (COVID-19) pandemic, the Centers of Disease Control and Prevention recommend implementing precautionary safety measures for meetings indoors. Those choosing to attend a City Council meeting in person may be assigned seating to promote the avoidance of close contact with others. The public comment period has been extended to a 45 day period to accommodate additional efforts to encourage public involvement in the development of the Consolidated Plan during the COVID-19 pandemic.

The public is also encouraged to participate via the following:

- Email written comments to bodwtb@BillingsMT.gov
- Leave a voice mail message by calling 406.657.8666
- Send a written letter to Community Development, PO Box 1178, Billings, MT 59103
- Community Seven Television also provides the following options to view City Council meetings:
- Streamed live or video on demand: www.comm7tv.com
- Facebook: www.facebook.com/comm7tv

Additional information regarding the proposed plans or the public hearing can be obtained by contacting Cary Collins at the Community Development office: phone 406.247.8675 (711 for TTY), or email collinsc@BillingsMT.gov.

Fair Housing Equal Opportunity

Published on March 27th, April 3rd, April 10th, April 17th, April 24th, May 1st, and May 8th 2020.

03/27, 04/03, 04/10, 2020
MNAXLP

Denise R. Bohlman
Billings City Clerk
P.O. Box 1178
Billings, MT 59103

Affidavit of Publication

STATE OF MONTANA

County of Yellowstone



Jonathan McNiven

Being duly sworn, deposes and says:

That he is the Legal Advertising Clerk of Yellowstone County News, a newspaper of general circulation published weekly in the town of Huntley, in the County of Yellowstone, State of Montana, and that the **(3)** folio Legal **Public Notice,** a true copy of which is hereto **Included**, was published in said newspaper on the following dates:

April 16, 2021; April 23, 2021;

making in all **(2)** publication(s).

Jonathan D. McNiven

STATE OF MONTANA

County of Yellowstone

On this 23rd day of April 2021, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Jonathan McNiven, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal that day and year first above written.

Tana McNiven

Tana McNiven

NOTARY PUBLIC for the State of Montana, residing at Huntley, MT.

My commission expires: August 23, 2024

PUBLIC NOTICE
COMMUNITY DEVELOPMENT BLOCK GRANT - CORONAVIRUS (CDBG-CV)
Funding Requests

As a part of the City of Billings' Consolidated Planning process, the City is accepting applications for FY2021-2022 Community Development Block Grant - Coronavirus (CDBG-CV) funding. The City of Billings anticipates allocating $909,126 in new CDBG-CV funding for activities to prepare, respond, and prevent coronavirus. Twenty percent of the total funding allocation can be used for administration activities, leaving $727,301 to allocate to nonprofit organizations and other governmental entities. All activities must primarily benefit lower income neighborhoods or households. Applications and an application guidebook may be downloaded from the City's website at www.BillingsMT.gov/CDBGcv. Requests for funding must be submitted to the Community Development Office by 5:00 p.m. on Friday, May 14, 2021.

For further information on eligible activities or to obtain the application materials via email, please call Tam Rodier, Community Development Coordinator, at 406-657-8284 (TTY 711) or contact via email rodiert@billingsmt.gov or write to:

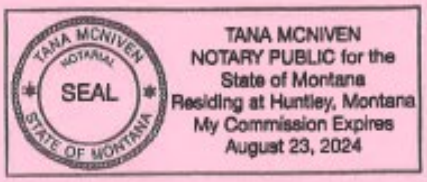
Community Development Division
City of Billings
P.O. Box 1178
Billings, MT 59103

Technical assistance is available upon request to interested parties through the Community Development Office. The City of Billings encourages all members of the community to participate in this planning process. Special arrangements for participation by individuals with hearing, speech, vision impairment or physical disabilities can be made upon request. Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance the City's Language Assistance Plan. Fair Housing Equal Opportunity.

Published April 16 and April 23, 2021.

Denise R. Bohlman
Billings City Clerk
P.O. Box 1178
Billings, MT 59103

04/16, 04/23 2021
MNAXLP



Affidavit of Publication

STATE OF MONTANA

County of Yellowstone

RECEIVED
JUN 25 2021
CITY CLERK

Jonathan McNiven

Being duly sworn, deposes and says:

That he is the Legal Advertising Clerk of Yellowstone County News, a newspaper of general circulation published weekly in the town of Huntley, in the County of Yellowstone, State of Montana, and that the **(6)** folio Legal **Notice of Public Hearing,** a true copy of which is hereto **Included**, was published in said newspaper on the following dates:

June 11, 2021; June 18, 2021; June 25, 2021;

making in all **(3)** publication(s).

Jonathan D. McNiven

STATE OF MONTANA

County of Yellowstone

On this 25th day of June 2021, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Jonathan McNiven, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal that day and year first above written.

Tana McNiven

Tana McNiven

NOTARY PUBLIC for the State of Montana, residing at Huntley, MT.

My commission expires: August 23, 2024

TANA MCNIVEN NOTARIAL SEAL STATE OF MONTANA

TANA MCNIVEN
NOTARY PUBLIC for the
State of Montana
Residing at Huntley, Montana
My Commission Expires
August 23, 2024

NOTICE OF PUBLIC HEARING
City of Billings FY2020-2021
Annual Action Plan
and Consolidated Plan
CARES Act - Community
Development Block Grant (CDBG-CV)
Amendment

The City of Billings will hold a PUBLIC HEARING on an amendment to its FY2020-2021 Annual Action Plan and Consolidated Plan on **Monday, June 28, 2021 at 5:30** p.m. at the City Council meeting in Billings, Montana. The purpose of the public hearing is to obtain public comment on local housing and community development needs relative to proposed CDBG-CV funding recommendations.

ANNUAL ACTION PLAN AMENDMENT AND CONSOLIDATED PLAN: The City of Billings anticipates allocating $809,126 in new CDBG-CV funding to prepare for, prevent, and respond to the coronavirus. The City's proposed amendment will be available on the City's website at www.BillingsMT.gov/CDBGcv and open for public comment from June 12 through June 28, 2021. The amended plan will then be revised, as required, and submitted to the U.S. Department of Housing and Urban Development.

Detailed information about the rules and regulations governing CDBG-CV program, proposed projects, and the upcoming public hearing can be requested via email at robert@billingsmt.gov or calling 406-657-8284 or 711 for TTY.

PUBLIC PARTICIPATION: The City of Billings encourages all members of the community to participate in the City's decision-making process. Meetings are accessible to individuals with physical disabilities. Special arrangements for participation in meetings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the meeting. Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance with the City's Language Assistance Plan.

The City Council meeting will be held in a hybrid format that includes both in-person attendance AND virtual attendance via the Zoom online platform. Councilmembers may choose to attend the meeting virtually or in person at the Billings Public Library Community Room, 510 North Broadway, Billings, Montana. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet open meeting law requirements.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: City Council Agendas-Minutes
- View the meeting:
  - On Community 7 TV - Channel 7 or Channel 507 – Spectrum Cable. (On evenings when there is a conflict with School District No. 2 Board meetings, the City Council meeting will be broadcast on Channel 8 - Spectrum Cable.)
  - Online at www.comm7tv.com and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel.
  - Watch Live click on "Watch Meetings Online"
  - In-Person – capacity is limited in order to practice social distancing. Mask and social distancing requirements will be enforced.

Citizens may submit public comment via the following methods:

- Mail: City Clerk, P.O. Box 1178, Billings, MT 59103
- Email Council
  - Emails received after 3:00 PM on the day of the meeting, may be posted on the Council's webpage the following day for public viewing.
- Attend the meeting in person (limited to approximately 15 spectators with overflow available in lobby). Speakers may be asked to exit after speaking to comply with social distancing protocols.
- Attend virtually through Zoom by registering per instructions found on the City Council webpage.

Fair Housing Equal Opportunity.

Published on June 11, 18, and 25, 2021.

Denise R. Bohlman
Billings City Clerk
P.O. Box 1178
Billings, MT 59103

06/11, 06/18, 06/25 2021
MNAXLP

Appendix K: Public Comments - Consolidated Plan and Annual Action Plan

Public Comment Period: The City of Billings' Consolidated Plan and Annual Action Plan was open for public comment from March 28, 2020 to May 11, 2020. Staff received inquiries relative to the CARES Act funding awarded to the City in April 2020. There are many competing interests relative to accessing this funding source, although the City has not received and processed necessary HUD regulatory guidance to move forward with a funding allocation to a specific agency.

The City also received an email inquiry from Patti Webster, Executive Director, Housing Authority of Billings on April 14, 2020. She asked if there was an opportunity to utilize HOME funds for rental assistance. The comment was in reference to a forwarded HUD email regarding suspensions and waivers for the HOME program for COVID-19 response. City staff was aware of several rental and mortgage assistance programs implemented by the State of Montana in response to COVID-19. Funding for several months of rent / mortgage payments continues to be available to address immediate housing needs for low income households across the state. Therefore, the City would not be pursuing waivers or suspensions to move forward with tenant assistance to avoid duplication of services.

The City of Billings received no other comments during the public comment period.

Public Hearing: On May 11, 2020, a Public Hearing was held at the Billings City Council meeting at City Hall, 210 North 27th Street, Billings, Montana. To facilitate an open public involvement process, the public hearing was available live and remains available on demand at the www.comm7tv.com website and also on Community 7's public Facebook page at www.facebook.com/comm7tv.

Councilmember Yakawich: He has heard the City's presentation seven times and this presentation was the best ever. He was inspired by the infrastructure project planned in the [Southwest Corridor] as he has been in the area and has had a friend living in the C & C Community for a long time. The idea [of moving from rental to homeownership] is rockin'! City staff noted that the C & C Community had to incorporate and become an official organization while NeighborWorks Montana facilitated the process. Beckett noted that the staff is excited about the project and are pleased with the improvements already made in the community after it was purchased by the residents.

Councilmember Joy: Totally supports this and wanted to thank City staff and the Community Development Board for doing a fabulous job on this. Wonderful job – the C & C Community happens to be in Ward 3, wonderful, absolutely wonderful. She said she was glad that the Community Development Board wanted to take on this infrastructure project; it's going to turn out really fabulous.

Councilmember Neese: Noted a question about the data pointing to adequate affordable housing availability and how it is not available [to low income households] because people are living below their means. He said, "Why do you think that is and how can we rectify that?" Staff noted they could only offer a personal opinion; everyone learned a lot in the recession. Living below household means is something everyone talks about. People with greater incomes occupy units affordable to low and very low income households, so City staff has prioritized development of affordable housing units in the Consolidated Plan. Staff noted the very high number of households on the waiting list for the Housing Authority of Billings, particularly single-person households.

Councilmember Neese asked if we could duplicate the [C & C Community ownership] process with other trailer / mobile home parks. Staff said they really hoped so. The model of collecting lot rents is very lucrative for manufactured housing park owners, particularly if they are not making improvements to the site. They can increase the density of the park to further increase their income. There has to be an owner willing to sell a park and there has to be an organization like NeighborWorks Montana. Mary Lou Affleck facilitated the incorporation and purchasing process for the residents. There were persons living in the units for decades that never spoke to one another while they were renters. As owners, they are working together and helping one another out during the pandemic, cleaning up the properties together, etc. Staff hopes the City can fund more of these types of projects and would recommend funding any infrastructure project in any low income neighborhood in the City. Councilmember Neese also asked about the total amount of funding used for CDBG and HOME administration.

Councilmember Ronning: The Housing Authority waiting list number is over 7,000 households; staff notes that this is the largest number we have ever seen. Councilmember Ronning really appreciates the presentation and she watched staff online on the Facebook livestreaming of the Community Development Board meeting. They are a great Board and they are really participating – exciting to see.

The AmeriCorps VISTA program is very significant on many different levels. One of the areas she hopes staff adds to the list [of VISTA accomplishments] is the Indian Child Welfare Act (ICWA) Court. That is massive – not just significant in Billings. ICWA Court was developed by a Billings VISTA volunteer and it was the fourth court established nationwide. The Billings ICWA Court now travels nationwide to give presentations, trainings, and teachings and that really put Billings on the national level due to the work of the Billings VISTA member. Staff noted that the VISTA member who put the ICWA Court together is Shannen Keene and she now is working at the Seattle Indian Health Board and there is also another VISTA alum working there as well.

Councilmember Purinton: Requested a copy of the presentation and also requested a breakdown of what administration would pay for. Staff explained that administration pays for staff salaries, training costs, printers, paper, office supplies, etc. There are 15 spaces in the Miller Building and the City Council pays for the office space. We can have over 50 VISTA members per year and 15 to 30 members on board at any one time, so a lot goes on in the office.

Jim Corson – Public Hearing Call-In Hotline: Noted he is on the Community Development Board. He praised City staff; they are absolutely wonderful, the best, so helpful, and everyone is great to work with. He was going to hype the presentation but the City Council seemed to like it. He encouraged the City Council to support the Consolidated Plan and funding recommendations. Mayor Cole thanked Mr. Corson for his work on the Board and his contribution to the community.

No other comments were made during the public hearing.

Appendix L: Public Comments - CDBG-CV Substantial Amendment

Applications: City of Billings anticipated allocating $909,126 in new CDBG-CV funding for activities to prepare, respond, and prevent coronavirus. Twenty percent of the total funding allocation was reserved for administration activities, leaving $727,301 to allocate to nonprofit organizations and other governmental entities. All activities must primarily benefit lower income neighborhoods or households. As of April 19, 2021, applications and an application guidebook were available for download from the City's website at www.BillingsMT.gov/CDBGcv. Requests for funding had to be submitted to the Community Development Office by 5:00 p.m. on Friday, May 14, 2021. Public notices relative to CDBG-CV application availability were published on April 16 and 23, 2021 through the Yellowstone County News paper and also through several email listservs including neighborhood task forces, nonprofit organizations, City departments, the local housing authority, and other local, county, and state governmental organizations.

Adult Resource Alliance
Ag Workers Health and Services (AMHS)
Alliance Yellowstone County
Alternatives, Inc.
Angela's Piazza
Big Sky Economic Development Agency
Big Sky Senior Services
Billings Food Bank
Billings Police Department
Billings Public Schools
Billings Public Works
Billings Urban Indian Health and Wellness Clinic
Bureau of Indian Affairs - Rocky Mountain Region
Carbon County Commissioners
Community Crisis Center
Community Leadership Development, Inc.
Dental Lifeline Network Montana
Downtown Billings Business Improvement District
Downtown Billings Alliance
Dress for Success
Easter Seals Goodwill
Education Foundation
Emergency Services, YWCA
Family Promise of Yellowstone Valley
Family Service, Inc.
Habitat for Humanity
HomeFront - Public Housing Authority
Homeword - CHDO
Human Community Services Division
Human Resource Development Council - District 7
Jefferson Bus Lines - COVID-19
Job Connection, Inc
Job Corps
Job Service Billings
Living Independently for Today and Tomorrow
Mental Health Center
MET Transit
Montana Community Services, Inc
Montana Department of Commerce
Montana Fair Housing
Montana Healthcare Association
Montana Legal Services Association
Montana Legal Services
Montana Migrant Council
Montana Native American Center
Montana Rescue Mission
Montana State University - Billings
Montana United Indian Association
Montana Veterans Affairs Division
Montana Youth Challenge Academy
MT.gov, Adult Protective Services
MT.gov, Billings Job Service
MT.gov, Blind and Low Vision Services, Job Service
MT.gov, Dept Health Human Services
MT.gov, Job Service
MT.gov, Job Service
MT.gov, Mental Health First Aid
MT.gov, MT Federation of Public Employees, Job Service
MT.gov, Operations Bureau Chief
MT.gov, Public Assistance Manager
MT.gov, Vocational Rehab
National Alliance on Mental Health
Native American Development Corporation
Neighborhood Task Force Chairs - Heights
Neighborhood Task Force Chairs - Central / Terry
Neighborhood Task Force Chairs - Pioneer Park
Neighborhood Task Force Chairs - North Park
Neighborhood Task Force Chairs - Rimrock
Neighborhood Task Force Chairs - Southside
Neighborhood Task Force Chairs - Southwest Corridor
Neighborhood Task Force Chairs - West End
NeighborWorks Montana - CHDO
Northern News Network
Office of Public Assistance - Yellowstone County

Peoples Community Outreach
Residential Support Services, INC.
Rimrock - Addiction Treatment
RiverStone Health - Public Health
Rocky Mountain Tribal Leaders Council
Rural Employment Opportunities - Billings Office
Saint Vincent de Paul
Social Security Administration
South Side Neighborhood Member
St. Vincent Healthcare
Staff, Board Members, Council Liaison
STEP - Disability Services
Sweet Grass County Commissioners
The Salvation Army
Tumbleweed - Youth Homelessness, Crisis Counseling
United Way of Yellowstone County
University of Montana, Missoula
US Department of Veteran Affairs
USDA-Food and Nutrition Service - Montana Department of Health and Human Services
Veteran's Meat Locker
Veterans Upward Bound
VISTA Alum!
Volunteers of America
Walla Walla University - Billings Campus
Yellowstone Boys & Girls Ranch
Yellowstone Youth Services Center
YWCA - Gateway House
YWCA Billings

Technical assistance was available upon request to interested parties through the Community Development Office. The City of Billings encouraged all members of the community to participate in this planning process. Special arrangements for participation by individuals with hearing, speech, vision impairment or physical disabilities was available upon request. Non-English speaking persons wishing to participate could also be accommodated through translation and / or interpretation in accordance the City's Language Assistance Plan.

Applications Received: The City received two applications for CDBG-CV funding by the May 14, 2021 deadline. The Salvation Army requested $55,000 for food delivery, food boxes, etc. The Downtown Billings Business Improvement District requested $117,715 to install a new public restroom and handwashing facilities. Both applications can be viewed online at www.BillingsMT.gov/CDBGcv. The applications were forwarded to the City's Community Development Board on May 17, 2021 for review.

Public Meeting: The City of Billings - Community Development Board met on Tuesday, June 1, 2021 to make funding recommendations for CDBG-CV allocations. As with all Community Development Board meetings, this meeting was publicly advertised in the Yellowstone County News. This particular meeting was also available to join in Zoom and view via the City's Planning and Community Services Facebook webpage.

Public Comment Period: The City of Billings' CDBG-CV Substantial Amendment was open for public comment from June 12 through June 28, 2021.

Public Hearing: The Billings City Council held a public hearing on Monday, June 28, 2021. The purpose of the public hearing was to obtain public comment on local housing and community development needs relative to proposed CDBG-CV funding recommendations. This meeting was publicly advertised, available to join in-person, via zoom, and was featured live and archived for viewing on the Community 7 Facebook page. Various councilmembers asked questions and made comments, representatives from one applicant organization participated in-person, and another application representative participated virtually via Zoom.

Councilmember Ronning: Considering the housing crisis and the possibility for people to lose their housing, are the CDBG-CV funding available for affordable housing development? Staff explained that CDBG-CV can pay for rent and mortgage assistance. The typical project funding cycle for larger-scale

construction projects. However, the HOME-ARP funding that the City is receiving could potentially be used for longer-term funding projects including new and rehabilitation construction. Rent, mortgage, and utility assistance is readily available through the State's CARES Act and American Recovery Plan funding, so this may be a reason that the City did not receive applications for this type of assistance. Staff further noted that housing costs are increasing very quickly in Billings. This is a huge issue that will not be fixed with limited CDBG-CV and / or HOME-ARP funding. It will take a much larger initiative. CM Ronning also asked what non-congregant shelter is and staff explained that it is shelter that can accommodate individuals and or families in separate units, rather than housing lots of individuals and families in a larger room.

Lieutenant Pederson, The Salvation Army: The organization served 85,000 residents in this community last year and it costs $100,000 to supply the food and materials needed to feed those in need.

Lieutenant Felicia Pederson, The Salvation Army: The organization's mission is to meet human need without discrimination and that's what they want to continue to do. One of those ways is through the mobile meals program and this funding would allow them to feed people six days a week. These people are low-income and in need. She thanked the City Council. There were no additional questions for The Salvation Army.

Katy Easton, Downtown Billings Business Improvement District: Apologized for not being at the meeting in person. She is in Houston meeting with Houston's homeless outreach team. She is excited to install a public restroom and handwashing facilities - and the project is like the "Portland Loo". It is one unit and can be installed downtown in the alleyway off of 29th between 2nd and 3rd. There is a construction-style porta-potty there - to manage urination and defecation in the public garages. It will be cleaned daily by the downtown team.

Councilmember Purinton: CM Purinton is seeing a lot of overlap in the service providers and what the CDBG-CV money is being offered for. Will applications be opened again for just the two applicants or for all organizations? Staff noted that the applications would be opened for all to apply. She also questioned the need for a twenty percent administration cost allocation as it seems high. Staff noted that this is the same percentage allocation used for all other CDBG programs. Mayor Cole noted that just because the government will allow it does not mean that the City will need to take it. Staff explained that a lower allocation to administration will impair the City's ability to effectively manage the CDBG-CV program long-term. CDBG-CV is an entirely new program and it doubles current staff workloads.

Councilmember Neese: He can see how The Salvation Army will be reimbursed only after reporting on beneficiaries to the food program, but how will beneficiaries be reported for the restroom? Staff explained that a public restroom will serve a specified area and census data has been utilized to determine project eligibility.

Councilmember Ronning: Recommends a better explanation on the costs for administration to help educate the City Council.

Councilmember Purington: Supports the motion and as we are serving the low-income population and takin the maximum administration costs is a lot. She would almost make amendment to change the twenty percent allocation, although she does not know what would be acceptable. Mayor Cole responded that "almost" doesn't count except in horseshoes and hand grenades and he will not treat her comment as an amendment, although he appreciates her angst. If she comes back with something more specific, they can consider an amendment.

Councilmember Joy: She is unaware of exactly how administration costs are calculated, but if anyone here has read the regulations and federal register on the information that needs to be assimilated into all of the documents that are prepared to be sent to HUD, everything has to comply with those regulations. That is not a small task. For a very long time, the [Community Development Board] was working while waiting for the CARES Act regulations to be published. You cannot appropriate, allocate or even plan or program money until those regulations come forward. The administrative side of coming to Council with federal money is very intensive.

Councilmember Neese: Are we not addressing the issue by having a porta-potty in an alleyway? Can the City address the location for the public restroom? Will they be charged a fee to access the right-of-way? Wyeth Friday, Planning and Community Services Director, noted that he has been in discussions with the Downtown folks about location and utilities. Downtown staff say that having a bathroom in one location is definitely better than what they are dealing with now all over town, in front of businesses, etc.

Councilmember Shaw: She absolutely loves the public bathroom project. The only other restroom available is the public library. The two projects proposed for CDBG-CV are critical for our community and she would like to see the City continue investing in these types of projects.

Councilmember Yakawich: He is impressed that we have so much money and said, "our nation is rich". Giving to a lot of good causes. His hope is that people are held accountable and be successful. There are public restrooms in the courthouse, city hall, the library, and coffee shops. He hopes we can address the misuse of facilities. When we provide funding for these organizations, he wants to move the dial to be more successful rather than throwing money out there without seeing a big change. Can we feed less people by understanding what is their need and help them get on their feet and help themselves? It is a quandary that he faces when we have all this money and we almost seem to be struggling to get rid of the money. He thanked staff, Brenda Beckett, for her work in helping people be successful, holding them accountable for the money, and we can see a difference in our city.

Mayor Cole: Council has questions about administration costs and if they are not needed, we can fund these other good programs. As for the bathroom, he hopes there is a crackdown on public defecation. Regarding administration costs, staff noted that members of the Community Development team track each and every hour they work by grant program and funding is only drawn for actual time spent managing each of the programs. If there is funding left over, it is allocated to projects - this is the same way the Division manages all of their programs. The Mayor noted it is just a cap and we still have to justify each dollar that is spent.

Staff Response - Administration Costs: On June 29, 2021 City staff forwarded federal regulations relative to standards for documentation of personnel expenses, an example of how Community Development staff track time by grant, and the City's internal procedures on tracking and accounting for staff time and all administrative costs. Time-tracking practices and accounting methods are monitored and approved by the City's Finance Department, external auditors, and other federal grant-making entities.

No other public comments were made during the public hearing.

CITY OF Billings

Annual Action Plan
FY2023-2024

DRAFT

Community Development Division
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Billings, Montana 59101
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Section I: Executive Summary

AP-O5 Executive Summary

24 CFR 91.200(c), 91.220(b)

Introduction

Five-year Consolidated Plans and one-year action plans are required by the United States Department of Housing and Urban Development (HUD) for the City of Billings to receive funding through the Community Development Block Grant (CDBG) and HOME Investment Partnerships programs (HOME). The City's five-year Consolidated Plan for FY2020-2024 identifies activities to be carried out from July 1, 2020 through June 30, 2025 to address priority needs in the community and serves as a guiding document for the use of the City's CDBG and HOME funding.

This one-year Annual Action Plan addresses priority needs and outlines the use of the City's CDBG and HOME funding for activities to be carried out from July 1, 2023 to June 30, 2024. Plans should be submitted to HUD 45 days prior to the start of the City's program year start date: July 1.

Focused on CDBG and HOME activities, the Consolidated and Annual Action Plans combine the planning and application requirements for the CDBG and HOME programs. Consolidation of the submission requirements for the CDBG and HOME programs allows program planning and citizen participation to take place in a comprehensive context covering both programs. The CDBG and HOME programs covered by the Consolidated Plan have three basic goals:

- **To provide decent housing,** including maintaining the affordable housing stock in the community; increasing the availability of permanent housing that is affordable to low-income households without discrimination; increasing support of housing that enables persons with special needs to live independently; and assisting homeless persons to obtain affordable housing.
- **To provide a suitable living environment**, including improving the safety and livability of neighborhoods; increasing access to quality facilities and services; reducing the isolation of low-income households within areas by de-concentrating housing opportunities and revitalizing deteriorating neighborhoods; restoring and preserving natural and physical features of special value for historic, architectural, or aesthetic reasons; and conserving energy resources.
- **To expand economic opportunities**, including creating jobs accessible to low-income individuals; providing access to credit for community development activities promoting long-term economic and social viability; and empowering low-income persons living in public and federally assisted housing to achieve self-sufficiency.

All activities undertaken by the City utilizing CDBG and HOME funding must primarily benefit low-income persons. The strategies described in the Consolidated and Annual Action Plans outline a specific course of action for the community's housing and community development activities. The plan builds on local assets to meet the needs of the community and sets forth goals, objectives, and performance measures to ensure progress in achieving the strategies described herein.

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Pandemic Response

The Community Development Division spearheaded new initiatives in response to worldwide and national pandemic variant surges. Several pandemic projects and programs were funded:

- **The Salvation Army:** Funding was allocated to increase food service by 20 percent through the mobile meals program.
- **Downtown Billings Improvement District:** Funding was allocated to procure and install a public handwashing and restroom facility in an area facilitating use by people who are experiencing homelessness.
- **Parks Improvements:** A number of improvements within low-income area neighborhoods parks were funded to specifically address pandemic concerns, including touchless bathroom features. Other improvements were designed to provide suitable outdoor fitness and create spaces to support social distancing. Other projects include ADA improvements, playground equipment, ensuring airflow exchange in a community building, and the installation of adult exercise equipment to encourage physical activity and social distancing outdoors.
- **Fast-Track Public Services:** The Community Development staff and the Community Development Board also recommended implementing a fast-track public services application process, which was approved by the City Council at the end of December, 2021. The streamlined procedure accommodated applications from social service agencies to prevent, prepare for, and respond to the coronavirus. Several organizations were funded to provide social services, including mental health care, substance abuse services, homeless programs, and programs benefitting children www.BillingsMT.gov/CDBGcvfast.
- **Alternatives, Inc.:** $47,000 in CDBG funding is being used to strengthen information technology and app development to provide mental health treatment options, at a distance, to low-income clients. The ability to provide distance services will protect both the clients and Alternatives staff from the spread of the coronavirus. According to the City's pandemic needs assessment, one in two survey respondents experienced higher levels of stress, and one in five respondents expressed mental health care as a primary need.
- **Boys & Girls Club:** $140,000 in CDBG funding was used to renovate an insufficient front reception area at the Boys & Girls Club in order to provide room for social distancing.
- **Billings Public Schools:** $313,300 in CDBG funding will be used to replace an insufficient HVAC system at Washington Elementary School to improve indoor air quality and ventilation. Improvements to public health will prevent spread of coronavirus to ensure the building's continued usefulness during an outbreak. The Delta variant significantly impacted children attending school in Billings and accelerated the spread of the coronavirus across the city.

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Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

According to the City's most recent Consolidated Plan, the most significant housing issues in Billings include housing cost burden, the availability of affordable housing, and equal opportunity in homeownership for minority households.

- **Housing Cost Burden:** Over 80% of low-income households have been paying 30-50% or more of their income for housing costs. Minorities are disproportionately impacted by housing cost burden including Black / African American, Asian, Native American, and Hispanic families.
- **Affordable Housing Availability:** Housing affordability and availability are the most significant factors in limiting housing choice for both renters and homeowners. While there are an adequate number of housing units in Billings to accommodate the population, there is a housing deficit of over 4,700 units for households with incomes less than 30% of the AMI. According to HomeFront, the local public housing authority and formerly the Housing Authority of Billings, there were also over 5,500 households on waiting lists for public housing. Over 2,000 people were waiting for single-person housing.
- **Homeownership and Opportunity:** Racial and ethnic minorities have a lower homeownership rate than the White population (67%) in Billings. The Black cohort has the lowest homeownership rate at 16% followed by Native Americans at 31%. Thirty-three percent of the Hispanic cohort are homeowners.

The City's goals are to: create, preserve, and expand affordable housing options; promote neighborhood revitalization through foreclosure program; to impact poverty; and to prepare for, respond to, and prevent the coronavirus. Outside of pandemic-impact projects and activities, the City will continue to offer programs on a citywide basis to ensure equal opportunity in all Billings neighborhoods:

- **First Time Home Buyer -** Promote financial security, home equity, housing self-sufficiency, housing and neighborhood quality and stability; increase minority homeownership, promote equal access and opportunity, and decrease segregation citywide; improve affordable housing opportunities for the elderly, persons with disabilities, and other special populations; and reduce predatory lending through education and standardized procedures.
- **Affordable Housing Development -** Expand access and availability of decent, affordable housing citywide; improve the physical quality of affordable housing; and foster suitable living environment and quality of life through the improvement of physical conditions including infrastructure for housing projects and housing development.
- **Foreclosure, Acquisition, Rehabilitation -** Mitigate the negative community impact of vacant, foreclosed properties; improve affordable housing quality, condition, safety, livability, and accessibility; stabilize property values in neighborhoods with existing vacant, foreclosed homes; and eliminate the potential for crime related to existing vacant, foreclosed properties.
- **Billings Metro VISTA Project -** Provide resources to nonprofit organizations to undertake poverty impact activities and to support the low-income individuals and families they serve; and focus areas include education, healthcare, food security, economic opportunity, housing, financial literacy, and others.

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Evaluation of past performance

An evaluation of past performance that help the City choose goals or projects.

Performance on past goals and projects has been adequate and progress on goals is summarized below.

- **Create, preserve, and expand affordable housing options:**
  - **Affordable Housing Development:** The C & C Community, a resident owned manufactured housing project, completed infrastructure improvements in 2021. Sixty households have benefitted from this project. Work pending on the project includes updated fencing to be completed in 2023.
  - **First Time Home Buyer:** In FY2021-2022, the City provided assistance to 27 households and did not meet the Annual Action Plan goal of 35 households. As predicted, the number of available affordable homes has significantly declined as families from across the nation relocate to Montana and this has significantly impacted sales. The City will continue this program to ensure families can purchase their first homes, although partial funding may be diverted to assist with other close- and shovel-ready projects.
- **Neighborhood revitalization:**
  - **Foreclosure Acquisition / Rehabilitation Program:** A contract was completed to reconstruct one single-family home on the Steffanich property in the Billings Heights. Construction will be completed in 2023.
- **Impact poverty:**
  - **Billings Metro VISTA Project:** Full-time AmeriCorps members have been working on poverty-impact programs this fiscal year. They focus on expanding services for the homeless and special needs populations: Healthcare; Food Security; Education; Employment; Financial Literacy; and Housing. Host Site Recruitment has declined, as many agencies expressed hesitation to take on new initiatives with changing organizational needs and services in response to the coronavirus pandemic. VISTA Member recruitment has slowed somewhat due to job market availability for recent graduates.
- **Pandemic Response:** Progress in pandemic projects is described in the Executive Summary and include: food distribution; downtown handwashing / restroom facility; park improvements; and public services to assist those impacted by the pandemic including mental health care, substance abuse services, homeless programs, and child services to date.

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Summary of citizen participation process and consultation process

91.200(b)

Summary from citizen participation section of plan.

Citizen participation is the foundation of housing and community development programs. The City of Billings has adopted a *Citizen Participation Plan* which is implemented during Consolidated and Annual Action Plan processes to ensure active participation by residents and affiliate organizations. The City has also adopted a *Language Assistance Plan* to ensure meaningful access to program information and equal opportunity for persons with hearing impairment and limited English proficiency. Both plans can be found online at www.Billingsmt.gov/CDreports.

The Citizen Participation Plan describes public access and engagement through public comment periods, public hearings, published notices, online and hard copy access to documents, and access for the disabled and limited English proficiency. The Plan also details the public decision-making processes via the Community Development Board and the Billings City Council.

Criteria for amending the Consolidated and Annual Action Plans includes substantial changes; *the creation of any new program, project, or activity to be funded or carried out under the City's CDBG and / or HOME programs.* All substantial changes to the Consolidated and Annual Action Plans must meet demonstrated need substantiated by HUD-approved data sources. Minor amendments include the *expansion of an existing program, project, or activity funded or carried out under the City's CDBG and / or HOME programs.* Minor changes must also meet demonstrated need by HUD-approved data sources.

In the event of a pandemic or other infectious disease, the City may alter public participation to include social distancing, virtual attendance, and other forms of virtual participation in lieu of, or in addition to, efforts described in the Citizen Participation Plan. The City may also implement shorter public comment periods as allowed by HUD. As per federal regulation, the City of Billings may publish its application for CDBG-CV funds for no less than five calendar days to solicit public comments.

Summary of public comments

Brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

The FY2023-2024 Annual Action Plan's public comment period began on March 25 and ended on April 24, 2023. A public hearing was held on April 24, 2023 during the Billings City Council meeting to accept public comments on the Annual Action Plan and Community Development Board recommendations for funding allocation. To facilitate an open public involvement process, the public hearing was available live and remains available on demand at the www.comm7tv.com website and also on Community 7's public Facebook page at www.facebook.com/comm7tv.

Public Comment & Hearing: Comments are summarized in the Appendix.

Summary of comments or views not accepted and the reasons for not accepting them

All comments are taken into consideration during the development of the Annual Action Plan.

Summary

Pending…

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Section II: The Process

PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

The City of Billings - Community Development Division staff is responsible for preparing the Consolidated Plan and administration of CDBG and HOME grant programs.

Agency Role	Name	Department/Agency
CDBG Administrator	City of Billings Brenda Beckett, Division Manager	Community Development Division
HOME Administrator		

Table 1 – Responsible Agencies

Consolidated Plan Public Contact Information

Brenda Beckett, Community Development Manager
Community Development Division, 2825 3rd Avenue North, Suite 610, Billings, MT
Phone: 406-657-8286 (TTY 711)
Email: beckettb@billingsmt.gov
Web: www.Billingsmt.gov/comdev

AP-10 Consultation 91.100, 91.200(b), 91.215(l)

Introduction

Several organizations in the community are involved in affordable housing and community development-related activities in Billings and are asked to comment on the Consolidated and Annual Action Plans. The continued cooperation of these organizations in pursuing affordable housing for the community is required to meet the Consolidated Plan goals. Consultations include review of the plan with public and private agencies that provide health care, social services, and fair housing education. Populations targeted for consultation include agencies that provide services for children, the elderly, the disabled, minorities, single-headed households, persons with HIV / AIDS and their families, and homeless individuals and families.

The Consolidated and Annual Action Plans are distributed widely during the public comment period and interested persons were invited to attend several staff-facilitated, regularly scheduled meetings to find out more about Community Development initiatives. Routine meetings were facilitated through staff for the Community Development Board; six of the nine total members represent and reside in low-income neighborhoods.

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Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health, and service agencies (91.215(I)).

Public Housing: The City's public housing authority, HomeFront, is primarily responsible for administration of the public housing and Section 8 Programs for the community. HomeFront is a municipal housing authority established under the laws of the State of Montana *(MCA 7-15-44).* Board members for HomeFront are appointed by the Mayor of the City of Billings. The City supports HomeFront and regularly communicates and consults with HomeFront staff on a variety of housing issues. *91.100(c)*

Housing Opportunities for Persons with AIDS: Public and private agencies have assisted the City in reviewing the Consolidated Plan. Organizations providing housing, health services, and social services have been involved in planning processes for the homeless and chronically homeless**.** The City supports the Human Resources Development Council District 7 in their implementation of Housing Opportunities for Persons with AIDS (HOPWA) goals and objectives. *91.100(b)*

Adjacent Governments: Communication regarding non-housing community development needs is conducted via collaboration through adjacent units of local government including the State of Montana and Yellowstone County. *91.100(a)(4)*

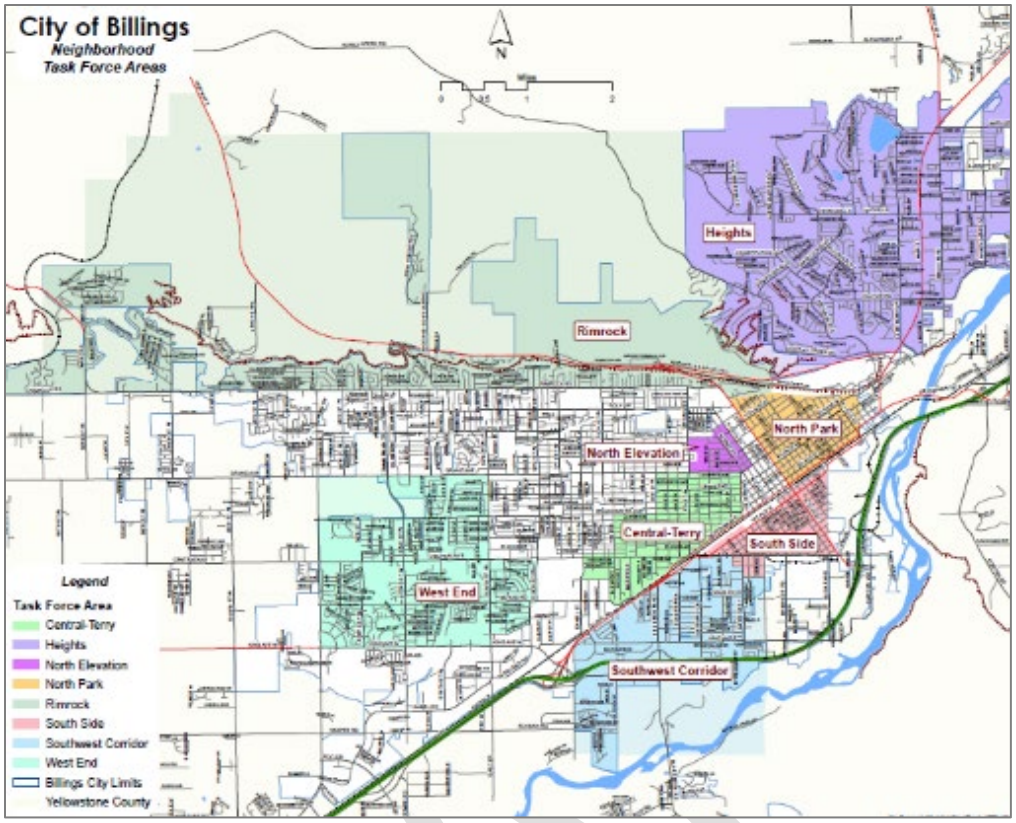
Metropolitan Planning: The City of Billings - Community Development Division is included in the Planning and Community Services Department. The department, overall, includes Code Enforcement, and Planning / Transportation (includes the City of Billings and Yellowstone County). These Divisions work internally to implement the Growth Policy, Infill Policy, Transportation Plan and Neighborhood Plans collectively. All City-assisted projects are reviewed for residential access to public transportation and broadband infrastructure. *91.100(a)(5)*

Community Development Board: The Community Development Board is a citizen's advisory board consisting of nine members who are appointed by the Mayor of Billings with the consent of the City Council. Six members are appointed to represent low-income neighborhoods of the City as defined by federal regulations for the CDBG program and three members represent the community at large. The Community Development Board makes recommendations to the City Council regarding the Consolidated Plan, the Annual Action Plan, the Citizen Participation Plan, and the CAPER (Consolidated Annual Performance and Evaluation Report). In addition, the Board reviews applications submitted for CDBG and HOME funding to make recommendations to the City Council for approval.

Billings City Council: The *Billings City Council* is the final governmental policy body that reviews and acts on the Consolidated and Annual Action Plans, including the Citizen Participation Plan. Recommendations are presented to the City Council and a public hearing is held. After receipt and consideration of public comments, the City Council can approve proposed plan(s) and funding allocations.

Low-Income and Minority Households: To ensure citizen participation emphasizing the involvement of low-income and minority residents in areas where housing and community development funds may be spent, the City's Community Development Board is comprised of six members representing lower-income neighborhoods. The City's Planning and Community Services Department also continues to coordinate meetings with the Adjacent Neighborhood Committee including those representing the City's low-income areas with high concentrations of minorities.

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The City also continues to support the ***Adjacent Neighborhood Committee*** comprised of Task Force officers who meet quarterly to collaborate. The City also seeks input from low-income neighborhood representatives on housing, neighborhood, and public service activities for the annual allocation process.

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Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Continuum of Care Funding: Funding is provided to the State of Montana and are distributed by the State to various regions in Montana through the Human Resource Development Councils (HRDCs). A Continuum of Care application is prepared on a statewide basis and the City plays a small role in this process. One or two organizations in Billings may receive Continuum of Care funding, but a very small percentage of the available statewide Continuum of Care funding is allocated to local projects: five to seven percent annually.

The Billings City Council allocated an amount not to exceed $210,000 to the Yellowstone County Continuum of Care for the FY23 low-barrier winter shelter for one year. The City Council also approved an allocation not to exceed $76,700 to the Montana Rescue Mission (MRM) to support data entry into the Coordinated Entry system in the Homeless Management Information System (September 26, 2022, City Council meeting minutes).

Billings Metro VISTA Project: To maintain momentum for City's ten-year plan to impact homelessness, the City's Community Development Division created an AmeriCorps Volunteers in Service to America (VISTA) program known as the *Billings Metro VISTA Project*; sponsored by the Corporation for National and Community Service. VISTA members work to create or expand community-based programs, services, and systems that prevent and intervene in homelessness. VISTA members may be supervised by City staff for over-arching, community-wide benefit programs and they can also be supervised by nonprofit organization staff that are spearheading efforts to impact poverty and homelessness.

Statewide Continuum of Care: The Montana Continuum of Care Coalition (MT CoC) is the statewide organization designed to bring homeless service providers together from across the state to identify needs, inventory resources, recognize gaps and prioritize HUD funding as part of a greater planning effort to eradicate homelessness in Montana. The coalition was formed to address homelessness with very few resources to cover Montana's vast geographical area. In 2012, MT CoC restructured to incorporate a Board of Directors to oversee the operations of the coalition. The MT CoC consists of 15 delegates; ten from districts mirroring the same planning districts used by the Montana Department of Health and Human Services and five at-large delegates. The Board of Directors is the decision-making entity for the MT CoC and is responsible for ensuring compliance with the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act.

Local Continuum of Care: The South-Central Montana Continuum of Care serves as the City's local Continuum of Care organization. It is a subsidiary of the MT CoC and represents Big Horn, Carbon, Stillwater, Sweet Grass, and Yellowstone counties. The South-Central Montana Continuum of Care collaboratively works to develop, support, and promote a continuum of resources, services, and housing opportunities that prevent homelessness and promote long-term stability.

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Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate Emergency Solutions Grant (ESG) funds, develop performance standards and evaluate outcomes, and develop funding, policies, and procedures for the administration of Homeless Management Information System (HMIS).

The City does not receive ESG funds as an entitlement; these funds are distributed statewide by the Montana Department of Public Health and Human Services through ten HRDCs throughout the state. Therefore, the City does not develop performance standards, evaluate outcomes, or develop funding, policies, or procedures for the administration of HMIS. District 7 HRDC utilizes ESG funding for homeless prevention activities and rapid rehousing. HRDC has received additional HUD Continuum of Care funds for rapid-rehousing homeless families living in shelters.

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Describe Agencies, groups, organizations, and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities.

Table 2 – Agencies, groups, organizations who participated in Consolidated Planning

#	Agency/Group/Organization	Type(s)	Consolidated Plan Section(s)	How Consulted / Outcomes
1.	HomeFront	Public Housing Authority; Services - Homeless	Housing Need Assessment; Public Housing Needs; Homeless Needs - Chronically Homeless, Families with Children, Veterans; Homelessness Strategy; Market Analysis; Anti-Poverty Strategy	Email / phone / web retrieval; data exchange for the development of relevant sections
2.	Homeword	Housing	Housing Need Assessment; Market Analysis; Anti-Poverty Strategy	
3.	Rimrock	Housing; Services - Persons with Disabilities	Housing Need Assessment; Homeless Needs - Chronically Homeless; Anti-Poverty Strategy	
4.	Mental Health Center	Housing; Services - Persons with Disabilities	Housing Need Assessment; Non-Homeless Special Needs; Anti-Poverty Strategy	
5.	Family Service, Inc.	Services - Housing	Housing Need Assessment; Market Analysis; Homeless Needs - Families with Children; Homelessness Strategy; Anti-Poverty Strategy	
6.	District 7 HRDC	Housing; Services - Housing, Children, Persons with HIV/AIDs, Homeless	Housing Need Assessment; Homeless Needs - Chronically Homeless, Families with Children; Homelessness Strategy; HOPWA Strategy; Anti-Poverty Strategy	
7.	Adult Resource Alliance	Services - Elderly Persons	Housing Need Assessment; Non-Homeless Special Needs; Anti-Poverty Strategy	
8.	Big Sky Senior Services	Services - Elderly Persons	Housing Need Assessment; Non-Homeless Special Needs; Anti-Poverty Strategy	
9.	Living Independently for Today and Tomorrow	Housing; Services - Persons with Disabilities	Housing Needs Assessment; Market Analysis; Non-Homeless Special Needs	
10.	City of Billings - Planning Division	Local Government; Planning Organization	Housing Needs Assessment; Market Analysis; Economic Development; Anti-Poverty Strategy; Broadband Access; Resiliency	
11.	YWCA Gateway House	Housing; Services - Domestic Violence, Children	Housing Needs Assessment; Market Analysis; Homeless Needs - Families with Children; Anti-Poverty Strategy	
12.	Billings Public Schools	Services - Homeless, Education	Homeless Needs - Families with Children; Anti-Poverty Strategy	
13.	Billings Job Service	Services - Employment	Economic Development; Anti-Poverty Strategy	
14.	Montana Fair Housing	Services - Fair Housing	Housing Needs Assessment; Non-Homeless Special Needs; Anti-Poverty Strategy	
15.	The Alliance	Health Agency	Non-Homeless Special Needs; Anti-Poverty Strategy	
16.	Montana Department of Commerce	State; Housing	Housing Need Assessment; Market Analysis; Anti-Poverty Strategy	
17.	Billings Public Works Department	Local Government	Non-Housing Community Development Needs	
18.	Billings Police Department	Local Government; Services - Domestic Violence, Homeless	Housing Need Assessment; Anti-Poverty Strategy	

Identify any Agency Types not consulted and provide rationale for not consulting.

The City of Billings staff is not aware of any agency types that have not been consulted in preparation of the Consolidated Plan. City staff contacted many agencies to assist with the development of the Consolidated Plans and has widely circulated information relative to proposed programs and funding allocations to garner feedback. Additional efforts were made during the public comment period to distribute the Consolidated Plan for review and feedback.

Describe other local/regional/state/federal planning efforts considered when preparing the Plan.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Montana State Continuum of Care	Identifies Federal and State resources to impact homelessness.
Growth Policy	City of Billings - Planning Division	Promotes affordable housing and infill development.
Infill Policy	City of Billings - Planning Division	Promotes affordable housing and infill development.
Annexation Policy	City of Billings - Planning Division	Promotes infill development.
Transportation Plan	City of Billings - Planning Division	Improves transit impacting project affordability.
Neighborhood Plans	City of Billings - Planning Division and Neighborhood Task Forces	Guides development efforts in each neighborhood.
Consolidated Plan	Montana Department of Commerce - Community Development	State CDBG and HOME resources may be available to further projects. Consultation and coordination of statewide Analysis of Impediments to Fair Housing Choice.

Table 3 – Other local / regional / federal planning efforts

AP-12 Participation *91.105, 91.200(c)*

Summary of citizen participation process/Efforts made to broaden citizen participation. Summarize citizen participation process and how it impacted goal setting.

Public comments are requested at least 30 days prior to submission of reports required under HUD's Consolidated Plan process. City staff has considered all written comments by citizens, public agencies, and other interested parties prior to submission of its final Consolidated Plan and related reports to HUD and attach a summary of each comment to the final submission. If written comments were not accepted for inclusion in the Plan, City staff has provided written explanation of why those comments were not accepted.

Staff utilizes data-driven analysis processes along with citizen and community participation to establish goals, strategies, and funded activities.

Citizen Participation Outreach			
#	**Mode of Outreach**	**Target of Outreach**	**Summary of response/attendance**
Summary of comments not accepted and reasons: No comments were rejected.			
1	Public Notices	Nonprofit and other organizations with an interest in CDBG and/or HOME funding opportunities, Broad Community	Public Notices to obtain public comment on: performance for the prior program year; current community needs to assist the Community Development Board in designing the application process for the upcoming program year, before the publication of the drafted Annual Action Plan; and the needs of those experiencing homelessness in preparation for HOME-ARP assessment and planning activities. The notices were published through the Yellowstone County News on August 12, 19, 26, 2022.
	The City did not receive public comments.		
2	Public Hearing	Nonprofit and other organizations with an interest in CDBG and/or HOME funding opportunities, Broad Community	Public Hearing on September 12, 2022 to obtain public comment on: performance for the prior program year; current community needs to assist the Community Development Board in designing the application process for the upcoming program year, before the publication of the drafted Annual Action Plan; and regarding the needs of those experiencing homelessness in preparation for HOME-ARP assessment and planning activities.
	The City did not receive public comments.		
3	Public Informational Meeting	Nonprofit and other organizations with an interest in federal funding opportunities, Broad Community	On December 16, 2022, City staff organized a public informational meeting to describe funding opportunities including CDBG and HOME, AmeriCorps VISTA, HOME-ARP, and the Affordable Housing Development program. Invitations were sent to hundreds of community members, social service agencies, etc.
	Twenty individuals attended the meeting including members of the local Continuum of Care, City Council, Social Service organizations, HomeFront - public housing authority, neighborhood task forces, etc.		
4	Public Notices	Nonprofit and other organizations with an interest in CDBG and/or HOME funding opportunities, Broad Community	Public Notices regarding the availability of CDBG and HOME funding were published through the Yellowstone County News on December 16, 23, 30, 2022.
	The City did not receive applications for CDBG or HOME funding.		
5	Public Notices	Nonprofit organizations with an interest in AmeriCorps VISTA funding opportunities, Broad Community	Public Notices regarding the availability of AmeriCorps VISTA resources were published through the Yellowstone County News on December 22, 30, 2022 and January 6, 2023.
	The City received numerous proposals for AmeriCorps VISTA placements for projects designed to impact poverty.		
6	Public Notices	Minorities, Disabled, Broad Community, Public & Assisted Housing Residents	Public Notices regarding the publication of the drafted HOME-ARP Allocation Plan on the City's website, the public comment period from February 25 through March 13, 2023. Notice of the public hearing, to be held during the March 13, 2023, City Council meeting, was published in the Yellowstone County News on February 24 and March 3 & 10, 2023.
	Public comments are summarized in the HOME-ARP Allocation Plan at www.BillingsMT.gov/HOMEarp.		
7	Public Hearing	Nonprofit organizations with an interest in HOME-ARP funding opportunities, Broad Community	Public hearing was held during the City Council meeting on March 13, 2023.
	Public comments are summarized in the HOME-ARP Allocation Plan at www.BillingsMT.gov/HOMEarp.		

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Citizen Participation Outreach			
#	**Mode of Outreach**	**Target of Outreach**	**Summary of response/attendance**
Summary of comments not accepted and reasons: No comments were rejected.			
8	Public Notices	Minorities, Disabled, Broad Community, Public & Assisted Housing Residents	Public Notices regarding the publication of the drafted Annual Action Plan on the City's website, the public comment period from March 25 through April 25, 2023. Notice of the public hearing, to be held during the April 25, 2023, City Council meeting, was published in the Yellowstone County News on March 24, 31, and April 7, 2023.
	No responses or comments were received.		
9	Website	Minorities, Disabled, Broad Community, Public & Assisted Housing Residents	The drafted Annual Action Plan was available online, from March 25 through April 25, 2023, for public comment and feedback. Emails were also sent to local nonprofit, healthcare, and housing organizations.
	No responses or comments were received.		
10	Public Meetings	Minorities, Disabled, Broad Community, Public & Assisted Housing Residents	Monthly Community Development Board meetings are open to the public. Meetings are held on the first Tuesday of each month and are advertised
	There were no public comments made during the meetings.		
11	Public Hearing / Public Meeting	Minorities, Disabled, Broad Community, Public & Assisted Housing Residents	The City Council public hearing held April 25, 2023, were streamed live. The videos are available on demand at www.comm7tv.com and www.facebook.com/comm7tv.
	See the appendix for a summary of responses.		

Table 4 – Citizen Participation Outreach

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Section III: Annual Action Plan

AP-15 Expected Resources 91.220(c)(1,2)

Introduction

The table below illustrates the CDBG and HOME resources expected for the program year. CDBG administration allocations are capped at 20% of the new CDBG allocation in addition to eligible program income received during the project year. Maximum amounts for public service activities are capped at 15% of the new CDBG allocation and 15% of the previous year's program income. HOME administration activities are capped at 10% of the new HOME allocation and eligible program income received following the required affordability period. Revenue received during a project's affordability period is considered recaptured and may not be used for administration.

Expected revenues from the CDBG program include repayments for funding loaned through the Housing Rehabilitation Loan program and other revitalization efforts. The City expects to receive approximately $75,000 to $300,000+ in repayments for the upcoming fiscal year and this funding will be reprogrammed for programs identified herein. The City will not receive proceeds for Section 108 loan guarantees, surplus funds from urban renewal settlements, or float-funded activities. The City allocated all available CDBG program income during the FY2022-2023 fiscal year to meet pandemic community needs and to assist with timeliness.

Revenue expected for the HOME program includes recaptured and program income funding generated by the First Time Homebuyer Loan program. The City expects to receive approximately $150,000 to $300,000+ in HOME funding through these venues, and the funding will be utilized to further programs identified in this Plan. City of Billings programs utilize 100% of CDBG and HOME funding to benefit low- to moderate-income households and/or areas. The City may also receive program income attributable to the Neighborhood Stabilization Program and other previously funded federal and state programs.

Routine revenues including program income, recaptured / repaid funds, and re-programmed monies will be utilized for existing and previously approved programs as it is received during each fiscal year. Routine revenues are allocated on a close- and shovel-ready basis to ensure timely commitment and expenditure. These changes are customary and facilitate funding allocations to projects and activities most in demand and do not require a substantial or minor amendment to the Consolidated Plan.

The City was awarded $1.2 million in HOME-ARP funding through the American Recovery Act. An assessment was designed and conducted in 2022-2023 and the HOME-ARP allocation plan was submitted to HUD by March 31, 2023.

Anticipated Resources

Program	Source of Funds	Expected Amount Available				Expected Amount Available Reminder of Con Plan	Narrative Description
		Annual Allocation	Program Income	Prior Year Resources	Total		
CDBG	Public / Federal	$623,918	$50,000	$0	$673,918	$0	Entitlement Allocation
	Uses of Funds: Administration, Foreclosure Acquisition / Rehabilitation / Homebuyer Acquisition, New Housing Development						
HOME	Public / Federal	$378,085	$400,000	$0	$778,085	$0	Entitlement Allocation
	Uses of Funds: Administration, Homebuyer Acquisition, New Housing Development						

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied.

The HOME program requires 25% match funding for projects be dedicated from non-federal sources. The City of Billings meets HOME matching requirements through low-interest financing available for First Time Homebuyer Loans issued through the Montana Board of Housing (MBOH) and matching funds provided for other affordable housing projects undertaken with HOME funds, such as private contributions and other local bank financing.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan.

The City of Billings does not have plans to use publicly-owned land to address needs identified in the Consolidated Plan and is not required to do so, as per federal regulation.

Requirements set forth in CFR 24 91.220 and 91.520 indicate the City *may indicate* publicly-owned land or property located within the jurisdiction that *may be used* to address the needs identified in the Consolidated / Annual Action Plan.

While the City has not dedicated land to the Community Development Division, the Billings City Council supported the Division's housing programs by dedicating nearly $450,000 in non-federal funds to support Consolidated Plan activities.

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AP-20 Annual Goals and Objectives

Projects are funded on a close- and shovel-ready for core programs. An asterisk*indicates activities must be implemented by housing development organizations.

#	Goal Name	Category & Needs Addressed	Outcome	Objective	$	City Program	Goal Outcome Indicator	One Year Goal
1	**Create, preserve, and expand affordable housing options**	Affordable Housing	Affordability	Decent Affordable Housing	CDBG $286,134 HOME $683,563 NSP TBD	Affordable Housing Development	Public Infrastructure: Low-income Housing Benefit	# Households Assisted*
							Rental Units Constructed	4 Housing Units*
							Rental Units Rehabilitated	# Housing Units*
							Homeowner Housing Added	# Housing Units*
						First Time Home buyer	Direct Financial Assistance to Homebuyers	# Households Assisted
		• Encourage the citywide development of new affordable single-family, multi-family and special needs housing in the community through private developers and nonprofit organizations. • Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs citywide. • Provide affordable financing and support to promote homeownership opportunities citywide.						
		Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b): The City's intent is to assist # low-income (under 80% AMI) families this fiscal year through the HOME First Time Home Buyer program. Of these households, zero are expected to be extremely low-income.						
2	**Neighborhood Revitalization: Foreclosures**	Affordable Housing	Affordability	Decent Affordable Housing	CDBG EN $200,000	Foreclosure Acquisition Rehabilitation	Homeowner housing rehabilitated	1 Housing Unit
							Buildings Demolished	# Buildings
		• Revitalize neighborhoods through foreclosure remediation, redevelopment, and infill development.						
3	**Impact Poverty**	Other: Poverty Impact	Availability / Accessibility	Create Suitable Living Environment	CDBG $63,000 CNCS pending	Billings Metro VISTA Project	Public service activity for low-income benefit	200 Persons Assisted
		• Provide public service activity funding to support the Billings Metro VISTA Project to support local nonprofit organizations expand services for the homeless and special needs populations: Healthcare; Food Security; Education; Employment; Financial Literacy; and Housing.						

HOME Investment Partnerships Program (HOME) *Community Development Block Grant (CDBG)* *Corporation for National and Community Service (CNCS)*

Table 6: Goals Summary Information

Introduction

The City of Billings is recommending the following projects for CDBG and HOME funding for FY2023-2024. Revenues received from CDBG, HOME, and other sources will be allocated to current programs under a close- or shovel-ready basis to ensure commitment and expenditure timeliness. The City will be receiving $623,918 in new CDBG funds and $378,085 in new HOME funds. CDBG and HOME administration will be funded at the maximum allowable caps (20 and 10 percent, respectively).

CDBG programs will be funded with entitlement and program income funding as follows: $200,000 to the Foreclosure Acquisition / Rehabilitation program, $63,000 to the Billings Metro VISTA Project, and all remaining CDBG funding to the Affordable Housing Development program. These funding allocations are subject to the City's standard close- and shovel-ready allocation process. Fifteen percent of new HOME entitlement funding will be dedicated to Community Housing Development Organizations for affordable housing development. All remaining HOME funding would be allocated to the Affordable Housing Development program. These funding allocations are also subject to the City's standard close- and shovel-ready allocation process.

FY2023-2024 Allocations - PENDING COMMUNITY DEVELOPMENT BOARD RECOMMENDATIONS

#	Project Name	CDBG		HOME		CDBG & HOME TOTALS
		EN	PI	EN	PI	
1 & 2	Administration	124,784	0	37,809	-	162,593
3	Foreclosure Acquisition / Rehab	150,000	50,000	-	-	200,000
4	Community Housing Dev Orgs	-	-	56,713	-	1,026,410
	Affordable Housing Devel	286,134	0	283,563	400,000	
5	First Time Home Buyer	0	0	0	0	0
6	Billings Metro VISTA Project	63,000	0	-	-	63,000
TOTALS		623,918	50,000	378,085	400,000	1,452,003

Table 7 – Project Information, Allocations including unallocated program income

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The allocation priorities were established by identifying community needs through the Needs Assessment and Market Analysis:

- **Affordable Housing:** Single- and multi-housing development, First Time Home Buyer, and Foreclosure Acquisition and Rehabilitation.
- **Poverty Impact:** Billings Metro VISTA Project.

Limited funding is the primary obstacle faced by the City in undertaking the activities described in its Consolidated Plan and meeting under-served needs. The Needs Assessment identified the affordable housing needs and conditions of our community. These conditions, particularly the cost burden faced by very low-income renters and homeowners, is difficult to address given existing resources.

AP-38 Project Summary

Entered into AP-35 in IDIS

#	Project Name	Target Area	Goals / Needs	Funding	Target Date	Estimate # / Type Families Benefitting
1 & 2	Administration	City of Billings	Affordable Housing	CDBG $124,784 HOME $37,809	June 30, 2024	Not Applicable
		General grant administration for CDBG and HOME programs.				
3	Foreclosure Acquisition & Rehabilitation	City of Billings	Affordable Housing	CDBG $200,000	June 30, 2024	1 Housing Unit – Low-Income Household (IDIS Category 10)
		Description: Revitalize low-income neighborhoods through foreclosure remediation, redevelopment, and infill development. **Planned Activities:** Funding to support the purchase of vacant and foreclosed properties for the purpose of rehabilitation and direct homeownership assistance to income-qualified homebuyers as their primary residence. Properties may also be demolished to make way for new construction of affordable housing. The purpose of the program is to stabilize neighborhoods, stem the decline of house values of neighboring homes due to foreclosure, and to preserve decent affordable housing.				
4	Affordable Housing Development	City of Billings	Affordable Housing	CDBG $286,134 HOME CHDO: $56,713 HOME EN: $283,563 HOME PI: $400,000	June 30, 2024	4 Household Housing Units Rental Units Constructed (IDIS Category 7)
		Description: Encourage the citywide development of new affordable single-family, multi-family and special needs housing in the community through private developers and nonprofit organizations. **Planned Activities:** This funding would be utilized to facilitate the development of new affordable housing.				
5	First Time Home Buyer	City of Billings	Affordable Housing	HOME $0 CDBG $0 Utilizing Rollover Funding from Last Fiscal Year	June 30, 2024	# Low-Income Households Assisted (IDIS Category 11)
		Description: Provide affordable financing and support to promote homeownership opportunities citywide. **Planned Activities:** This program provides financial resources to support low-income first-time homebuyers with down payment and closing costs.				
6	Billings Metro VISTA Project	City of Billings	Poverty Impact	CDBG $63,000	June 30, 2024	# Low-Income Persons Assisted (IDIS Category 3)
		Description: Provide public service activity funding to support the Billings Metro VISTA Project to help local nonprofit organizations expand services for the homeless and special needs populations: Healthcare; Food Security; Education; Employment; Financial Literacy; and Housing. **Planned Activities:** AmeriCorps members work on poverty impact issues in the community including hunger, homelessness, education, and veterans / military family support. Members are placed at nonprofit organization Host Sites and the City to assist in strengthening services in the poverty-impact service continuum.				

Community Development Block Grant (CDBG) HOME Investment Partnerships Program (HOME)

AP-50 Geographic Distribution 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The geographic area served by the Consolidated and Annual Action Plans is defined by the current City of Billings limits. Citation 24 CFR 91.220(f) reads as follows, *"When appropriate, jurisdictions should estimate the percentage of funds they plan to dedicate to target areas."* Estimating the percentage of funds planned for dedication to target areas is not appropriate for the Billings community due to the following reasons:

- Geographic area is defined by the current Billings city limits.
- Citywide strategies encourage the distribution of resources to support affirmatively furthering fair housing and equal opportunity to avoid segregation in Billings.
- Geographic distribution of investments description includes the focus of resources on a citywide basis to support diversity across the community.
- The City of Billings is classified as a smaller city on a national scale.
- The actual dollar amount planned for allocation to each program is included in this Action Plan.

The City will focus distribution of investments on a citywide basis to support diversity and mixed-income development across the community. Neighborhood Revitalization Strategy Areas ***have not been established*** in Billings and there is no specific amount of funding allocated for a target area in the City's geographic distribution of resources. **Therefore, the City plans to dedicate zero percent of funding to target areas in favor of supporting a citywide approach to further fair housing, equal opportunity, and anti-segregation efforts.**

Geographic Distribution

Target Area	Percentage of Funds
Citywide	100%

Table 6 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The strategies identified in the Consolidated and Annual Action Plans will be addressed on a citywide basis to encourage the distribution of low-income affordable housing and other assistance to lower-income households throughout the community.

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AP-55 Affordable Housing 91.220(g)

Introduction

Planned affordable housing activities for the upcoming year include Foreclosure Acquisition / Rehabilitation, Affordable Housing Development, and First Time Home Buyer. While many of these programs may serve the homeless or special needs households, the programs are not designed to exclusively serve one or more of the following cohorts.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	5
Special-Needs	0
Total	**5**

Table 7 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	5
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	**5**

Table 8 - One Year Goals for Affordable Housing by Support Type

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AP-60 Public Housing 91.220(h)

Introduction

The City's public housing authority, HomeFront, serves extremely low-income, very low-income, and low-income citizens. HomeFront plans to apply for all grants that will assist the organization in adding units to its existing programs and any programs that complement existing services and are able to be implemented. HomeFront will continue to assess and implement modernization funds to upgrade and restore units, (with sustainability as the priority) and complete energy efficient repairs as needed.

Actions planned during the next year to address the needs to public housing

The City allocated over $2 million to HomeFront to develop 95 affordable housing units. HomeFront may apply for funding to develop affordable housing through the Affordable Housing Development Program. In the past, the City has granted funds to build new units through the HOME and CDBG programs in neighborhoods where HomeFront property exists. The City has also provided funding for a variety of rehabilitation and new construction projects to neighborhoods that have public housing units in need of upgrading.

The City has helped rehabilitate properties, sold land for new businesses, and granted land to nonprofits to assist with neighborhood revitalization efforts in neighborhoods where HomeFront complexes have been built. The City has provided funding for parks and play areas for the neighborhoods where HomeFront families reside. In addition, the businesses that have moved into areas where HomeFront properties are located have contributed to the economic stability of HomeFront clients. The City's First Time Home Buyer program assists with home ownership down payment assistance and home ownership counseling for clients considering homeownership.

The City coordinates with HomeFront for housing needs assessments, assists in funding new projects when appropriate, and assists with applications for supportive services when called upon.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

HomeFront implements the Family Self-Sufficiency program. This program links participants to community agencies to help them become self-sufficient through individual goal setting. Forty-one households have achieved homeownership through this program to date. Resident councils, an Advisory Board and the Family Self-Sufficiency Panel are involved in providing input on program needs and assisting others to become actively involved in the process. Additional information is included in the five-year plan on file at the HomeFront office.

Each year goes through a process to assess physical needs addressed by tenants through their Resident Advisory Board for the Annual Plan process; comments are also solicited via Resident Council functions throughout the year. These comments, Board participation, tenant commissioners, and Public Housing Administration's daily communications with HomeFront's client base serve to assist in assessing client needs for physical adjustments, security issues, and needed links with the community. The physical needs requests are implemented along with staff recommendations in the Capital Fund planning process.

If the PHA is designated as troubled, describe the way financial assistance will be provided or other assistance

Not applicable. HomeFront is a High Performer for the Public Housing Assessment System (PHAS) and the Section 8 Management Assessment Program (SEMAP). Therefore, a review of troubled status needs is not required as part of the Consolidated and Annual Action Plans.

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AP-65 Homeless and Other Special Needs Activities 91.220(i)

Introduction

As previously stated in the SP-60 Homelessness Strategy of the Consolidated Plan, the Community Development Division's ongoing activities include:

- Continuing to distribute the City's *Resource Map*, *Notepad*, and the *Veteran's Resource Map.* These documents include comprehensive service directories for anyone seeking assistance.
- To the greatest extent possible, City staff will continue to provide local nonprofit organizations access to AmeriCorps VISTA members through the ***Billings Metro VISTA Project*** resources. VISTA members may be placed at the City to undertake objective citywide initiatives. VISTA members may also be placed at nonprofit Host Site organizations to work on specific anti-poverty initiatives.

The City does not directly receive Continuum of Care, Emergency Shelter Grant, or other federal funds to exclusively support efforts to impact homelessness. City staff does not provide direct services to those experiencing homelessness.

A network of over 50 local service providers in the community strive to meet the diverse needs of those experiencing homelessness, those who are at-risk of homelessness, and people experiencing poverty. The Mental Health Center manages a Projects for Assistance in Transition from Homelessness (PATH) outreach program to engage those living outside or in areas unfit for human habitation. Tumbleweed runs a Street Outreach program to seek out unaccompanied youth to engage them in services. A complete listing of services, including outreach, is included in the MA-30 Homeless Facilities and Services section of this Consolidated Plan.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Mental Health Center manages the PATH outreach program to engage those living outside or in areas unfit for human habitation. Tumbleweed runs a Street Outreach program to seek out unaccompanied youth to engage them in services. Additional services for the homeless are included in the MA-30 Homeless Facilities and Services section of the Consolidated Plan (www.BillingsMT.gov/ConPlan).

While not funded with federal funds, the City of Billings recently implemented a new Crisis Response Unit (CRU) in partnership with Rimrock Foundation and the Substance Abuse Connect Coalition. The goal is to help people going through a mental health crisis. The CRU team consists of a peer specialist from the Rimrock Foundation, a licensed counselor, and an EMT from the Billings Fire Department. A care coordinator will follow up with the individual for any treatment and recovery support.

Addressing the emergency shelter and transitional housing needs of homeless persons

The shelter needs for those experiencing homelessness in the Billings community are primarily met by the Montana Rescue Mission (MRM). The organization operates a men's shelter and a shelter to serve women and their children. MRM does not seek nor utilize federal funds for its operation. While not funded with federal funds, the City of Billings recently provided a one-year grant to the MRM to implement the Homeless Management Information System (MHIS) and Coordinated Entry System. Several local service providers assist homeless families by providing funding for rent, mortgage, utility, and deposit assistance.

The Community Crisis Center provides crisis intervention, and 23-hour stays as a technique to impact chronic homelessness. The YWCA provides transitional housing for victims of domestic violence. Additional services for the homeless are included in the MA-30 Homeless Facilities and Services section of the Consolidated Plan *(*www.BillingsMT.gov/ConPlan*).*

For those living on the downtown streets of Billings, a position was created for an addiction / mental health counselor to accompany two downtown police officers when engaging people living on the streets. This initiative was undertaken as one of the many outcomes from the Community Innovations Summit, which was facilitated by the Community Development Division and the Downtown Billings Alliance. Non-federal funding through the City of Billings has been allocated to support the counselor staff position.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Family Promise of Yellowstone Valley provides emergency shelter to several families at a time in a network of church congregations. The organization also operates a transitional housing program that provides apartments for those who have graduated from the shelter program.

YWCA Gateway House provides housing for female-headed households who have been victims of domestic violence. Additional services provided include case management, mental health treatment, budgeting assistance, and the facilitation of access to benefits. The organization also provides transitional housing and permanent supportive housing.

HRDC District 7 receives Emergency Shelter Grant funds and manages a rapid rehousing program to provide deposit and rent payment assistance to help families quickly regain stability into permanent housing.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly-funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The City does not receive McKinney-Vento Homeless Assistance Act funds and is not required to develop and implement a Discharge Coordination Policy. The Montana Continuum of Care (MT CoC) for the Homeless Coalition is the state's lead agency for addressing homeless activities and is a statewide collaboration of diverse homeless service providers, nonprofit organizations, and local and state governments. The coalition was formed to address homelessness with very few resources to cover Montana's vast geographical area. The system is established upon community and regionally-based continuum of care systems, which form the statewide coalition and continuum of care process. The City supports the MT CoC in their efforts to establish a Statewide Discharge Coordination Policy.

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The City does not receive Emergency Shelter Grant funds. These funds are distributed statewide by the Montana Department of Public Health and Human Services through ten HRDCs throughout the state. The local District 7 HRDC utilizes these funds to support rapid re-housing activities in conjunction with the local shelters.

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AP-75 Barriers to Affordable Housing 91.220(j)

Introduction

Barriers to affordable housing are noted in the MA-40 and SP-55 Barriers to Affordable Housing sections of the Consolidated Plan, which can be found online at www.BillingsMT.gov/ConPlan.

Additional barriers have been identified in the City's Analysis of Impediments to Fair Housing Choice, including:

- Concentrations of minorities that would not exist in a free market not distorted by discrimination suggest that Billings has a dual housing market; one for non-Hispanics, Whites and Asians and another for all other minorities.
- Discriminatory real estate industry practices such as racial and ethnic steering distort the free market in housing.
- Discrimination against Latinos in issuing government-backed mortgage and refinancing loans continues unabated in Billings as it does throughout the nation.
- The relatively high cost of housing continues to pose a barrier to fair housing choice in Billings.
- A review of Unified Zoning Regulations and review requirements to foster compliance with fair housing law and to promote inclusionary zoning.
- There is a serious shortage of housing affordable to holders of Housing Choice Vouchers in the areas where the proportion of public-school students from low-income neighborhoods is relatively low.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment.

The City plans on assisting with housing affordability and poverty impact through the following programs:

- Foreclosure Acquisition / Rehabilitation
- First Time Home Buyer
- Affordable Housing Development
- Billings Metro VISTA Project

The City of Billings recently adopted, and has begun implementing, a new zoning code that includes several provisions to expand affordable housing options and choice citywide. Project Re:Code was a three-year process to modernize zoning codes, diversify neighborhoods, and remove barriers to affordable housing development. The new code allows for smaller, accessory dwelling units to create more compact, affordable housing options in existing residential neighborhoods. With the assistance of AmeriCorps VISTA members through the Billings Metro VISTA Project, the City also built a new Pattern Guide website to provide guidance to homeowners and small business owners investing in Billings' First Neighborhoods.

In 2019, City officials met locally with several HUD officials from the Office of Fair Housing and Equal Opportunity: Assistant Secretary Anna Maria Farias; Regional Director Amy Frisk; and Enforcement Branch Chief Chris Vogel. After reviewing Project Re:Code, Farías…commended the effort, saying [Project Re:Code] was "very impressive," before adding her thoughts on the importance of zoning codes. "If you are serious about affordable housing, then somebody has to be willing to start talking about zoning." (Billings Gazette)

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AP-85 Other Actions 91.220(k)

Introduction

The City's programs have been designed to meet priority needs in the community. However, there is very limited funding coming through the City to meet the needs of local citizens.

Actions planned to address obstacles to meeting underserved needs

The City plans on meeting underserved needs through the following programs:

- **First Time Home Buyer**
  - Promote financial security, home equity, housing self-sufficiency, housing and neighborhood quality and stability.
  - Increase minority homeownership, promote equal access and opportunity, and decrease segregation citywide.
  - Improve affordable housing opportunities for the elderly, persons with disabilities, and other special populations.
  - Reduce predatory lending through education and standardized procedures.

- **Affordable Housing Development**
  - Expand access and availability of decent, affordable housing citywide.
  - Improve the physical quality of affordable housing.
  - Foster suitable living environment and quality of life through the improvement of physical conditions including infrastructure for housing projects and housing development.

- **Foreclosure, Acquisition, Rehabilitation**
  - Mitigate the negative community impact of vacant, foreclosed properties.
  - Improve affordable housing quality, condition, safety, livability, and accessibility.
  - Stabilize property values in neighborhoods with existing vacant, foreclosed homes.
  - Eliminate the potential for crime related to existing vacant, foreclosed properties.

- **Billings Metro VISTA Project**
  - Provide resources to nonprofit organizations to undertake poverty impact activities and to support the low-income individuals and families they serve.
  - Focus areas include education, healthcare, food security, economic opportunity, housing, financial literacy, and others.

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Actions planned to foster and maintain affordable housing

The City plans on maintaining affordable housing through the following:

- **Create, preserve, and expand affordable housing options:** Affordable Housing Development and First Time Home Buyer
- **Neighborhood Revitalization – Foreclosures**: Foreclosure Acquisition Rehabilitation
- **Impact Poverty:** Billings Metro VISTA Project

Actions planned to reduce lead-based paint hazards

The City continues to follow HUD's lead-based paint requirements as established in September of 2000. Projects involving structures built prior to 1978 are considered to have the potential for lead-based paint and consistent procedures have been developed to ensure compliance with federal regulations.

The City will continue diligence while undertaking rehabilitation and construction activities to maintain the safety of households participating in federal programs. Participants in the City's housing programs are made aware of the requirements the City must follow. Education on the hazards of exposure to lead is provided for each rehabilitation project. The City currently offers risk assessments, through certified staff, paint inspections, clearance testing, and has access to lead-safe certified contractors to ensure compliance.

Actions planned to reduce the number of poverty-level families

As stated in the SP-70 Anti-Poverty Strategy section of the Consolidated Plan (BillingsMT.gov/ConPlan), the Needs Assessment contains comprehensive information on the lower-income status of local households. All the Consolidated Plan strategies target the improvement of economic conditions of lower-income households in the community, including housing development, financing home repair, continuing partnerships, and funding public service activities. The City proposes to support the following specific activities in the Consolidated Plan to address economic conditions of low-income households in Billings:

- Continue to work with nonprofit organizations to help address the human service needs of lower-income residents of the community in general and of our lower-income neighborhoods. This would be achieved primarily through supporting capacity building efforts of social service agencies through implementation of the *Billings Metro VISTA Project*.
- Continue to apply for the AmeriCorps VISTA project status to bring full-time and summer associate volunteers to work on poverty-impact programs.

AmeriCorps VISTA is a national anti-poverty initiative that places full-year and Summer Associate volunteers with local projects. Full-year VISTA members are recruited locally and nationally, are college graduates, and commit to at least a year of service with a project. Summer Associates are at least 18 years old and commit to ten weeks of service.

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Actions planned to develop institutional structure

As described in the SP-40 Institutional Delivery Structure section of the Consolidated Plan, the City of Billings maintains strong partnerships with housing and social service agencies. The only gaps in the institutional structure relate to funding limitations and the City's inability to dedicate time and resources to additional projects outside of the current funding structure.

Actions planned to enhance coordination between public and private housing & social service agencies

The City will continue coordinating with public, private, and social service agencies to further activities and projects identified herein, including participation in the following groups and initiatives:

- Nonprofit Organizations
- Neighborhood Task Forces
- Community Innovations Initiatives
- Resource Map and Notepad
- Veteran's Resource Map
- Coronavirus (COVID-19) Resource Guide
- Billings Metro VISTA Project

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AP-90 Program Specific Requirements 91.220(l)(1,2,4)

Introduction

The City of Billings has programmed all available revenues in current programs identified herein.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

1.	Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.	$0
2.	The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed.	$0
3.	The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	$0
4.	The amount of surplus funds from urban renewal settlements.	$0
5.	The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	$0
6.	The amount of income from float-funded activities.	$0
	Total Program Income:	**$0**

Other CDBG Requirements

1.	The amount of urgent need activities.	$0
2.	The estimated percentage of CDBG funds that will be used for activities that benefit persons of low- and moderate-income. Overall Benefit - A consecutive period of one, two, or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specific the years covered that include this Annual Action Plan.	100%
	FY Year Covered 2023	

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Reference 24 CFR 91.220(l)(2)

1. **A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:**

The above-noted regulation refers to the use of HOME funds for eligible activities. The City of Billings will not utilize HOME funds outside of the following allowable investments:

- Equity investments, interest-bearing loans or advances, non-interest-bearing loans or advances, interest subsidies consistent with the purposes of this part, deferred payment loans, grants, or other forms of assistance that HUD determines to be consistent with the purposes of this part. Each participating jurisdiction has the right to establish the terms of assistance, subject to the requirements of this part.
- Guarantee loans made by lenders and, if required, the participating jurisdiction may establish a loan guarantee account with HOME funds. The HOME funds may be used to guarantee the timely payment of principal and interest or payment of the outstanding principal and interest upon foreclosure of the loan. The amount of the loan guarantee account must be based on a reasonable estimate of the default rate on the guaranteed loans, but under no circumstances may the amount on deposit exceed 20% of the total outstanding principal amount guaranteed; except that the account may include a reasonable minimum balance. While loan funds guaranteed with HOME funds are subject to all HOME requirements, funds which are used to repay the guaranteed loans are not.

2. **A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:**

Recapture provisions permit the original homebuyer to sell the assisted property to any willing buyer during the period of affordability while the City can recapture all, or a portion of the HOME assistance provided to the original homebuyer. The City utilizes recapture provisions exclusively when assisting homeowners and the provisions are enforced via a Promissory Note (not recorded), the use of a Deed Restriction Agreement and a Montana Trust Indenture that are both recorded at the Yellowstone County Clerk and Recorder's office. These written, legal documents contain language outlining the recapture provisions as established herein. The City does not use subrecipients or other grantees to carry out these activities.

Homebuyer Requirements: For homeownership housing to qualify as affordable housing eligible for HOME funding, it must be single-family; considered modest housing; be acquired by a low-income household for their principal residence; and meet affordability requirements for a single period as determined by the amount of assistance provided. The City utilizes single family mortgage limits set by HUD.

Direct HOME Subsidy: The amount of HOME assistance that enabled the homebuyer to buy the unit. The direct subsidy includes down payment and closing costs provided directly to the homebuyer, which resulted in a reduced purchase price from the fair market value of the home to an affordable price. The entire amount of HOME assistance is subject to recapture.

Net Proceeds: The sales price, less the superior loan repayment and any closing costs. The City will only recapture the net proceeds from a sale. Any loans or improvements made to the property after the time of the HOME assistance will be paid after the City is repaid the amount owed under its

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recapture provisions. If the net proceeds are not sufficient to recapture the full HOME investment, the City will accept the available net proceeds as full payment.

Recapture Model - City Recaptures Entire HOME Assistance Amount: The City allows the assisted homebuyer to retain all appreciation and the City expects to recapture the entire direct HOME subsidy invested in the project. Therefore, the homeowner will retain any value of the appreciation of the property after the City's HOME assistance has been recaptured / repaid. The homeowner's down payment, principal payments, and any capital improvement investment made in the property after the HOME assistance was provided will be returned to the homeowner at closing after the City's HOME assistance is recaptured and repaid from the net proceeds as described above.

Subordination: The City does not subordinate loans in the First Time Homebuyer program and other homeowner-assisted projects without City Administrator approval. Therefore, if an assisted homeowner refinances the property, the City will need to be repaid the full amount of HOME assistance provided.

Use of Recaptured Funds: Recaptured HOME funds will be used to assist other first-time homebuyers to purchase property in Billings or other HOME-eligible activities to be determined through the City's budget allocation process in accordance with the Citizen Participation Plan. Homebuyers must be low-income and must use the assisted property with the recaptured funds as their principal residence. Low-income and first-time homebuyer status will be determined based on HOME program regulations.

3. **A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds. See 24 CFR 92.254(a)(4) are as follows:**

Long Term Affordability: Under the recapture provision, there is no requirement that the original HOME-assisted homebuyer sell the unit to another low-income homebuyer.

Affordability Periods: For City-assisted homebuyer units under the recapture provision, the period of affordability is based upon the direct HOME subsidy provided to the homebuyer that enabled the homebuyer to purchase the unit. Any program income used to provide direct assistance to the homebuyer is included when determining the period of affordability. Recapture provisions for the First Time Home Buyer program are either five or ten years for each assisted property beginning after the transfer of the property to the property owner as evidenced by the Deed Restriction Agreement, Montana Trust Indenture and Promissory Note.

4. **Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:**

The City of Billings does not propose the use of HOME funds to refinance existing debt secured by multi-family housing that is being rehabilitated with HOME funds.

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Section IV: Appendix

Appendix A: CDBG Application for Federal Assistance (SF-424)

Appendix B: HOME Application for Federal Assistance (SF-424)

Appendix C: Local Government Certifications

Appendix D: CDBG Construction Assurances (SF-424D)

Appendix E: HOME Construction Assurances (SF-424D)

Appendix F: CDBG Non-Construction Assurances (SF-424B)

Appendix G: HOME Non-Construction Assurances (SF-424B)

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Appendix H: Citizen Participation Plan

Citizen participation is the foundation of housing and community development programs. The Citizen Participation Plan for the City of Billings is designed to ensure citizen involvement in the planning and reporting on the City's programs covered under the HUD Consolidated Plan requirements. The purpose of the Citizen Participation Plan is to ensure that citizens, nonprofit organizations, and other interested parties are afforded adequate opportunity to review and comment on plans, programs, activities and reports regarding the City's federally funded housing and community development programs. Citizen participation pertains to the following documents herein referred to as "plans and reports":

- Consolidated Plan
- Annual Action Plans
- Citizen Participation Plan
- Limited English Proficiency Plan
- Comprehensive Annual Performance and Evaluation Reports
- Analysis of Impediments to Fair Housing Choice

Citizen Participation Plan Objectives

The primary objectives of the City's participation plan are to:

- Encourage citizen participation in the development of the City's plans and reports with emphasis on participation from individuals and households identified as:
    - Low / moderate income
    - Residents of blighted areas
    - Minorities and all protected class members
    - Those with limited English proficiency
    - Elderly
    - Disabled
    - Those with HIV / AIDS diagnoses
    - Homeless
    - Families with children
    - Those residing in areas where funding will be utilized
- Provide citizens with reasonable and timely access to meetings, information and records relating to the City's plan for utilizing funding in addition to allowing reasonable opportunity to comment on the above-noted plans and reports. All records regarding these activities are maintained according to the City Record Retention Schedule and as required by federal regulations.
- Consult with the local Public Housing Authority (HomeFront, formerly known as the Housing Authority of Billings) on the development and implementation of the above noted plans and reports, which includes input from residents of public and assisted housing.
- The City's Planning and Community Services Department will also continue to support the activities for the Adjacent Neighborhood Committee, which is comprised of Task Force Officers who meet bi-monthly to collaborate and exchange information regarding the lower-income neighborhood task force areas. The Community Development Division staff attends meetings of

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lower-income task force neighborhoods when requested for specific presentations. The lower-income neighborhoods are comprised of higher concentrations of ethnic and racial minority populations.

- Facilitate public hearings to obtain citizen views and to respond to proposals and questions at all stages in developing and implementing activities as outlined in the City's plans and reports. All hearings and meetings shall be provided in areas where accommodations for the disabled can be provided.
- Consult with public and private agencies and organizations during the development of the City's plans and reports:
    - Assisted housing
    - Health and social services
    - Regional and local government agencies
    - Public Housing Authority
    - Fair Housing education and enforcement agencies
    - Continuum of Care organizations
    - Businesses
    - Housing developers
    - Nonprofit organizations
    - Philanthropic agencies
    - Faith-based communities

HUD Data

The City of Billings will share any HUD-provided data and other supplemental information relative to the City's plans and reports. HUD-provided data is also currently provided on the City's website at www.BillingsMT.gov/HUDdata.

Public Decision-Making Processes

The *Community Development Board* is a citizen's advisory board consisting of nine members who are appointed by the Mayor of Billings with the consent of the City Council. Six members are appointed from, and represent, lower-income neighborhoods of the City as defined by federal regulations for the Community Development Block Grant (CDBG) program and three members represent the community at large. Staff is available to provide technical assistance to the Board in all aspects of planning and reporting processes.

This board serves in an advisory capacity to the City Council for the purpose of providing citizen input on policy decisions to the City Council. The primary responsibilities of the board are to review existing and proposed City policies and to review the Community Development Division's activities to ensure policies are being implemented and carried out. As six of the nine Board positions are held by low income area representatives, board composition meets basic federal requirements for low income citizen input and engagement.

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The Community Development Board makes recommendations to the City Council relative to all plans and reports. In addition, the Community Development Board reviews applications submitted for CDBG and HOME funding in order to make funding recommendations to the City Council for approval.

The *Billings City Council* is the final citizen policy body that reviews and takes action on plans and reports. The Community Development Board presents recommendations to the City Council during a scheduled work session preceding the public hearing in April in order to deliver information on decisions made regarding recommendations. After receipt and consideration of public comments, the City Council approves reports / plans and proposed funding allocations.

Public notices announcing Community Development Board and City Council meetings are published in a widely-circulated newspaper prior to the meeting date. These notices are designed to provide reasonable and timely access to local meetings consistent with accessibility and reasonable accommodation requirements.

Plans and reports on the City's housing and community development activities are made available for review by citizens, public agencies, and other interested parties. These documents are available at the Community Development Division and posted on its website at www.BillingsMT.gov.

Public Access and Engagement

The City of Billings takes the following actions to ensure public access to drafted / proposed plans and reports are published and accessible to ensure the public has reasonable opportunities to examine content and to submit comments. City staff will strive to explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, where practical.

Public Comment Periods: The City will publish and accept public comment on drafted Consolidated Plans, Annual Action Plans, Citizen Participation Plans, Limited English Proficiency Plans, and the Analysis of Impediments to Fair Housing Choice for a period of at least 30 days. The same timeline applies to substantial amendments to the aforementioned documents.

The City will publish and accept public comment on drafted Comprehensive Annual Performance Evaluation Reports (CAPER) for a period of at least 15 days. The same timeline applies to amendments to the CAPER.

The City may request public comment for one or more activities, plans, and / or reports during the same public comment period for efficiency. Staff will consider citizen comments and views made prior to document finalization and comment summaries will also be included or attached to the document.

The City will strive to provide written responses to all written complaints and grievances related to the City's housing and community development programs within 15 working days of receipt of the complaint or grievance where practical. Grievances at the City Council level will require significantly more time.

In the event of a pandemic or other infectious disease, the City may alter public participation to include social distancing, virtual attendance, and other forms of virtual participation in lieu of or in addition to efforts described herein. The City may also implement shorter public comment periods as allowed by HUD. As per federal regulation, the City of Billings may publish its application for CDBG-CV funds for no less than five calendar days to solicit public comments.

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Published Notices: City staff will issue notices via widely-circulated print press in advance of public comment periods. Notices will include the purpose of the document, a summary of the document contents, and instructions on how to access documents in their entirety. Statements are included in notices of public hearings and service brochures indicating that office, meeting, and public hearing locations are accessible to persons with disabilities and they include the Montana Relay phone number 711.

Plan Online Access: City staff will post drafted / proposed reports and plans online for free download at www.BillingsMT.gov/CDreports.

Plan Hard Copy Access: City staff will make available free hard copies of drafted / proposed documents to the public including residents, groups, and organizations upon request at the City's Community Development office. City staff will provide reasonable and timely access to information and records relating to all plans and reports, including the use of assistance under the programs managed by the Community Development Division. Those requesting records can complete a Public Records Request and submit it to the City's Legal Department.

Public Hearings: The City will hold at least two public hearings during City Council meetings each year to obtain residents' views and to respond to proposals and questions. Council meetings promote community access and participation and the meetings are aired live on social media and the local community television access station website and local free channels. Citizens may also access recordings of the meetings on social media and Channel 7's website.

The hearings will be held at two different stages of the program year and together they will address housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing, and a review of program performance.

- **September:** One public hearing will be held each September, before publishing the proposed Consolidated and / or Annual Action Plan. The purpose of this hearing is to obtain public comment on:
    - CDBG and HOME Comprehensive Annual Performance Evaluation Report (CAPER) for the prior program year; and
    - Current community needs to assist the Community Development Board in designing the application process for the upcoming program year, before the publication of the drafted Consolidated and / or Annual Action Plan.
- **April:** One public hearing will be held during the development of the Consolidated and / or Annual Action Plan. This hearing is typically held on the last day of the public comment period and prior to staff's adjustments to Consolidated and / or Annual Action Plans and subsequent submission to HUD.
    - In the event HUD releases allocation amounts later than the public comment period, the Consolidated / Annual Action Plans will include descriptions of activities with specific recommended dollar amounts and one activity each for CDBG and HOME that will be allocated the remaining funding amounts. This will ensure only one activity for each program will be allocated variable funding amounts.

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- The City Council maintains authority to change the allocation amounts recommended by the Community Development Boards during the April public hearing meeting.

The City may facilitate one public hearing to accept public comment on one or more plans / reports for efficiency. Staff will consider public hearing comments made prior to document finalization and comment summaries will also be included or attached to the document.

All public hearings are accessible to disabled individuals, publicized as required by State law and allow for accommodation of individuals with hearing, visual, or mobility impairments.

City staff makes every effort to encourage public participation in the City Council public hearings and meetings:

- **Agenda Packet:** Available for viewing on the City's website www.BillingsMT.gov/councilagendas.
- **Viewing the Meeting:** The Public may view the meeting on the Community 7 TV - Channel 7 or Channel 507 – Spectrum Cable. The Public may also view online at www.comm7tv.com and click the *Watch Live* icon. Community 7 also has links to their Facebook page and YouTube channel in which to view the meeting. Meeting recordings are also available after the meeting for viewing online via the Community 7 TV website, Facebook page, or YouTube channel.
- **Public Participation:** Verbal comments are taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings under the regular agenda. Written communication can be submitted any time prior to or during the public comment period.
  - **In-Person:** The public may attend City Council meetings in person in the Council's Chambers, City Hall, 210 North 27th Street, Billings, Montana.
  - **Email:** Emails can be sent to the City Council before 3:00 pm on the date of the Public Hearing at council@BillingsMT.gov.
  - **Viewing Council Emails:** All emails sent to the City Council can be viewed online at www.BillingsMT.gov/councilemails. Emails received after 3:00 pm and prior to 5:00 pm, may be read during the meeting.

Access for the Disabled and Limited English Proficiency: The City will provide accommodations for individuals with disabilities in public meetings, public hearings and in written documentation regarding programs and services available from the Division. Community Development offices and City Hall are accessible to those with disabilities. Statements are included in notices of public hearings and service brochures indicating that office and hearing locations are accessible to persons with disabilities. Accommodations can be made for other disabilities as well.

Special arrangements for participation by individuals with hearing, speech, or vision impairment may be made upon request with three business days advanced notice. Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance with the City's Language Assistance Plan.

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Criteria for amending the Consolidated Plan

24 CFR part 91.105(c) of the Final Rule requires grantees of CDBG and HOME programs make public the criteria the City will use for determining what changes in planned or actual activities constitute a substantial amendment to the five-year Consolidated Plan and the Analysis of Impediments to Fair Housing Choice.

Substantial changes to the Consolidated Plan are defined as *the creation of any new program, project, or activity to be funded or carried out under the City's CDBG and / or HOME programs.* All substantial changes to the Consolidated Plan must meet demonstrated need substantiated by HUD-approved data sources. Minor amendments include the *expansion of an existing program, project, or activity funded or carried out under the City's CDBG and / or HOME programs.* Minor changes must also meet demonstrated need by HUD-approved data sources.

Prior to the submission of any substantial change in the proposed use of federal housing and community development funds or to the Analysis of Impediments to Fair Housing Choice, the City will hold a public hearing to allow citizens reasonable notice of, and opportunity to comment on, proposed amendments. Public comment periods will not be less than thirty (30) days unless otherwise allowed by HUD.

Routine revenues including program income, recaptured / repaid funds, and re-programmed monies will be utilized for existing and previously approved programs as it is received during each fiscal year. Routine revenues are allocated on a close- and shovel-ready basis to ensure timely commitment and expenditure. These changes are customary and facilitate funding allocations to projects and activities most in demand and do not require a substantial or minor amendment to the Consolidated Plan.

City staff cannot predict annual HUD entitlement allocation amounts or repayment revenues for CDBG or HOME. Therefore, five-year Consolidated Plan numerical goals are established as estimates that may fluctuate during the five-year period based on funding received and demand for the City's programs. These changes are customary and do not require a substantial or minor amendment to the Consolidated Plan.

Technical Assistance

The Community Development Division provides technical assistance, as requested and as staff time allows, to lower income groups to develop proposals for the Division's housing and community development activities in the City limits. Technical assistance is offered any time proposals for the use of funding are requested, and is offered routinely in December and January - prior to application deadlines for CDBG / HOME funding allocations.

Nondiscrimination, Accommodations & Grievances

The Community Development Division receives federal funding to support housing acquisition, repair, development and poverty impact programs and is required to adhere to the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Fair Housing Act, the Montana Human Rights Act, and other equal opportunity regulations. These regulations are designed to protect individuals with disabilities with equal access to employment opportunities and the services, programs and activities the City offers.

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It is essential that all individuals have equal access to the Community Development Division's communication, open meetings, programs and services including: First Time Home Buyer; Home Repair; Housing Development; and the Billings Metro VISTA Project.

- **Federally Protected Classes:** Disability, including people with HIV / AIDS and people in recovery from alcohol / drugs; Race / Color; Religion; Sex, includes protection against sexual harassment; Familial Status, includes the presence of children under the age of 18 and / or pregnancy; and National Origin.
- **HUD Protected Classes:** Sexual Orientation; Gender Identity; and Marital Status.
- **Montana's Protected Classes:** Marital Status; Creed; and Age.

Accommodations: Auxiliary aids and services are available to facilitate effective communication to individuals with disabilities to ensure equal participation. Such aids and services are free to the public and may include sign-language interpreters, large print formats, and other aids to make information and communications accessible to individuals with speech, hearing or vision impairments.

Public Notices: The City of Billings - Community Development Division encourages all members of the community to participate. Special arrangements for participation by individuals with hearing, speech, vision impairment or physical disabilities can be made upon request. Non-English speaking persons wishing to participate will also be accommodated through translation and / or interpretation in accordance the City's Language Assistance Plan. Fair Housing Equal Opportunity.

Grievance Procedure: If a citizen feels they have been denied equal access to Community Development programs, services or activities, they may file a written complaint including their contact information and a description of the alleged act(s) of discrimination, including the date and place of the act(s). The written complaint may be submitted to any Community Development employee or specifically directed to the Community Development Manager by phone at 406.657.8286 (Montana Relay 711), email beckettb@billingsmt.gov, in person (appointment recommended) or U.S. Postal Service at 2825 3rd Avenue North, 6th Floor, Billings, MT 59101. City staff will provide a timely, substantive written response to written citizen complaints as soon as practicable. Complaints may also be filed in writing with the Denver HUD FHEO Office at 1670 Broadway, Denver, CO 80202 or by calling 303.672.5155.

Program Eligibility: If a citizen disagrees with a staff decision relative to program eligibility unrelated to discrimination, they may submit a written appeal to the Community Development Division. The letter must be received at least two weeks prior to the Community Development Board meeting when the appeal would be reviewed. If the Community Development Board upholds the staff decision, the citizen has the option to have the appeal reviewed during a future City Council meeting. Please note, it can take several months to prepare an appeal for City Council review and determination.

ADA / 504 Coordinator: The City of Billings ADA Coordinator is responsible for the City's overall Grievance Procedure and is also available to ensure compliance with the physical and general program accessibility requirements of the ADA for other City Departments and Divisions. Please call 406.237.6294 (Montana Relay 711) with any questions.

Fair Housing Complaints: Please see the City's fair housing webpages for information on how to file a fair housing compliant.

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Appendix I: Public Notices

Federal regulations require the City to facilitate two public hearings, at different stages of the program year, to obtain residents' views and respond to questions. Together, the hearings must address housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing, and a review of program performance.

First Public Hearing – Held Prior to Publishing Drafted Consolidated / Annual Action Plan(s)

The City of Billings held a public hearing on Monday, September 12, 2022, at 5:30 pm to obtain public comment on:

- CDBG and HOME Comprehensive Annual Performance Evaluation Report (CAPER) for the prior program year; and
- Current community needs to assist the Community Development Board in designing the application process for the upcoming program year, before the publication of the drafted Consolidated or Annual Action Plan.

Public Notice - CDBG & HOME Applications Available

The City of Billings held a public hearing on Monday, September 12, 2022, at 5:30 pm to obtain public comment on accepting loan applications for FY2023-2024 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funding:

- Estimated $650,000 allocation in new CDBG funding for community development activities, which primarily benefit lower-income neighborhoods or households.
- Estimated $300,000 allocation in HOME funding for activities to preserve or increase the supply of affordable housing for lower-income households in Billings.

Public Notice - Request for AmeriCorps VISTA Proposals

Billings Metro VISTA Project published on December 22 & 30, 2022, January 6, 2023, a notice announcing:

- Opportunity for Partnership & Request for Proposals for FY2023-2024.

Second Public Hearing – Held During the Public Comment Period

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Appendix J: Public Comments - Summarized

Public Comments from First Public Hearing in September:

- List here

During the April public hearing at the Billings City Council Meeting:

- List here

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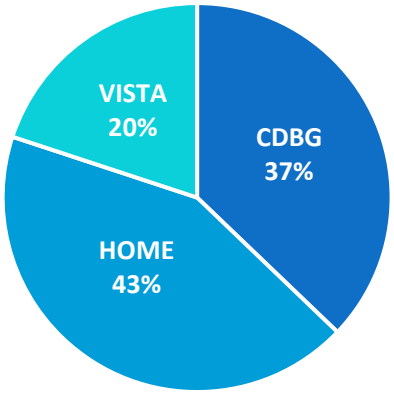
COMMUNITY DEVELOPMENT DIVISION

Final Revenue & Recommended Budget FY2023-2024

	CDBG	HOME	Totals
New HUD Entitlement Grant	**623,918**	**378,085**	1,002,003
Current Year Repayment Revenue	**50,000**	**400,000**	450,000
Total Available	**673,918**	**778,085**	**1,452,003**

Funding Recommendations

Programs	CDBG	HOME	Totals
CDBG Administration *(20% Cap New $)*	**124,784**	-	124,784
HOME Administration *(10% Cap New $)*	-	**37,809**	37,809
Set-Aside for CHDOs *(minimum 15% New $)*	-	**56,713**	56,713
VISTA Administration *(Public Service)*	63,000	-	63,000
First Time Home Buyer Program	0	0	0
Foreclosure Acquisition Rehabilitation	200,000	-	200,000
Affordable Housing Development	286,134	683,563	969,697
Allocated	**673,918**	**778,085**	**1,452,003**



Total CD New $ Budget	
Funding Source	*Budget*
CDBG	$673,918
HOME	$778,085
VISTA	$361,527
Direct $85,000 / CNCS Support $276,527	
Total Budget	**$1,813,530**

**Continue close- and shovel-ready allocations*

Affordable Housing Development ***Current Allocations***	CDBG	HOME	Total
FY2022-2023	143,830	519,975	**769,900**
FY2021-2022 & 2022-2023 CHDO	-	**106,095**	

City of Billings - Community Development Division

Staff Time Tracking & Grant Draw Procedures

Community Development's time-tracking practices and accounting methods are continually monitored by the U.S. Department of Housing and Urban Development, the Corporation of National and Community Service, the City's Finance Department, and the City's external auditing team.

Staff Time Tracking

Personnel Expenses - 2 CFR 200.430:

> **(i)** ***Standards for Documentation of Personnel Expenses*** (1) Charges to Federal awards for salaries and wages must be based on records that accurately reflect the work performed. These records must:
>
> **(i)** Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
>
> **(ii)** Be incorporated into the official records of the non-Federal entity;
>
> **(iii)** Reasonably reflect the total activity for which the employee is compensated by the non-Federal entity, not exceeding 100% of compensated activities (for IHE, this per the IHE's definition of IBS);
>
> **(iv)** Encompass federally-assisted and all other activities compensated by the non-Federal entity on an integrated basis, but may include the use of subsidiary records as defined in the non-Federal entity's written policy;
>
> **(v)** Comply with the established accounting policies and practices of the non-Federal entity (See paragraph (h)(1)(ii) above for treatment of incidental work for IHEs.); and
>
> **(vi)** [Reserved]
>
> **(vii)** Support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.

Each staff member has a spreadsheet with the grant programs they may be working in. They track the number of hours they spend for every day in the week. Here is an example:

Week Beginning	Monday						Tuesday					
	HOME		CDBG			VISTA	HOME		CDBG			VISTA
	HOME Admin	*Aff Hsg*	*COVID*	*Rehab*	*Foreclosure*		*HOME Admin*	*Aff Hsg*	*COVID*	*Rehab*	*Foreclosure*	
7/1/2020	Last fiscal year											
7/6/2020				0.25		7.75				3.00	1.50	3.50
7/13/2020			1.25	2.50	2.25	2.00				3.50	3.25	1.25
7/20/2020				1.00	4.50					1.25	6.75	
7/27/2020				0.50	2.50	5.00			0.50	5.25	1.75	0.50
8/3/2020			1.50	2.00		4.50			2.00	3.75		2.25
8/10/2020			4.00	1.00	0.75	2.25			4.25	0.75	0.50	2.50
8/17/2020			0.50	1.75	0.75	6.00			3.00	3.25	0.50	1.25
8/24/2020			0.75	2.25	0.50	4.50			0.50	4.25	2.75	0.50
8/31/2020				0.75		7.75			1.50	4.25	0.50	1.75
9/7/2020	Holiday									0.50	1.75	5.75
9/14/2020			1.00	0.75	3.50	2.75			3.50	0.50	1.25	2.75

Every quarter, Finance sends the Community Development manager the exact amount that was spent for each staff member in the Division for wages, unemployment insurance, industrial accident, health insurance, FICA, retirement, Medicare, etc.

The average percentage of time a staff member spends in each grant program is calculated every quarter. The personnel costs are then multiplied by the percentage for each grant program and drawn accordingly.

Internal Grant Draw Procedures

The City of Billings is tracking the expenses corresponding to the HUD grant years by reserving a different fund for each grant year. Expenses are tracked within the accounting system by type of expense in each grant year.

Quarterly reports:

1. During the quarter each expense and project is tracked in a fund that corresponds to the correct origin year.

2. At the end of the quarter, a report is pulled from the City's accounting system by the Finance Department and sent to the Community Development Manager.
    a. The report gives the quarter's budget (which matches the amount in IDIS), the amount expended year-to-date, and the amount left in the budget. This report also tracks the Revenue by Program Income or Entitlement.
    b. This report from the accounting software is entered by the Community Development Manager into a spreadsheet "Innoprise Draw Report" tracking the budgeted amount, the current quarter's expenses (difference between prior YTD amount and current YTD amount) and any necessary changes against the IDIS balance to determine the amount of the draw.
    c. Salaries and Benefits are tracked in a separate fund and are reallocated at the end of the quarter according to the time spent in each program per employee, not to exceed the budgeted amount in the funds.
        i. The HR Department pulls a payroll report by employee for the quarter (by the date paid) to be sent to Finance and the Community Development Manager.
        ii. The Community Development Manager allocates the salaries and benefits for each employee for each program by the number of hours tracked during the quarter – "Staff Allocations by Program".
    d. Necessary changes to the expenses during the quarter including the salaries allocation will be adjusted in the City's accounting software by journal entry to match the total expenses in each fund and the spreadsheet created by the Community Development Manager "Innoprise Draw Report".
    e. The Innoprise Draw Report also tracks the closed and pending loans by name and IDIS #.

3. A Quarter Draw Summary is created by the Community Development Manager.
    a. The Quarter Draw summary summarizes the IDIS number, and activity, the draw expected from IDIS and which grant year(s) and amount per grant year to be drawn.

4. The Community Development Manager tracks the sum total of the programs and grant years according to the Origin Year Test and the Program Year Test within the Community Development Drawdowns spreadsheet.
    a. The program year test is filled out per quarter to test that no more than 20% of Program Income and Entitlement shall be obligated.

b. The origin year test pulls the CDBG Administration amounts in the Quarter Draws Summary by Grant Origin Year and compares it to 20% of the total Entitlement funds for the origin year for Planning and Administrative Expenses. This is tracked over multiple years/quarters to compare the admin expense totals for the origin year.

5. The Community Development Manager also tracks the Program Income and Entitlement amounts by year in the spreadsheet entitled IDIS & Revenue Book to track which revenues are used by IDIS # and Activity.

6. The Innoprise Draw Report, Quarter Draw Summary, Community Development Drawdowns, and Staff Allocations by Program are returned to the Finance Department to create the journal entry for changes and compare the final amounts to the City's accounting system. After the Journal Entry, the balance of the City should match the Innoprise Draw Report. The difference between the final City balances (Budget less Actual) at the end of the quarter, less the balance of the IDIS report on the website should equal the draw amount.

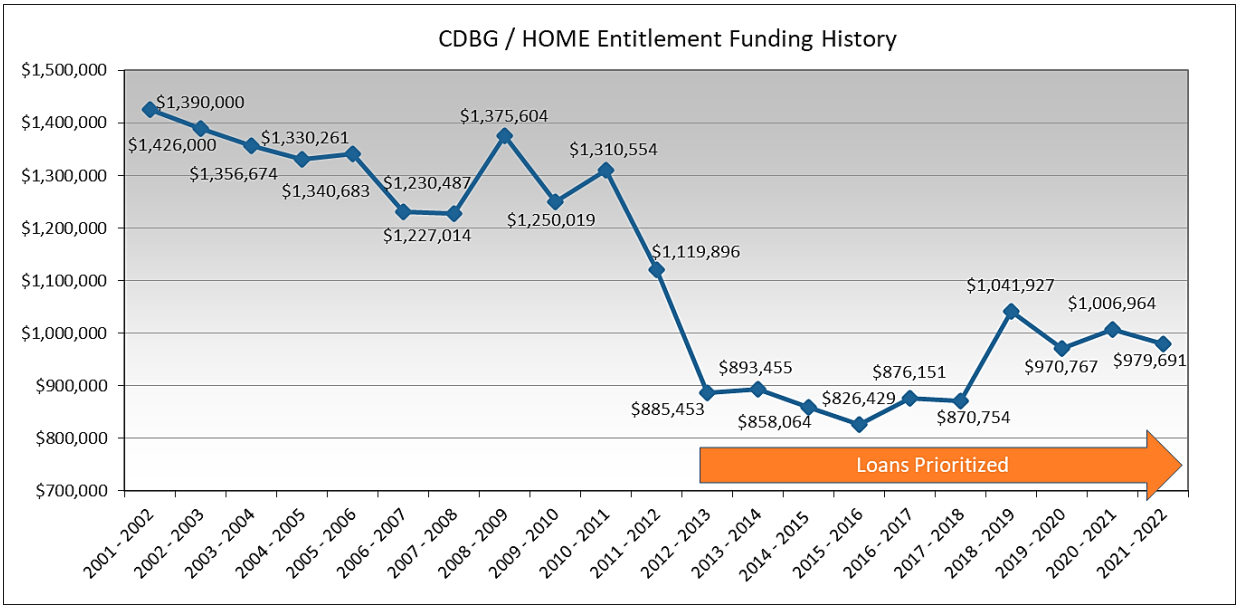
7. Once compared, the Community Development Manager reports the projects within the IDIS system.

City of Billings
Community Development Division
2825 3rd Avenue North, Billings, MT 59101 406.657.8281 TTY 711 www.BillingsMT.gov /ComDev

ALLOCATION AND FUNDING HISTORY

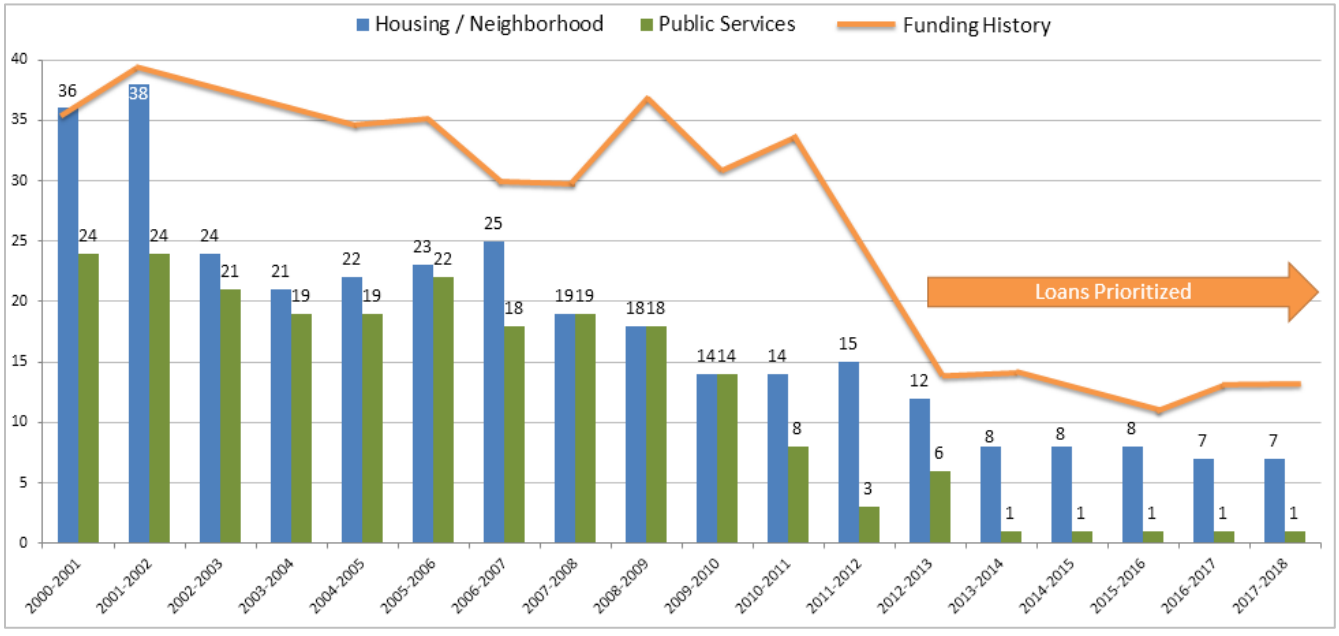
Funding Levels: HUD entitlement, annual funding levels have declined significantly in recent years and staff does not foresee these programs increasing in the future. Federal priorities are favoring competitive grant programs rather than entitlements like the Community Development Block Grant (CDBG) and HOME Investment Partnerships programs. The Community Development Board and City Council began favoring loan programs rather than grants beginning in 2012-2013; the year funding levels significantly declined. The only deviation from this policy occurred during the coronavirus pandemic when the City received grant CDBG-CV funding to prepare for, prevent, and respond to the coronavirus. Grants were issued for pandemic impact in 2021 and 2022.

Staff note: This report illustrates a specific timeline when a shift in policy and decisions relative to funding allocations occurred and is not intended to be an annual report. Please contact Community Development staff for current funding charts.



Grant to Loan Program Transition: When funding levels dropped to critical levels in 2012, the Community Development Board and City Council both supported prioritizing loan programs from 2012 forward. The following chart illustrates the number of housing / neighborhood and public service applications the Community Development Board considered from 2000 until 2018. The chart also compares funding history to the number of applications.

Number of Applications Considered & Funding History



CDBG Public Service Grant Restrictions: In order to be eligible for CDBG funding, Public Service activities are required to be a ***new or expanded service (quantifiable increase in level of a service over the past 12 months)*****,** as the intent of the fund is to support capacity-building. Many of the organizations applied for City funds year after year which would not be considered new or expanded services, if audited today.

Grants Awarded: Staff has records from 1994 to 2012 that can easily be reviewed for data purposes, which represents over $2.7 million in grants awarded to over 40 non-profit organizations in Billings. Figures below do not represent additional funding for housing projects. For example, Interfaith Hospitality Network was provided with $498,000 for housing to accommodate homeless families and the YWCA was awarded $182,400 for the Gateway Shelter. Additional grant funding has been provided through fair housing education grants through the Fair Housing Initiatives Program (FHIP) for several organizations.

Non-Profit Organization	***# Grants***	***Year Span***	***Total Grants***
Big Brothers & Big Sisters	5	1997-2007	$22,845
Big Sky Senior Services	24	1997-2010	$316,458
Billings Health Planning Coalition	4	1997-2005	$27,000
Billings Promise	1	1999	$6,157
Boys & Girls Club	8	2000-2007	$31,467
Big Sky Economic Development Authority	13	1994-2008	$119,912
CASA	5	1997-2000	$26,764
Community Day Care	2	1998-1999	$11,000
Community Housing Resource Board *(includes FHIP funding)*	19	1992-2012	$329,628
Consumer Credit Counseling	1	1999	$1,761
Early Childhood Study	1	1996	$10,750
Easter Seals	2	2008-2010	$30,175
Family Service, Inc.	11	1992-2004	$167,986
Family Tree Center	1	2000	$3,250
Billings Food Bank	11	1996-2006	$111,962
Forever Families	2	2007-2009	$31,743
Friendship House	20	1996-2010	$172,173
HRDC	16	1997-2008	$135,118
In-Care Network	1	2000	$2,000
Interfaith Hospitality Network *(does not include FHIP & housing funding)*	2	2005-2010	$7,000
Kids School Program	3	2001-2003	$19,334
Living Independently for Today & Tomorrow	13	1996-2010	$145,269
Parents Let's Unite for Kids	5	2002-2006	$12,167
Rebuilding Together	8	2004-2011	$70,000
RiverStone Health – Medication Assistance Program	9	1999-2009	$84,022
Sage Tower Community Network	1	2000	$1,960
Scottish Rite Clinic	1	2008	$5,000
Southgate Cop Shop	7	1999-2008	$29,292
Southside Senior Center	1	2011	$30,000
American Red Cross – Southside Smoke Detectors	1	1999	$2,364
St. Vincent de Paul	1	2007	$8,250
Task Force Enhancement	5	1999-2008	$34,125
Temporary Teens	7	1999-2004	$23,195
Tumbleweed	13	1996-2011	$185,598
Vision Seekers After School Program	1	2001	$9,000
Volunteers of America – Independence Hall	1	2009	$30,000
Billings Board of Cooperative Housing	1	2000	$4,438
Yellowstone AIDS Project *(does not include FHIP funding)*	1	1999	$7,000
Yellowstone County Council on Aging	12	1996-2011	$55,649
Young Families Early Head Start	15	1996-2009	$249,674
YWCA *(does not include housing funding)*	13	1997-2009	$158,575
Over 40 Organizations	***268 Grants***	***17+ Years***	***$2,735,061***

In 2012, the Community Development Board asked City staff to expand research previously conducted to include total monetary value of grants issued versus loans / liens. From 1994 to 2012, the Community Development Division issued over $6.6 million in grants, over $9 million in loans and placed liens of over $2 million on affordable housing projects.

Grants	*Amounts*	*Total*
Subrecipients *(317 activities)*	$3,267,340	**$6,636,565**
Infrastructure	$708,014	
Parks	$866,713	
Special Assessment Grants	$493,295	
Home Repair Programs	$1,130,494	
Affordable Housing	$170,709	

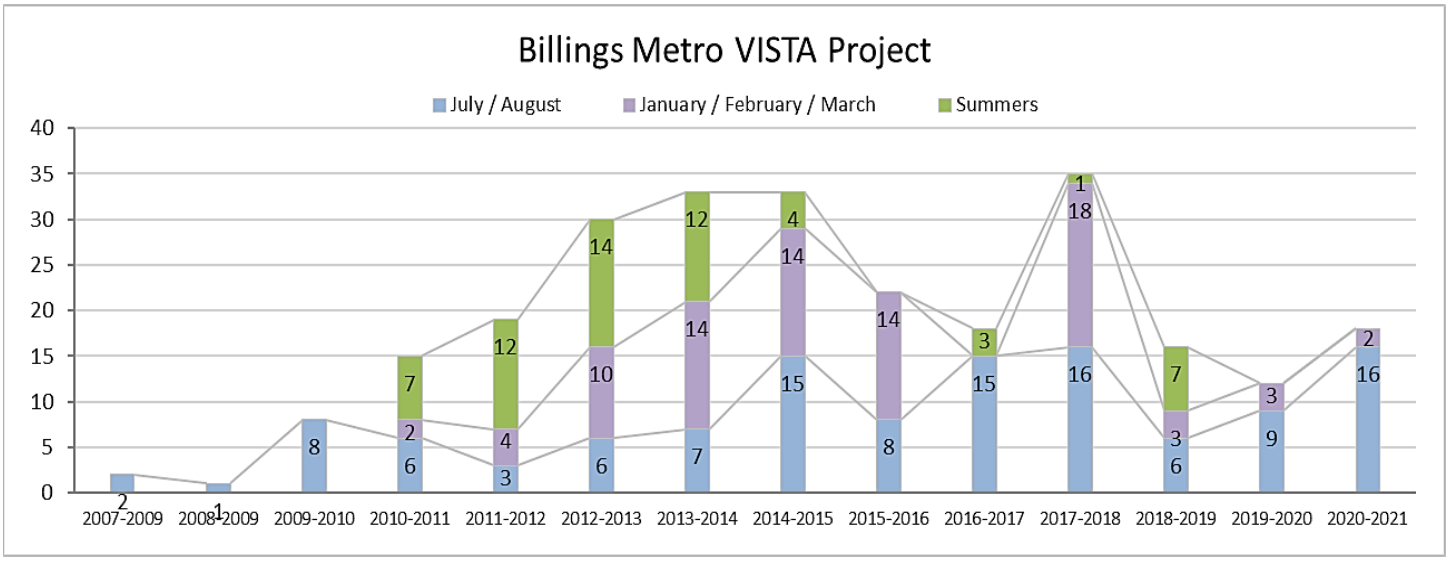
Loans	*Amounts*	*Total*
First Time Homebuyer	$5,562,790	**$9,320,115**
Home Repair Programs	$3,261,694	
Affordable Housing	$495,631	

Liens	*Amounts*	*Total*
Affordable Housing	$1,854,677	**$2,172,705**
Rental Rehabilitation	$318,028	

In 2012, nine nonprofit agencies applied for grant funds and they were polled regarding the impact of not receiving funds. All of the organizations stated their agencies would remain open, but they may reduce the number of clients they could serve.

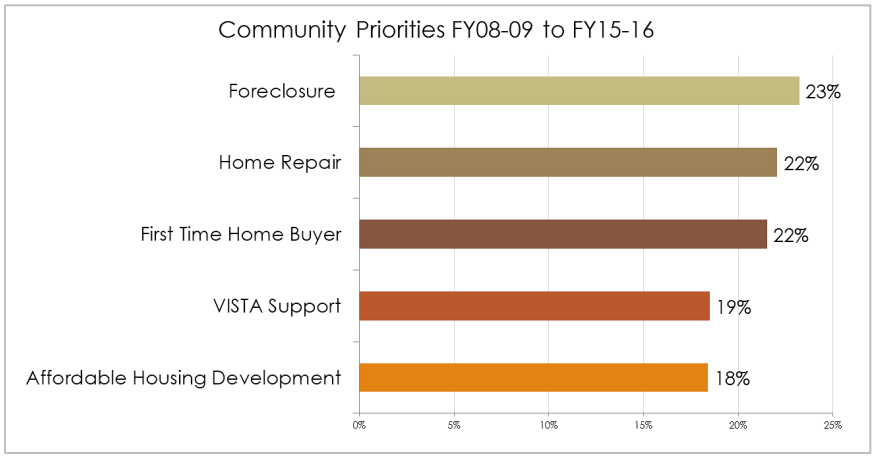
As a result, the Board made budget recommendations reflecting fiscal responsibility and sustainability, while prioritizing housing programs as per HUD requirements. The likelihood of continuing housing activities would substantially diminish if the City continued to fund grant programs not generating program income. The Board evaluated the long-term sustainability of operating loan programs rather than issuing grants. Four City programs were eliminated and substantial reductions were made in the three remaining home buyer / repair programs. Grants were not issued to nonprofit organizations for the first time since the 1970s.

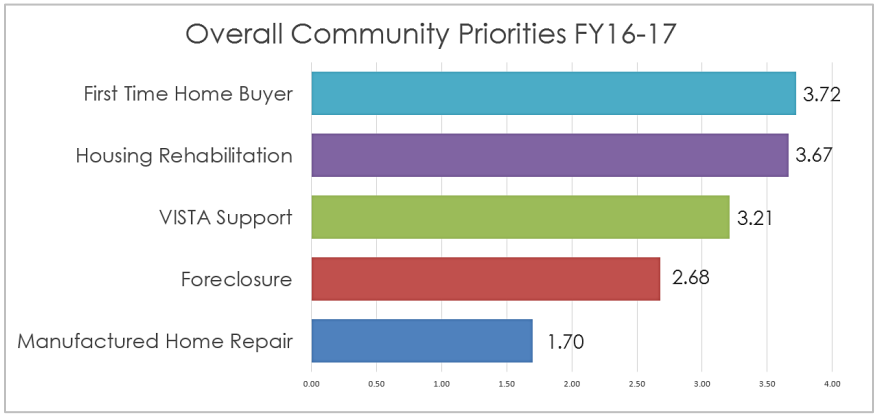
AMERICORPS VISTA: As funding dwindled to support non-profit organizations, the AmeriCorps Volunteers in Service to America (VISTA) program received additional allocations in funding to expand the program. From 2012 to 2015, the City received overlapping grants and more members. The *Billings Metro VISTA Project* continues to be offered to support capacity-building activities as a resource to non-profit organizations working on poverty issues.



PUBLIC AND CITY COUNCIL PROGRAM PRIORITIES

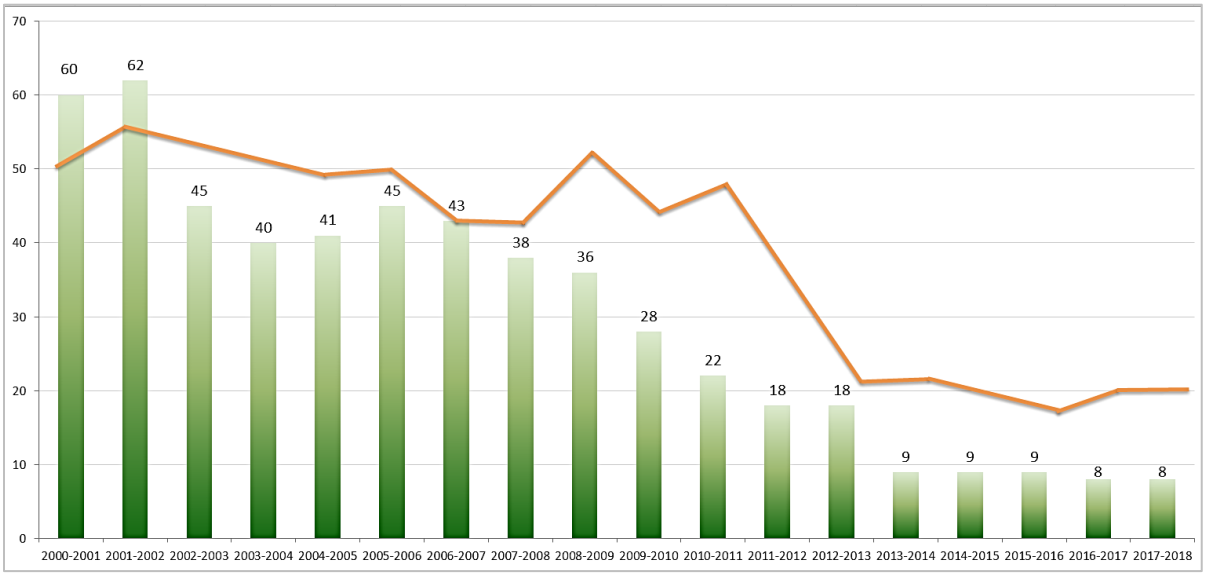
Task Force Priorities: Task Force rankings from 2008-2016 favor home repair / buyer and affordable housing development programs. The following figures represent the rankings from all Task Forces combined. Calculation methodology changed in FY2016-2017 when the survey added an online, weighted calculation.





Priority-Based Budgeting: The Division's process for priority-based budgeting began in 2008 when the City Council asked the Community Development Board to examine recommendation processes. When surveyed, *the majority of Council members favored funding fewer organizations with larger amounts.* Half of the Council members asked the Board to shift funding focus to housing programs. Organizations were then given minimum and maximum application amounts shortly thereafter and the number of funding applications declined.

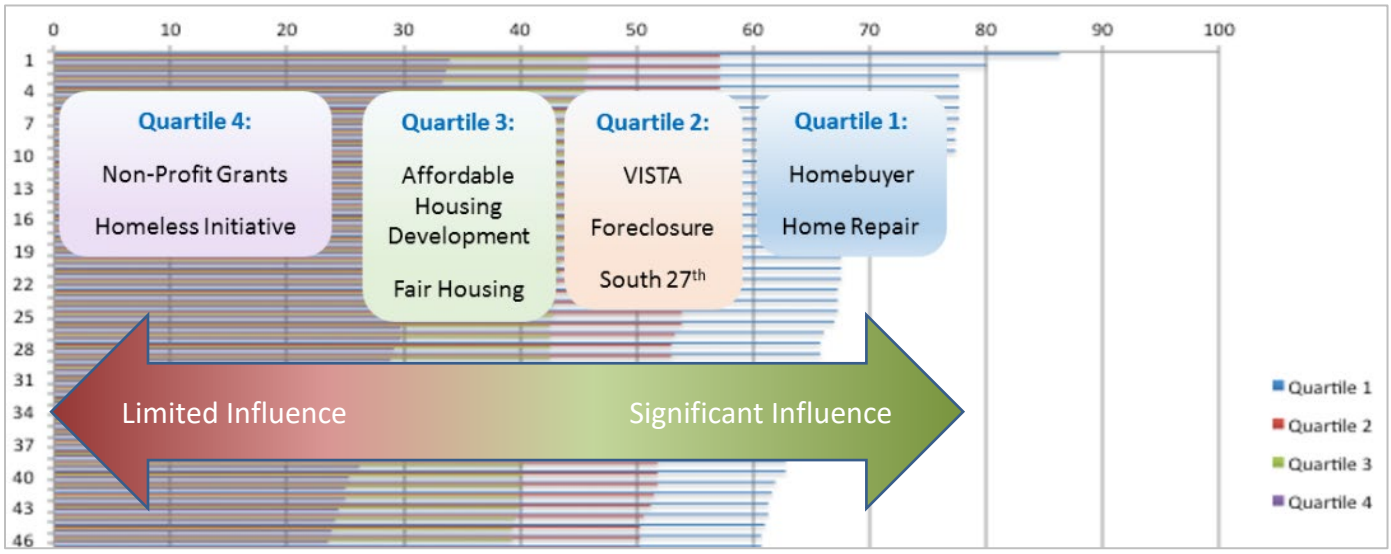
Total Number of Applications Considered & Funding History



Priority-Based Budgeting 2012: The City Council initiated an extensive process to rank programs based on how they influence the City's ability to achieve established community results, such as:

- Sustainable Economic Development
- Comprehensive, Orderly Growth and Development
- Community Resource Preservation
- Involved, Engaged and United Community

The home repair / buyer programs were ranked as having *significant influence* on the City's ability to achieve desired community results. However, grants to non-profit organizations and the homeless initiative were ranked as having limited influence.



City Council Regular

Date:	04/24/2023
Title:	PUBLIC HEARING AND RESOLUTION approving Tax Abatement - Rimrock IV, LLC d/b/a KIA of Billings
Presented by:	Chris Kukulski, City Administrator
Department:	City Hall Administration
Presentation:	Yes
Legal Review	Yes

RECOMMENDATION

The City Council grant a 50% tax abatement to Rimrock IV, LLC, d/b/a KIA of Billings in support of their $5.0 million investment to expand their facility at 4040 King Avenue West within the City.

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

Rimrock IV, LLC, d/b/a KIA of Billings applied for a tax abatement in August 2022 and has been in business in Billings, Montana for 10 years. The business specializes in automotive sales and service of new and used vehicles and includes parts sales. The company plans to remodel and expand their KIA dealership by investing $5,000,000 in new construction at 4040 King Avenue West. The existing building is currently valued at $4.5 million. This project is located within Billings City limits and will go before Billings City Council and Yellowstone County Commissioners for consideration.

The business currently has 36 full time employees and intends to expand their workforce to 60 full time employees within two years, by December 2025. The new jobs will be sales associates, automotive technicians, sales manager, administration, and parts representatives. See the enclosed summary of the tax abatement application from BSED and Rimrock Kia's application.

City Resolution 05-18377 allows the City Council to grant a 50% tax abatement. The attached application requests the city and county consider approving a tax abatement for KIA's building improvements.

STAKEHOLDERS

N/A

ALTERNATIVES

City Council may:

- Approve the tax abatement for the amount requests, or
- Approve a tax abatement for amount other than requested, or
- Not approve the tax abatement.

FISCAL EFFECTS

The annual economic impact of 24 new jobs in the automotive sector will result in $3,657,426 in sales/output direct impact, $401,410 in indirect impact for a total of $4,058,836 annual economic impact to our region, per JobsEQ.

Attachments

BSED Summary - Kia Abatement
2005 Tax Abatement Resolution
2023 Tax Abatement Draft Resolution
Exhibit A- KIA Signed Application

Rimrock KIA - Five Year Tax Abatement Request
Project Summary

Rimrock IV, LLC DBA KIA of Billings has been in business in Billings Montana for 10 years. The business specializes in automotive sales and service of new and used vehicles and includes parts sales.

The company plans to remodel and expand their KIA dealership by investing $5,000,000 in new construction at 4040 King Avenue West. The existing building is currently valued at $4.5 million. Their plan is to begin the expansion this spring with construction being completed this year. This project is located within Billings City limits and will go before Billings City Council and Yellowstone County Commissioners for consideration.

The Tax Abatement Request is ONLY on the new investment in the business, meaning the tax savings are only on the new incremental taxable value on the $5,000,000 investment. The existing business tax obligation remains at the full 100%.

Rimrock KIA currently employs 36 full time employees and intends to expand their work force to 60 full time employees within two years. The new jobs will be sales associates, automotive technicians, sales managers, administration, and parts representatives.

Facility Investment: Expansion is estimated at $5,000,000

Jobs Created: 24 full time positions. The annual economic impact of 24 new jobs in the automotive sector will result in $3,657,426 in sales/output direct impact, $401,410 in indirect impact for a total of $4,058,836 annual economic impact to our region, per JobsEQ.

Jobs Retained: Currently 36 full time positions.

The application received in August 2022.

Company Address: Rimrock IV, LLC DBA Kia of Billings
4040 King Avenue West
Billings, MT 59106

Contact Person: April Wagner, Controller
P. O. Box 80208
Billings, MT 59108
406-655-7444

RECOMMENDATION: The City Council grant a 50% tax abatement to Rimrock IV, LLC DBA Kia of Billings in support of their $5,000,000 investment to expand their facility at 4040 King Avenue West within the City.

ALTERNATIVES
City Council may:

- Approve the tax abatement or;
- Not approve the tax abatement

RESOLUTION 05-18377

A RESOLUTION CREATING A CITY OF BILLINGS TAX INCENTIVE PROGRAM FOR REMODELING, RECONSTRUCTING OR EXPANDING BUILDINGS OR STRUCTURES AND REPEALING CITY RESOLUTION #89-16126

WHEREAS, the City Council of the City of Billings believes that it is in the public interest that the community's existing buildings and structures be remodeled, reconstructed or expanded, thereby improving the community's appearance, expanding employment and increasing the tax base; and

WHEREAS, the Montana Legislature has approved, in Section 15-24-1501, MCA, a means for Montana cities to provide tax incentives for certain remodeling, reconstruction or expansion of existing buildings; and

WHEREAS, the City Council desires to offer those property tax incentives to existing building owners that remodel, reconstruct or expand their buildings.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA AS FOLLOWS:

1. That it is in the public interest to encourage existing building remodeling, reconstruction or expansion in the city of Billings through property tax incentives.

2. A tax incentive program is hereby established that meets the requirements set forth in Section 15-24-1501, MCA and applicable Administrative Rules of Montana.

3. The incentive applies only to the taxable value of the improvements made to the building due to the remodeling, reconstruction or expansion. The percentage of the increased taxable value that is subject to taxation during the construction period and for the five years following construction shall be as follows:

Construction period	0%
First year through the fourth year following construction	0%
Fifth year following construction	100%
Following years	100%

4. Each applicant shall meet the following minimum criteria:
   a. the construction increases the property's value by at least 2.5% as determined by the Montana Department of Revenue;
   b. the construction costs meet or exceed $500,000;
   c. provide documentation that all property taxes on the property have been paid, except that taxes paid under protest do not preclude application approval;
   d. provide information on the number and pay ranges of jobs that are created or retained by the construction project; and
   e. the applicant has completed the application procedures outlined in attached Exhibit A.

5. The tax incentive is limited to the number of mills levied by the local high school district, the local elementary school district and the City of Billings.

6. The City Council must authorize the granting of the tax incentive to any applicant by passing a resolution approving the application of the schedule of tax incentives set forth above in Paragraph or some other schedule, for each existing building or structure as to which the tax incentive is granted.

7. City of Billings Resolution No. 89-16126 is hereby repealed.

BE IT FURTHER RESOLVED that property owners are hereby encouraged to apply to the City of Billings for consideration of tax incentives authorized pursuant to Section 15-24-1501, M.C.A. for the remodeling, reconstruction or expansion of buildings and structures where the remodeling, reconstruction or expansion of buildings and structures will increase the taxable value by at least 2 ½% and the cost of the remodeling, reconstruction or expansion exceeds $500,000, as determined by the State of Montana Department of Revenue or its agents.

PASSED AND APPROVED by the City Council this 12th day of December, 2005.

CITY OF BILLINGS

By: Charles F. Tooley
Charles F. Tooley, Mayor

ATTEST:

By: Marita Herold
Marita Herold, CMC/AAE, City Clerk

EXHIBIT A

APPLICATION PROCEDURES FOR
CITY OF BILLINGS, MONTANA TAX INCENTIVE PROGRAM
FOR REMODELING, RECONTRUCTING OR EXPANDING EXISTING BUILDINGS

- Prospective clients contact Big Sky Economic Development Authority (BSEDA) who acts as the intermediary in the application process, and an initial meeting is scheduled.
- At the initial meeting, prospective client project is discussed to determine if the projects meets the tax incentive application criteria. If the project appears to qualify for an incentive, the client is given tax incentive applications, copies of the tax incentive program cited in the *Montana Code Annotated* and copies of the adopting resolutions.
- Clients then complete and return applications and supporting documentation and the applicable processing fee to BSEDA. BSEDA reviews the application for completeness.
- An appointment is then scheduled with the designated City staff to review the project documentation and perform a site visit if needed. This leads to either staff endorsement of the project or a determination that the project does not meet the program criteria.
- City staff will prepare and submit a staff report, accompanied by the application documentation, and schedule a public hearing with the City Council. The staff report will advise the Council why the application should be approved, conditionally approved, including recommended conditions, or denied.
- City staff will prepare a resolution for Council consideration that contains the elements required by state law and administrative rules.
- The City Council will conduct a public hearing on the application at its next available regular meeting and will approve, conditionally approve or disapprove the application.
- BSEDA will send a letter to the applicant regarding the Council's decision, including any conditions of approval.
- When the construction reaches substantial completion, the client contacts BSEDA and schedules a final inspection to determine if the project meets tax incentive requirements and any conditions of approval.
- If the project meets all City and State requirements, BSEDA will work with City staff to prepare and submit a final approval letter and appropriate documentation to the Montana Department of Revenue.

RESOLUTION 23-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, APPROVING TAX BENEFITS FOR RIMROCK II, LLC DBA KIA OF BILLINGS

WHEREAS, Resolution 05-18377 provides for granting tax incentives for remodeling, reconstructing, and expanding existing commercial buildings pursuant to Sections 15-24-1501, MCA, and establishes a procedure for applying for said tax incentives; and

WHEREAS, Rimrock IV, LLC DBA KIA of Billings has set forth in its application (Exhibit A) certain information regarding the improvements made to its business which appear to qualify Rimrock IV, LLC DBA KIA of Billings for said tax benefits; and

WHEREAS, Section 15-24-1501(3), MCA, requires the governing body to give notice of a public hearing to hear comment. Said notice was published on April 14 and 21, 2023.

WHEREAS, The City Council of the City of Billings, Montana held a public hearing on April 24, 2023, and duly considered the application of Rimrock IV, LLC DBA KIA of Billings and has determined that said application meets all qualifications for the tax incentive and should be approved.

NOW THEREFORE BE IT RESOLVED BY THE BILLINGS, MONTANA CITY COUNCIL that the application (Exhibit A) for tax benefits made by Rimrock IV, LLC DBA KIA of Billings is APPROVED. The tax benefits approved are _____. The property receiving the tax benefits is described as follows:

> Block 1, Lot 9A2 of the Amended Plat of Montana Sapphire Subdivision with a tax code of A34547, Yellowstone County, Montana.

NOW THEREFORE BE IT FURTHER RESOLVED that said new or expanding industry classification tax benefits shall be made for Rimrock IV, LLC DBA KIA of Billings on the earliest tax bill allowed by law.

ADOPTED AND APPROVED by the Billings City Council of the 24th day of April, 2023.

CITY OF BILLINGS:

By:_____
William A. Cole, Mayor

DRAFT

ATTEST:

By: _____
Denise R. Bohlman, City Clerk

DRAFT

APPLICATION FORM FOR TAX REDUCTION
BUILDING REMODEL, EXPANSION OR RECONSTRUCTION

(As allowed under Yellowstone County Resolution 02-66, City Council Resolutions 05-18377 and 15-24-1501, MCA)

1. Name of business: Rimrock IV, LLC; DBA Kia of Billings

2. ____ Building Remodel or Reconstruction: Start of construction (date) _____

   End of construction (date) _____

3. X Building Expansion: Start of construction (date) 10/24/22

   End of construction (date) 05/30/23

4. Address of business: 4040 King Ave W, Billings, MT 59106

   Actual location of business: same

   Tax Code: A34547

   Within city limits of Billings ■ YES ☐ NO

5. Person representing business and responsible for application:

   Name: April Wagner Title: controller

   Address: PO Box 80208 Billings, MT 59108 Telephone: 406-655-7444

6. Amount of capital investment for Expansion, Remodel or Reconstruction in Billings / Yellowstone County: $ 5,000,000 (attach detailed costs of materials and labor and dates of construction. County Commissioners and/or City Council may request further information, such as financial statements, business references, or other documents prior to acting on this request).

7. Approximate market value of building prior to remodel, reconstruction, or expansion:

   $ 4.5 mil.

8. Explain business activity – what business does: Automotive sales and service of new And used vehicle; parts sales

9. How long has this business been located in Billings and/or Yellowstone County?

   10 years

10. As of the date of this application, how many employees does the business currently employ:

    36 Full-time _____ Part-time

11. How many employees will the applicant have within 2 years after completion of construction:

    60 Full-time _____ Part-time

12. Provide job titles and job skills required for all new employees both full and part-time:

Sales associates, automotive technicians, both with proper OEM certifications, sales managers, administration and parts representatives

13. What is the hourly pay scale of both full and part-time employees to include benefits (new employees only): $15-40 per hour based on position and experience

14. Other Economic impacts of capital investment: creating more jobs for Yellowstone County

15. Planned hiring schedule: Fully staffed by December 2023

16. List other property tax benefits business currently receives or has applied for:

17. Building permit (attach copy or explain absence): wating on permit from the city

18. A non-refundable fee of $500 must accompany this application to cover the cost of application administration. Make checks payable to the Big Sky Economic Development Authority.

19. Upon full completion and accompanied by the application fee, the original application can be submitted to the Big Sky Economic Development Authority, Attn: Community Development, 222 N. 32nd Street, Suite 200, Billings, Montana 59101 (telephone 256-6871). If the application is complete, it will be provided to the County Attorney's Office to confirm eligibility, a duly advertised public hearing will then be scheduled, after which the Commissioners and/or City Council, in their discretion, will decide whether to approve or deny the application. The applicant, or a representative of the applicant, must appear in person at each of the public hearings.

20. The application to the Department of Revenue, which is part of this application, must also be completed and signed by the applicant.

21. The Board of County Commissioners and/or City Council may review this applicant's tax incentive program at any time and terminate further reductions at their discretion if they find the provisions of Resolution are not being met.

22. If application is approved, applicant will comply with the following provisions. Failure to comply may lead to the previously approved tax abatement being rescinded:

    i. Provide copy of Occupancy Certificate and/or Certificate of Substantial Completion
    ii. Annual Survey to be completed and returned to Big Sky EDA by November 30th of each year
    iii. Remain current on all property taxes on the subject property
    iv. Notify Big Sky EDA of any ownership changes or change of use of the facility
    v. Comply with any other provisions set by the Board of County Commissioners and/or City Council

23. In order for this incentive program to apply to the applicant's current year taxes, Yellowstone County must receive the properly completed application by March 1st of the year in which the reduction is desired. If within the city of Billings, City Council must approve the application by March of the year in which the reduction is desired.

24. Signature of applicant/representative: _____

25. Date of application: 08/21/2022

26. County Commissioner's Public hearing held (date): _____

27. City Council's Public hearing held (date): _____

Recommendation by the Big Sky Economic Development Authority:

____ Approve _____ Deny Signature: _____ Date: _____

County Board of Planning or Laurel-Yellowstone City-County Planning Board certifies that business conforms to zoning regulations:

Signature: _____ Date: _____

If a non-public water or sewer system is used (i.e., septic tank and water well) County Health Department certifies that system conforms to acceptable standard, or will do so on completion of construction:

Signature: _____ Date: _____

County Treasurer's Office certifies that City and County taxes have been paid in full or otherwise satisfied:

Signature: _____ Date: _____

City Finance office certifies that the business has applied for the appropriate City business license:

Signature: _____ Date: _____

Action by Board of County Commissioners:

Date: _____

_____Approve _____Deny Chair: _____ Date: _____

Member: _____ Date: _____

Member: _____ Date: _____

Action by Billings City Council (if applicable – project within City limits):

_____Approve _____Deny

Date: _____ CITY OF BILLINGS

By: _____

ATTEST:

By: _____

APPLICATION TO THE DEPARTMENT OF REVENUE
BUILDING REMODEL, RECONSTRUCTION OR EXPANSION
(Title 15- Chapter 24 – Part 14 MCA)

To: Assessor
Yellowstone County

Name of Applicant: Rimrock IV, LLC; DBA Kia of Billings

Mailing Address: PO Box 80208 Billings, MT 59106

Legal description of affected property:
MONTANA SAPPHIRE SUB AMD LT 9A OF AMD LT 9 & 10/1 Lot 9A1 Block 1
Subdivision MONTANA SAPPHIRE SUB AMD LT 9A OF AMD LT 9 & 10/1 Lot 9A2 Block 1

Date construction permit issued: _____
(If no permit is required, specify the date when certificate in lieu of building permit was issued).
This application covers the (expansion/new) construction of the _____ plant.
A public hearing on this matter of Building Expansion, Remodel, or Reconstruction was held at the Yellowstone County Courthouse at _____ (am/pm) on the _____ day of _____, 20____
Due notice as defined in 76-15-103 was given. True and exact copies of said notices are attached to this application. _____ Yes _____ No

The statutory $500,000 investment requirement for expansion or modernization has been met.
_____ Yes _____ No

The statutory 2.5% increase in value requirement for new improvements has been met.
_____ Yes _____ No

The statutory 5% increase in value requirement for new improvements has been met.

_____ Yes _____ No

The qualifying property consists of the following: _____
(Attach site plats, construction prints, and detailed equipment list identifying the qualifying property.)

This application is made under the provisions of 15-24-1501 or 1601 MCA, and by resolution adopted by the Commissioners of Yellowstone County, on the 9th day of August 2002. A copy of the same is attached.

_____
(Owner/Agent)

~ ~ ~

Zoning Commission

Date:	04/24/2023
Title:	Special Review 996 - 1010 Grand Ave - Increase Wireless Tower Height to 76 feet
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	Yes
Legal Review	Not Applicable

RECOMMENDATION
The Zoning Commission recommends conditional approval and adoption of the findings of the review criteria for Special Review 996.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)
This is a special review to allow a 30-foot height increase to an existing wireless communication facility (WCF), in a Corridor Mixed Use 1 (CMU1) zone district located at 1010 Grand Avenue. The current WCF is 46 feet in height and the antenna mounted on the WCF brings the overall height to 50 feet. Fifty feet is the maximum height of all WCF in most commercial and mixed use zone districts without a special review approval of the City Council. This provision has been in place since 2001. Increasing the height from 46 feet to 76 feet requires the submission of a special review. A WCF over 50 feet in height, according to local zoning regulations, needs to be at least 1 mile from any other WCF over 50 feet. If the new tower is within this 1-mile radius, then a waiver of this requirement is necessary. A WCF over 50 feet but less than 100 feet must accommodate at least one other comparable antenna in addition to the applicant's antenna. (Sec. 27-1007.C.4 (h and k)). The existing WCF was permitted in August 2001 and completed in 2002. There are three other WCFs within 1 mile of this location, but all of these facilities are 50 feet in height or less.

A special review is not an allowed use but a special exception to the by-right uses within a zone district. Special review is not always required for a particular use depending on the zone district. For example, a religious assembly (church) use requires special review in all neighborhood zones but is an allowed use in the mixed-use zones. A special review can focus on the site development details while a zone change cannot. For this application, we have received detailed information on the proposed use, the traffic patterns in the area, landscaping, drive approaches and similar details. An unmanned WCF facility generally creates little traffic but facility requirements such as back-up generators may cause some impacts on surrounding residents.

APPLICATION DATA
OWNERS: Highland Rim Properties (land, ATC Sequoia (WCF on leased land)
AGENT: Josh Gray, Powder River Development, agent for ATC Sequoia
PURPOSE: Allow increase in existing tower height from 46 feet to 76 feet - antenna may exceed this height, and are not calculated in WCF height in zoning
LEGAL DESCRIPTION: Lot 1A and 7 of Sunset Subdivision 4th Filing - leased parcel I-725
ADDRESS: 1010 Grand Ave
EXISTING LAND USE: 46-foot WCF tower
PROPOSED LAND USE: 76-foot WCF tower
EXISTING ZONING: CMU1

The new zoning code has a variety of considerations and findings before a special review use can be considered acceptable at a particular location. The requirements are set forth in Section 27-1623.D as follows:

1. The special review use is consistent with the City's growth policy and applicable neighborhood plans, if any;
2. The establishment, maintenance, or operation of the special review use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
3. The site is adequate for the proposed use and has the topography to accommodate the use while meeting the other requirements of this Zoning Code, including zone district dimensions, landscaping requirements, and parking.
4. The special review use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
5. The special review use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

6. Conditions necessary to protect the public health, safety, and general welfare can be established, including but not limited to conditions on:

(a) Regulation of the use;
(b) Special setbacks, buffers, or screening;
(c) Surfacing of parking areas;
(d) Street, alley, or service road dedications, improvements, or bonds;
(e) Regulation of points of vehicular ingress and egress;
(f) Regulation of signs;
(g) Regulation on the performance of the site, including noise, vibration, and odors;
(h) Regulation of the hours of activities;
(i) Timeframe for development
(j) Duration of use; and
(k) Other relevant conditions that will ensure the orderly development of the site.

7. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
8. Adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion in public streets; and
9. The special review use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the city council.

Some of the criteria above are not particularly applicable to the proposed project to increase the height of the existing WCF tower. For example, traffic management and hours of business may not have any relevance to the application. The proposed project will include installation of the tower extension, new ground controller cabinets for T-Mobile and a new perimeter fence to enclose the entire leased area (1,600 sf) behind the commercial building along the Grand Avenue frontage. There are residences to the south and west (100 ft) that have mature landscaping, so the height extension should not impact those properties. The commercial structures in the area do block direct visibility of the ground-mounted equipment and the base of the WCF tower. A 30-foot height increase will make the WCF tower more noticeable from Grand Avenue but will not be distracting or visually damage the area since it is located in area behind primary structures. The plan sheet showing the new fence surround for the leased area indicates a 6-foot chain link fence with 3 strands of barbed wire above the chain link. The code requires any barbed wire to be above and 8-foot fence. The Planning staff is proposing a condition to require a taller fence for the barbed wire. The location will not be within 1 mile of any other WCF tower greater than 50 feet in height.

STAKEHOLDERS

The applicant conducted a pre-application neighborhood meeting on February 22, 2023. One surrounding property owner, Dan Schwarz, attended the meeting. Mr. Schwarz had no concerns with the proposed 30 ft extension to the wireless tower.

Planning staff prepared and mailed the public hearing notice to surrounding property owners, published a legal ad and posted the property with the Zoning Request sign. Planning staff received no communication on the application from the surrounding owners or the public.

The Zoning Commission conducted a public hearing on April 4, 2023, and received the staff recommendation and testimony from the applicant's agent, Josh Gray and Cameron Colgan of Powder River Development. Commission member Dave Goss recused himself from participating in the hearing due to a conflict of interest. Specifically, his conflict was due to his professional work with NOAA and working on leases with ATC. There were no questions from the Commission on the application. There was no testimony from the public on the application. Chairperson Mike Larson closed the public hearing. Commission member Greg McCall made a motion to recommend conditional approval of the special review and adoption of the findings of the criteria for Special Review 996. The motion was seconded by Commission member Trina White. Commission member Dan Brooks asked members with more history of wireless tower special reviews whether the recommendation and the tower extension seemed to be in line with previous recommendations to the City Council. Chairperson Mike Larson stated this location is dissimilar from some previous proposals. He stated if this location were not in a commercial area, there would have been more concern from the surrounding owners and likely an application to build a "stealth" tower. The Commission voted to approve the motion on a 4 to 0 vote, with Commission member Goss abstaining.

ALTERNATIVES

The City Council may take one of the following actions:

- Conditionally approve the request and adopt the findings of the review criteria;
- Deny and adopt different findings of the review criteria;
- Delay action of the application until the next regular meeting; or
- Allow the applicant to withdraw the application.

The City Council may add conditions of approval or amend the recommended conditions of approval. If the Council delays the application until the next regular meeting, the public hearing should be kept open to allow additional testimony and submittal of information by the applicant or interested parties. The applicant has not requested a withdrawal of the application. The City Council may not approve a special review that has not been requested by the applicant.

FISCAL EFFECTS

The Planning Division budget should not be effected by either approval or denial of the requested special review.

SUMMARY

PROPOSED FINDINGS OF THE REVIEW CRITERIA (27-1623.D and E)

The Zoning Commission recommends approval of the requested special review based on the proposed findings of the criteria.

1. The special review use is consistent with the City's growth policy and applicable neighborhood plans, if any.
The 2016 Growth Policy is reflected in the policy statements in the Zoning code for Wireless Communication Facilities at Sec. 27-1007.C:

(a) Provide for the managed development and installation, maintenance modification, and removal of wireless communications infrastructure with the fewest number of wireless communications facilities (WCFs) to complete a network without unreasonably discriminating against wireless communications providers of functionally equivalent services, including all of those who install, maintain, operate, and remove WCFs;
(b) Promote and protect the public health, safety, and welfare by reducing the visibility of WCFs to the fullest extent possible through techniques including but not limited to camouflage design techniques and undergrounding of the equipment associated with WCFs;
(c) Encourage the deployment of smaller, less intrusive WCFs to supplement existing larger WCFs;
(d) Encourage the use of wall-mounted panel antennas;
(e) Encourage roof-mounted antennas only when wall-mounted antennas will not provide adequate service or are not otherwise feasible;
(f) Encourage the location of antennas and towers in non-residential areas and minimize the total number of antenna support structures throughout the community;
(g) Strongly encourage the co-location of WCFs on new and existing antenna support structures;
(h) Require wireless communication facilities to be located, to the extent possible, in areas where the adverse impact on the community is minimal;
(i) Require wireless communication facilities to be configured in a way that minimizes the adverse visual impact of the towers and antennas; and
(j) Enhance the ability of the providers of wireless communication services to provide such services to the community, as quickly, effectively, and efficiently as possible.

The Zoning Commission finds the proposed WCF tower extension in this location meets the policies and goals as stated in the regulations.

2. The establishment, maintenance, or operation of the special review use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
The Zoning Commission finds the WCF tower extension at 1010 Grand Avenue will not endanger the public health, safety, morals, comfort or general welfare of the community. Access to reliable communication systems support public health and safety. There are no other WCFs within 1 mile of this location so it is not uncommon for wireless service to be intermittent due to signal loss from terrain or buildings that break "line-of-sight" between WCFs in a local network. The tower extension will allow other providers to co-locate on this facility. The closest residential zone is more than 100 feet from the site.The Zoning Commission received no public input at the hearing, as a result of the public notice, the mailing or posting of the property.

3. The site is adequate in size for the proposed use and has topography to accommodate the use while meeting the other requirements of this Zoning Code, including zone district dimensions, landscaping requirements, and parking.
The proposed development meets the code requirements for a WCF in a commercial zone district, surrounded by commercial zone districts. The lease area of 1,600 sf is large enough to accommodate the additional ground equipment. The landscape requirements may be waived in this instance due to the lack of access to water, and the specific location behind buildings that front Grand Avenue. There is no aesthetic value to be gained from a sight-obscuring hedge around the WCF enclosure.

4. The special review use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The WCF tower extension should not impact the surrounding use of property that is already developed and will not impair property value in the vicinity. The total property value within 300 feet of the location is a little over $15,000,000. Investment in new construction generally tends to raise building and property values.

5. The special review use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
This section of Grand Avenue has undergone recent redevelopment including the corner of 9th and Grand Avenue, remodel of MacDonald's at 1046 Grand Avenue, and Wendy's at 1025 Grand Avenue. The addition of 30 feet to the height of this WCF tower will not impede the continued investment in surrounding property.

6. Conditions necessary to protect the public health, safety, and general welfare can be established.
The Zoning Commission recommends the following conditions of approval for this project based on the findings of the review criteria:

1. The special review approval is for the 30-foot extension of the existing WCF tower located at 1010 Grand Avenue legally described as Lots 1A of Sunset Subdivision 4th and 7th Filings, and within the ATC leased area, as shown on the site plan. No other use or variation from the zoning code requirements is intended or implied with this approval. For the purposes of this special review approval, the height of the WCF tower will be 76 feet. Antenna may extend above this tower height as allowed and specified in the Zoning code.
2. The development of the project shall be done in substantial conformance to the submitted site plan.
3. Any tower enclosure shall be a minimum of 6 feet in height. Any barbed wire or sharp fence material must be placed above a fence of at least 8 feet in height.
4. The developer will submit a request to the Planning Division for Administrative Relief from the landscaping requirement for this location due to the lack of access to water and due to its location behind commercial structures.
5. These conditions run with the land use and are binding upon and must be adhered to by the tower owner and any successors, transferees or assigns.
6. The right of building and occupancy permits are contingent upon the fulfillment of all conditions imposed by this approval.

7. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
The site is fully serviced by city and private utilities, has adequate drainage, and direct access to the tower location through the alley that connects to 10th St West.

8. Adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion in public streets.
The access to and from the site and the WCF tower already exists and does not need to be improved for this project.

9. The special review use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the city council.
The proposed project meets all the other Zoning code requirements for a WCF and no variances are needed or requested.

Attachments

Zoning Map and Site Photos
Application and Pre app notes
Site Plan
Chart of Zoning History
Code Sec 27-1007.C

City Special Review 996 – 1010 Grand Avenue – 30-foot WCF tower extension
Zoning Map and Site Photos




WCF Tower location
GRAND AVE
10TH ST W
ALDERSON AVE
1-5
1-4
1-8
1-9
1-3
1-1
1-2
1-7
1-6
2-3B
2-3A
2-3
2-3
2-2
2-3C
2-4
2-4
2-4
2-1
-3
-1A
3-1A1
-1A
-1A
-2A
-3A
-2
-3
2-9A
2-11A
2-12A
2-13A1
-1
-2
-2
-2
-2
-4
3-7
3-6
3-6
3-5
3-4
3-3
3-2
3-1
2-8
2-7
2-6
2-5
2-5
2-4
2-3
2-6
2-18
2-19
2-20
2-21
2-22
2-23
2-24
2-25
1-8
1-7
1-6
1-5
1-4
1-3



Subject Property – view south from Grand Avenue



Subject Property – WCF tower



View west on Grand Avenue



View east on Grand Avenue



View north across Grand Avenue



View west from 10th St West



View north and west from alley

CITY SR 996 **APPLICATION FORM** **ID: Billings** - **Project #** PZx-22-303

The undersigned as owner(s) of the following described property hereby request a Variance from the terms of the City of Billings Zoning Regulations.

PROPERTY TAX ID # A16683 CITY ELECTION WARD # _____

Legal Description of Property: SUNSET SUBD 4th FILING, S05,T01 S, R26 E, Lot 1A, & 7th FIL AMD (06) (I-725 TELE TOWER HERE) (02)

Address or General Location (If unknown, contact City Engineering): 1010 Grand Ave. Billings, MT

Zoning Classification: CMU1 - Corridor Mixed-Use 1

Size of Parcel (Area & Dimensions): .47

Covenants or Deed Restrictions on Property: Yes _____ No X

If yes, please attach to application

Variance(s) Requested: Change of tower height.

Facts of Hardship: (attach letter)

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): ATC Sequoia LLC

(Recorded Owner) 10 Presidential Way Woburn, MA 01801

(Address)

(Phone Number) (email)

Agent(s): Josh Gray (Authorized Rep for American Tower)

(Name) 408 S. Eagle Rd. Suite 200 Eagle, ID 83616

(Address) 925-352-2677 josh.gray@powderriverdev.com

(Phone Number) (email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Variance. Also, I attest that all the information presented herein is factual and correct.

Signature: See Letter of Authorization Date: _____

(Recorded Owner)

RECEIVED
JAN - 3 2023
PLANNING & COMMUNITY SERVICES DEPARTMENT

Pre-Application Statement of Owner(s) or Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed Special Review application packet, including any required fees, for a Special Review to be processed by the Planning Division.

1. **Present Zoning**: CMU1 - Corridor Mixed-Use 1
2. **Written description of the Special Review** including existing conditions and proposed development:
   30' Tower Extension, New fenced area, new concrete pad and ice bridge within leased area.

3. **Subject Property Map**: please attach to this form
4. **Legal Description of Property**:
   SUNSET SUBD 4th FILING, S05,T01 S, R26 E, Lot 1A, & 7th FIL AMD (06) (I-725 TELE TOWER HERE))02)
5. **Neighborhood Task Force Area**: (Yes) /// No . If Yes, Name of Task Force and mailing address of Chairperson:
   Midtown Community Collaborative 2728 Louise Lane Billings, MT 59102
6. **Roster of persons who attended the pre-application neighborhood meeting**: please attach to this form
7. **A copy of the meeting notice.** please attach to this form
8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form
9. **The undersigned affirm the following:**
   1) The pre-application neighborhood meeting was held on the 22, day of 02, 2023.
   2) The Special Review application is based on materials presented at the meeting.

Owner (s): Highland Rim Properties Telephone:
Address: 214 Mc Rae Sprague Rd. Email:
Forsyth, MT 59327

Agent (s): Josh Gray/Cameron Colgan Telephone: 925-352-2677
Address: 408 S. Eagle Rd Suite 200 Email: josh.gray@powderriverdev.com
Eagle, ID 83616

Public Meeting Sign-In Sheet

Project:	ATC 412939 – Special Review	**Meeting Date:**	2/22/23
Facilitator:	Cameron Colgan – Powder River Development	**Place/Room:**	Mazevo Coffee Conf. Room

Printed Name	Signature	Company	Phone	E-mail
DAN SCHWARZ		SCHWARZ	406 208-0583	granapadan55@gmail.com

Public Meeting Minutes

- Explanation of project and Introduction
  - 30' tower extension for TMO collocation
  - Expand TMO Coverage
  - Keeps them from building another tower
- Public Comments
  - Dan Schwartz – He's ok with the expansion. Not worried

THE PROJECT DEPICTED IN THESE PLANS QUALIFIES AS AN ELIGIBLE FACILITIES REQUEST ENTITLED TO EXPEDITED REVIEW UNDER 47 U.S.C. 1455(A) AS A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT INVOLVES THE COLLOCATION REMOVAL AND/OR REPLACEMENT OF TRANSMISSION EQUIPMENT THAT IS NOT A SUBSTANTIAL CHANGE UNDER CFR 1.61000 (B)(7).

T-MOBILE SITE NUMBER:	MT06021A
T-MOBILE SITE NAME:	GRAND AVE-ATC
SITE TYPE:	MONOPOLE
TOWER HEIGHT:	76'-0"
ASSET #:	412939
SITE ADDRESS:	1010 GRAND AVE BILLINGS, MT 59102
COUNTY:	YELLOWSTONE
JURISDICTION:	CITY OF BILLINGS
LAT: 45° 47' 01.2" N	LONG: 108° 32' 30.3" W

MT06021A_Grand Ave - ATC (412939)_Anchor_FCD_Infinigy_11.02.22

SITE INFORMATION

PROPERTY INFORMATION:

SITE ADDRESS:	1010 GRAND AVE BILLINGS, MT 59102
COUNTY:	YELLOWSTONE
LATITUDE (NAD83):	45° 47' 01.2" N (45.783669°)
LONGITUDE (NAD83):	108° 32' 30.3" W (-108.541751°)
GROUND ELEVATION (NAVD88):	±3205.0' AMSL
JURISDICTION:	CITY OF BILLINGS
APN:	A16683
ZONING:	CMU1 (CORRIDOR MIXED USE 1)
OCCUPANCY CLASSIFICATION:	U
LEGAL DESCRIPTION:	SEE SHEET A-1

CONSTRUCTION INFORMATION:

AREA OF CONSTRUCTION:	EXISTING
TYPE OF CONSTRUCTION:	V-B
PROPOSED USE:	UNMANNED TELECOMMUNICATIONS FACILITY
HANDICAP REQUIREMENTS:	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

PROPERTY OWNER:

COMPANY:	HIGHLAND RIM PROPERTIES, INC., A MONTANA CORPORATION
ADDRESS:	214 McRAE SPRAGUE LN
CITY, STATE, ZIP:	FORSYTH, MT 59327

TOWER OPERATOR:

COMPANY:	AMERICAN TOWER CORPORATION
ADDRESS:	10 PRESIDENTIAL WAY
CITY, STATE, ZIP:	WOBURN, MA 01801
CONTACT:	TIFFANY PRETTY (PROJECT MANAGER)
PHONE:	(425) 391-3447
E-MAIL:	tiffany.pretty@americantower.com

T-MOBILE MICROWAVE PM:

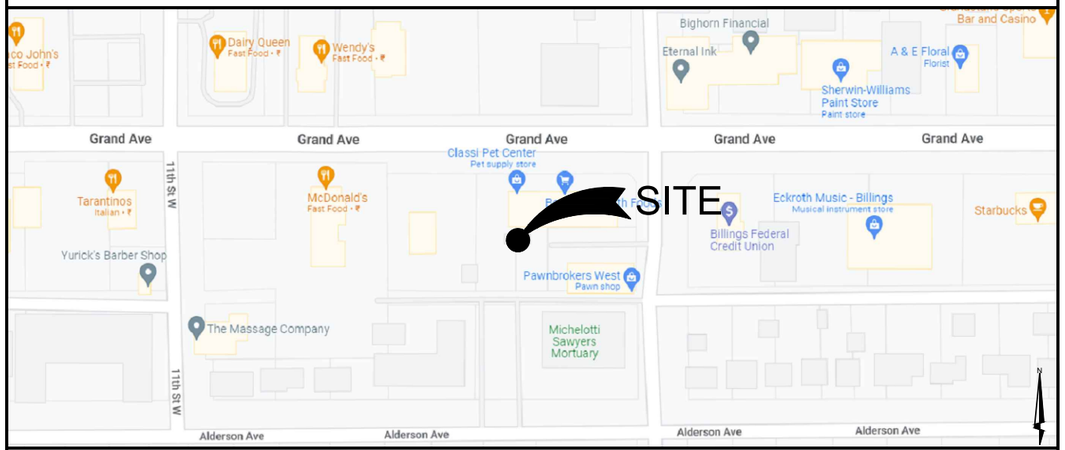
COMPANY:	T-MOBILE
CONTACT:	SEAN CONNORS
E-MAIL:	Sean.Connors5@t-mobile.com

SHEET INDEX

SHEET	DESCRIPTION
T-1	TITLE SHEET
T-2	SPECIFICATIONS & NOTES
T-3	SPECIFICATIONS & NOTES
A-1	OVERALL SITE PLAN
A-2	ENLARGED SITE PLANS
A-3	SOUTH ELEVATIONS
A-4	ANTENNA PLAN & RF SCHEDULE
A-4.1	RF PLUMBING DIAGRAM
A-5	EQUIPMENT DETAILS
A-6	EQUIPMENT DETAILS
A-6.1	EQUIPMENT DETAILS
A-6.2	EQUIPMENT DETAILS
A-7	EQUIPMENT DETAILS
A-8	EQUIPMENT DETAILS
A-9	CONSTRUCTION DETAILS
A-10	CONSTRUCTION DETAILS
E-1	UTILITY ROUTING PLAN & DETAILS
E-1.1	ELECTRICAL DIAGRAMS
E-1.2	ELECTRICAL DIAGRAMS
G-1	SCHEMATIC GROUNDING PLAN & NOTES
G-2	GROUNDING DETAILS
	DRAWINGS BY OTHERS (17 SHEETS):
ATTACHED	MONOPOLE EXTENSION DRAWINGS G-001 THRU Z-504

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

VICINITY MAP



DRIVING DIRECTIONS FROM T-MOBILE LOCAL OFFICE (274 DISCOVERY DR, BOZEMAN, MT 59718):
HEAD WEST ON DISCOVERY DR TOWARD ENTERPRISE BLVD, TURN RIGHT ONTO ENTERPRISE BLVD, TURN RIGHT ONTO STUCKY RD, TURN LEFT ONTO S 19TH AVE, TURN RIGHT ONTO W OAK ST, TURN LEFT ONTO N 7TH AVE, TAKE THE RAMP ON THE RIGHT FOR I-90 EAST AND HEAD TOWARD BILLINGS, HEAD RIGHT ON THE RAMP FOR I-90 BUS LOOP TOWARD WEST BILLINGS, KEEP LEFT TO STAY ON I-90 E BUS / MONTANA AVE, TURN LEFT ONTO 5TH ST W, ALBERTSONS PHARMACY ON THE CORNER, TURN LEFT ONTO GRAND AVE, LITTLE CAESARS PIZZA ON THE CORNER, ARRIVE AT 1010 GRAND AVE, BILLINGS, MT 59102.

PROJECT TEAM

ARCHITECTURAL & ENGINEERING:

COMPANY:	INFINIGY ENGINEERING
CONTACT:	PAUL DANNEBERG
PHONE:	(425) 201-4215 x1603
E-MAIL:	pdanneberg@infinigy.com

SITE ACQUISITION:

COMPANY:	POWDER RIVER DEVELOPMENT SERVICES, LLC
ADDRESS:	408 S EAGLE RD, STE 200
CITY, STATE, ZIP:	EAGLE, ID 83616
CONTACT:	CAMERON COLGAN
PHONE:	(208) 871-0773
E-MAIL:	cameron.colgan@powderriverdev.com

APPROVALS

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS & AUTHORIZE THE SUBCONTRACTOR TO PROCEED WITH CONSTRUCTION AS DESCRIBED HEREIN. ALL CONSTRUCTION DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT & ANY CHANGES OR MODIFICATIONS THEY MAY IMPOSE.

	APPROVAL:	SIGNATURE:	DATE:
	PROJECT MANAGER		
	SITE ACQUISITION		
	CONSTRUCTION MANAGER		
	SITE OWNER		
T-MOBILE	RF ENGINEER		
T-MOBILE	DEVELOPMENT MANAGER		
T-MOBILE	CONSTRUCTION MANAGER		
T-MOBILE	OPS MANAGER		
T-MOBILE	REGULATORY REVIEW		
T-MOBILE	PROJECT MANAGER		

CODE COMPLIANCE

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THESE CODES.

1. 2018 INTERNATIONAL BUILDING CODE
2. 2018 INTERNATIONAL MECHANICAL CODE
3. 2018 INTERNATIONAL FIRE CODE
4. 2018 UNIFORM PLUMBING CODE
5. 2017 NATIONAL ELECTRICAL CODE
6. 2018 INTERNATIONAL FUEL GAS CODE
7. TIA-222-H OR LATEST EDITION
8. ASCE 7-16
9. NFPA 780 - LIGHTNING PROTECTION CODE
10. ANY OTHER NATIONAL OR LOCAL APPLICABLE CODES, MOST RECENT EDITION
11. LOCAL AMENDMENTS TO THE ABOVE, WHERE APPLICABLE
12. CITY/COUNTY ORDINANCES
13. LIFE SAFETY CODE NFPA-101

811 Know what's below. Call before you dig. www.call811.com

PROJECT DESCRIPTION

T-MOBILE PROPOSES TO COLLOCATE ON AN EXISTING UNMANNED TELECOMMUNICATIONS FACILITY AS FOLLOWS:

TOWER SCOPE OF WORK:
- INSTALL 30'-0" TOWER EXTENSION
- INSTALL A NEWAVE LPK12 ANTENNA PLATFORM
- INSTALL A NEWAVE LPS30-20 STIFFINER WITH KICKERS AND RING MOUNT
- INSTALL (3) FFVV-65C-R3-V1 PANEL ANTENNAS
- INSTALL (3) AHLOA & (3) AHFIG RRU'S
- INSTALL (1) HCS 2.0 PENDANT STYLE HYBRID CABLE

GROUND SCOPE OF WORK:
- INSTALL A 10'-0"x12'-0" CONCRETE PAD & 10'-0"x14'-0" ICE CANOPY
- INSTALL (1) HPL3 BATTERY CABINET W/ (4) STRINGS OF BATTERIES & (1) HPL3 POWER CABINET W/ (1) AMIA, (2) ABIO AND (1) ABIA W/ BASEBAND MODULES PER RFDS, (1) CSR IXRE ROUTER, (1) VOLTAGE BOOSTER W/ (2) AMPLIFIERS, & (1) EXTRA AMPLIFIER
- INSTALL (1) UTILITY H-FRAME W/ (1) 4'x4' HOFFMAN BOX, (1) TECH LIGHT W/ TIMER, (1) PPC W/ CAM-LOK, & (1) 200A METER
- INSTALL AN ICE BRIDGE, (1) GPS ANTENNA, & (1) HCS 2.0 JUNCTION BOX
- INSTALL UTILITY TRENCH
- INSTALL FENCE WITH MAN GATE

DESIGN IS BASED ON: ATC APPLICATION ID 14050727, REV. #0
RFDS VERSION 1, DATED 08/19/2022 (CONFIG. 6790S_SR_T, 6790S_SR_T)
THESE PLANS HAVE BEEN DEVELOPED FOR THE CONSTRUCTION OF AN UNMANNED TELECOMMUNICATIONS FACILITY OWNED OR LEASED BY T-MOBILE IN ACCORDANCE WITH THE SCOPE OF WORK PROVIDED BY T-MOBILE, INCORPORATED IN THE PLANS BY INFINIGY. THESE PLANS ARE NOT FOR CONSTRUCTION UNLESS ACCOMPANIED BY A PASSING STRUCTURAL STABILITY ANALYSIS FOR THE STRUCTURE AND MOUNT PREPARED BY A LICENSED PROFESSIONAL ENGINEER.

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BOZEMAN, MT 58718

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BELLEVUE, WA 98004

T-MOBILE SITE:
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GRAND AVE-ATC

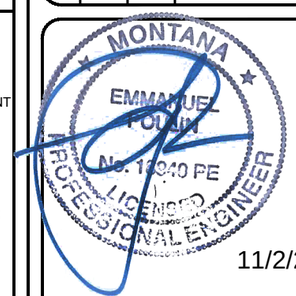
ATC SITE:
412939
BILGRANDAVE MT

1010 GRAND AVE
BILLINGS, MT 59102
YELLOWSTONE COUNTY

76'-0" MONOPOLE

DRAWINGS ISSUED FOR:

REV.	DATE	DRAWN	DESCRIPTION	QA/QC
A	05/03/22	RCD	PRELIMINARY REVIEW	TT
B	06/02/22	WJR	REVISED PRELIM. REVIEW	TT
0	09/02/22	AF	100% CONSTRUCTION	TT
1	11/02/22	TLT	100% CD REV	PD



11/2/22

SHEET TITLE:
TITLE SHEET

SHEET NUMBER: T-1

REVISION: 1

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INFORMATION CONTAINED WITHIN DRAWINGS IS BASED ON PROVIDED INFORMATION AND IS NOT THE RESULT OF A FIELD SURVEY.

GRAND AVE

LEGAL DESCRIPTION:
SUNSET SUBD 4TH FILING, S05, T01 S, R26 E, Lot 1A, & 7TH FIL AMD (06) (I-725 TELE TOWER HERE) (02)

EXISTING TREE (TYP.)

EXISTING PROPERTY LINE, TYP. (APPROXIMATE)

EXISTING PARKING LOT

EXISTING PRIVATE ACCESS DRIVEWAY

EXISTING PARKING LOT

EXISTING BUILDING

APN: A16683
ZONING: CMU1
(CORRIDOR MIXED USE 1)
AREA: 0.037± ACRES

EXISTING PARKING LOT

EXISTING BUILDING

PROPERTY LINE

PROPOSED T-MOBILE LEASE AREA WITHIN EXISTING ATC COMPOUND (SEE SHEET A-2)

EXISTING PARKING LOT

PROPERTY LINE

EXISTING PARKING LOT

EXISTING BUILDING

EXISTING PARKING LOT

EXISTING BUILDING

PROPOSED T-MOBILE UTILITY TRENCH FOR POWER AND FIBER

EXISTING FIBER VAULT

EXISTING OVERHEAD TRANSFORMER ON UTILITY POLE

N

1 OVERALL SITE PLAN

22"x34" SCALE: 1" = 10'-0"
11"x17" SCALE: 1" = 20'-0"

10' 5' 0' 10'

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1	11/02/22	TLT	100% CD REV	PD

MONTANA
EMMANUEL POLLIN
No. 19940 PE
LICENSED PROFESSIONAL ENGINEER

11/2/22

SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER: A-1

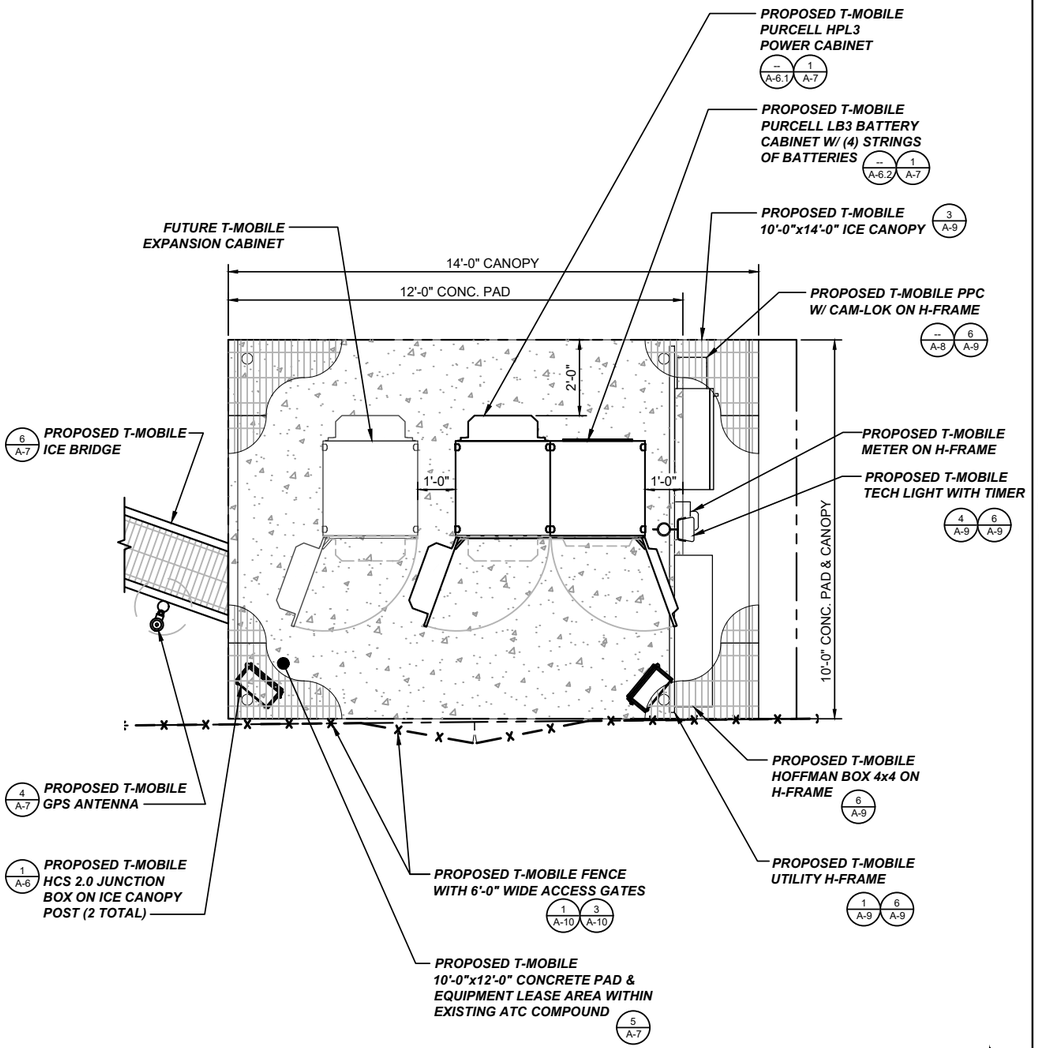
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RF EQUIPMENT SCOPE OF WORK-SEE RFDS

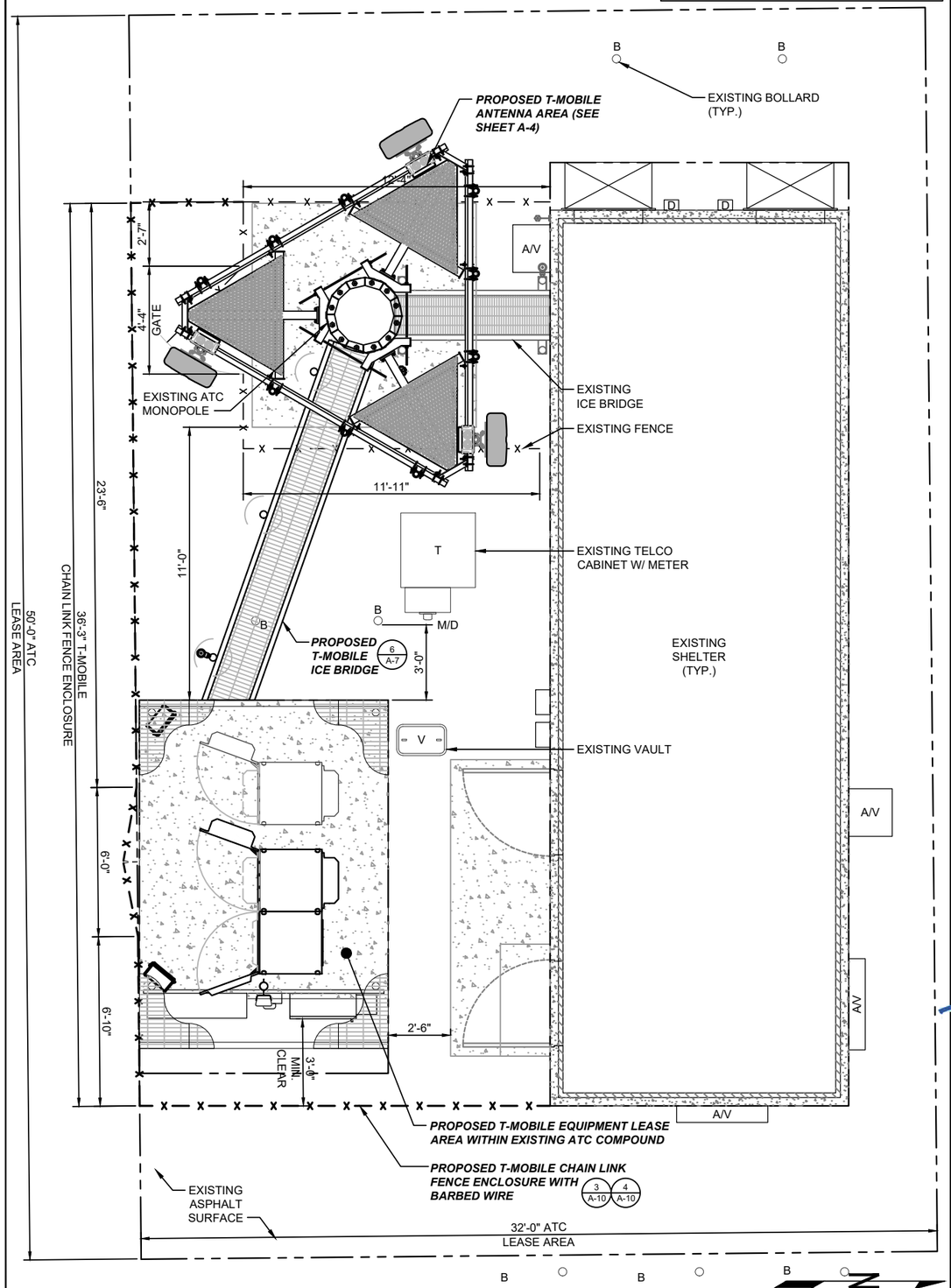
- INSTALL (1) AMIA, (2) ABIO & (1) ABIA W/ BASEBAND MODULES PER RFDS, (1) CSR IXRE ROUTER, (1) VOLTAGE BOOSTER W/ (2) AMPLIFIERS, & (1) EXTRA AMPLIFIER INSIDE POWER CABINET

INFORMATION CONTAINED WITHIN DRAWINGS IS BASED ON PROVIDED INFORMATION AND IS NOT THE RESULT OF A FIELD SURVEY.



2 ENLARGED EQUIPMENT PLAN

22"x34" SCALE: 1/2" = 1'-0"
11"x17" SCALE: 1/4" = 1'-0"



1 ENLARGED SITE PLAN

22"x34" SCALE: 3/8" = 1'-0"
11"x17" SCALE: 3/16" = 1'-0"

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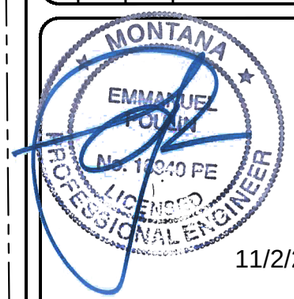
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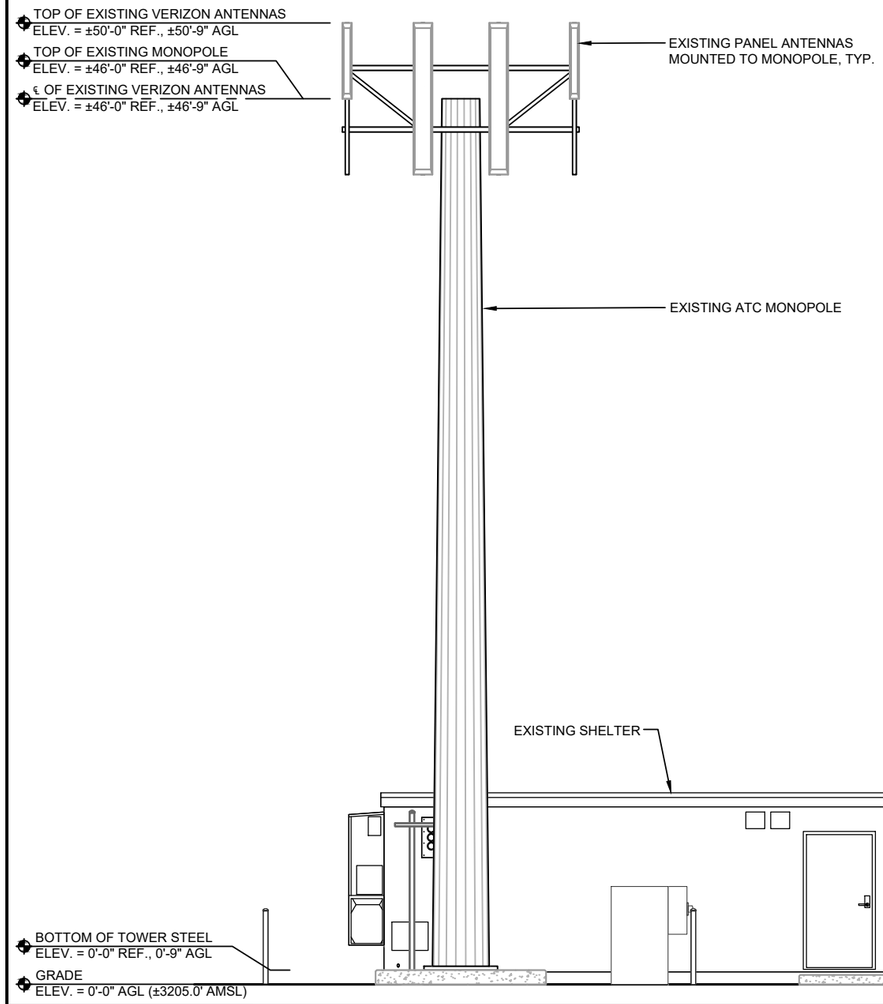
11/2/22

SHEET TITLE:
ENLARGED SITE PLANS

SHEET NUMBER: A-2

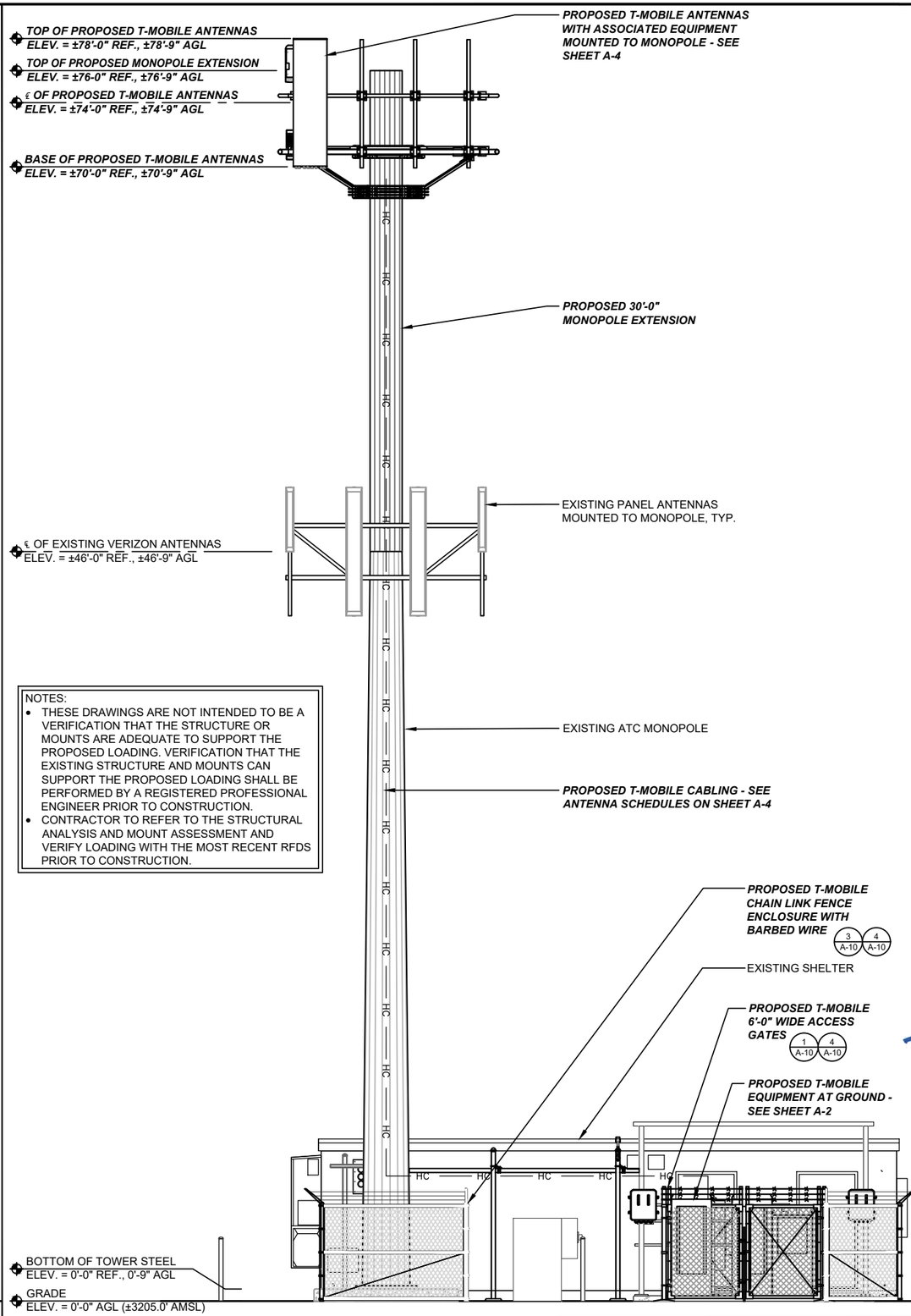
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2 EXISTING SOUTH ELEVATION

22"x34" SCALE: 1/4" = 1'-0"
11"x17" SCALE: 1/8" = 1'-0"



NOTES:
- THESE DRAWINGS ARE NOT INTENDED TO BE A VERIFICATION THAT THE STRUCTURE OR MOUNTS ARE ADEQUATE TO SUPPORT THE PROPOSED LOADING. VERIFICATION THAT THE EXISTING STRUCTURE AND MOUNTS CAN SUPPORT THE PROPOSED LOADING SHALL BE PERFORMED BY A REGISTERED PROFESSIONAL ENGINEER PRIOR TO CONSTRUCTION.
- CONTRACTOR TO REFER TO THE STRUCTURAL ANALYSIS AND MOUNT ASSESSMENT AND VERIFY LOADING WITH THE MOST RECENT RFDS PRIOR TO CONSTRUCTION.

1 PROPOSED SOUTH ELEVATION

22"x34" SCALE: 1/4" = 1'-0"
11"x17" SCALE: 1/8" = 1'-0"

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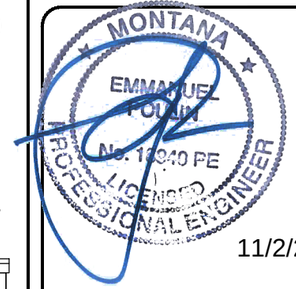
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11/2/22

SHEET TITLE:
SOUTH
ELEVATIONS

SHEET NUMBER: A-3

REVISION: 1

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SUBJECT PROPERTY	Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
None					
SURROUNDING PROPERTY	**Special Review**	**DATE**	**FOR**	**APPROVED (Y/N)**	**ADDITIONAL DATA**
1127 Alderson	668	1/22/2001	50 ft WCF on building	Y	Roof top antenna
1150 W Wicks Lane	243 (County)	4/29/1998	100 ft WCF	Y	
1202 & 1204 W Wicks Lane	270 (County)	1/9/2001	250 ft WCF and tower farm	Y	2 of 3 constructed
1150 W Wicks Lane – N.W.E.	960	1/18/2018	60 ft WCF	Y	For use by Northwestern Energy only
1235 W Wicks Lane	957	10/23/2017	Concealed rooftop	Y	
2132 Grand Ave	684	10/23/2000	160 ft WCF	Y	Constructed
1601 S Shiloh Rd	700	5/29/2001	250 ft WCF	Y	Constructed at 180 ft
704 Dunham Ave	979	10/28/2019	WCF height increase to 66 ft	Y	
286 Southview Dr (Airport)	922	2/23/2015	100 ft WCF	Y	Constructed

Sec. 27-1007

C. *Wireless communication facilities.*

1. *Purpose.* The purpose of this section is to establish regulations for the siting of antenna support structures and antennas on public and private property. The goals of this section are to:

   (a) Provide for the managed development and installation, maintenance modification, and removal of wireless communications infrastructure with the fewest number of wireless communications facilities (WCFs) to complete a network without unreasonably discriminating against wireless communications providers of functionally equivalent services, including all of those who install, maintain, operate, and remove WCFs;

   (b) Promote and protect the public health, safety, and welfare by reducing the visibility of WCFs to the fullest extent possible through techniques including but not limited to camouflage design techniques and undergrounding of the equipment associated with WCFs;

   (c) Encourage the deployment of smaller, less intrusive WCFs to supplement existing larger WCFs;

   (d) Encourage the use of wall-mounted panel antennas;

   (e) Encourage roof-mounted antennas only when wall-mounted antennas will not provide adequate service or are not otherwise feasible;

(f) Encourage the location of antennas and towers in non-residential areas and minimize the total number of antenna support structures throughout the community;

(g) Strongly encourage the co-location of WCFs on new and existing antenna support structures;

(h) Require wireless communication facilities to be located, to the extent possible, in areas where the adverse impact on the community is minimal;

(i) Require wireless communication facilities to be configured in a way that minimizes the adverse visual impact of the towers and antennas; and

(j) Enhance the ability of the providers of wireless communication services to provide such services to the community, as quickly, effectively, and efficiently as possible.

2. *Applicability.* All wireless communication facilities located on private land within the city zoning jurisdiction shall be subject to this section. This section shall apply to wireless communication facilities upon state and federal lands to the extent of the city's jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise. Only the following facilities shall be exempted from the application of this section:

(a) Amateur radio stations and antenna support structures that are owned and operated by a federally licensed amateur radio station operator or are exclusively receive-only antennas, provided that the requirements that the height be no more than the distance from the base of the antenna to the property lines is met.

(b) Antennas and antenna support structures for land mobile radio and radio and television, regulated in subsection 27-1007.A.

(c) Pre-existing WCFs.

(1) Any WCF for which a permit has been properly issued prior to the adoption of this zoning code (February 25, 2021) and for which no changes will be made shall not be required to meet the requirements of this section.

(2) Changes and additions to pre-existing WCFs (including trading out of antennas for an equal number of antennas) shall meet applicable requirements of subsection 27-1007.C.5, General requirements.

3. *Criteria for major and minor modifications and substantial change.*

(a) *Major WCF modification.*

(1) An alteration of an existing WCF for any purpose that meets the criteria for substantial change.

(2) The calculation for modifications shall be cumulative over time following the initial approval of the WCF. No such modification shall be permitted if the support structure will exceed fifty (50) feet or the zoning district height, whichever is applicable.

(b) *Minor WCF modification.*

(1) An alteration of an existing exterior telecommunications facility or co-location of additional facilities with an existing exterior telecommunications facility in any zone that does not meet or exceeds the thresholds for a major modification, the calculation for which shall be cumulative over time, following the initial approval of the telecommunications facility.

(2) No such modification shall be permitted if the modification to the structure will cause the structure to exceed the height limit for the zoning district by more than ten (10) percent.

(c) *Substantially change.* A modification that changes the physical dimensions of an eligible support structure so that after the modification the structure meets any of the following criteria:

(1) *For towers.*

(i) Other than alternative tower structures, the modification increases the height of the tower by more than ten (10) percent; for other eligible support structures, it increases the height of the structure by more than ten (10) percent or more than ten (10) feet, whichever is greater;

(ii) The modification involves adding an appurtenance to the body of the tower that would protrude from the tower more than twenty (20) feet, or more than the width of the tower structure at the level of the appurtenance to the body of the structure that would protrude from the side of the structure by more than six (6) feet;

(2) *For any eligible support structure.*

(i) The modification involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets;

(ii) The modification entails any excavation or deployment outside the current site;

(iii) The modification would defeat the concealment elements of the eligible support structure. A change that would undermine the concealment elements of this structure will be considered to defeat the concealment elements of the structure;

(iv) The modification does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure equipment, unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that would not exceed the thresholds identified in paragraphs (i), (ii), and (iii) of this definition.

(3) For base stations that are not surrounded by a screening wall, the modification involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten (10) percent larger in height or overall volume than any other existing, individual ground cabinet associated with the structure;

(4) For purposes of determining whether a substantial change exists, changes in height are measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height are measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to February 22, 2012.

4. *General requirements.* The requirements set forth in this section shall govern the location and construction of all wireless communications facilities governed by this section.

(a) *Building codes and safety standards.* To ensure the structural integrity of wireless communication facilities, the owner of a facility shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for such wireless communication facilities, as amended from time to time. If upon inspection, the city concludes that a WCF fails to comply with such codes and constitutes a danger to persons or property, then, upon written notice being provided to the owner of the WCF, the owner shall have thirty (30)

days from the date of notice to bring such WCF into compliance. Upon good cause shown by the owner, the zoning coordinator may extend such compliance period not to exceed ninety (90) days from the date of said notice. If the owner fails to bring such WCF into compliance within said time period, the city may remove such WCF at the owner's expense.

(b) *Regulatory compliance.* All wireless communication facilities must meet or exceed current standards and regulations of the FAA, the FCC, and other local, state or federal agencies with the authority to regulate facilities governed by this section. All wireless communication facilities must comply with all revised standards and regulations within the date established by the agency promulgating the standards or regulations. Failure to meet such revised standards and regulations shall constitute grounds for the removal of the WCF at the WCF owner's expense.

(c) *Setbacks.*

(1) Antenna support structures adjacent to residential uses or zoning. Antenna support structures must be set back, from all property lines, a distance equal to one-half (½) the height of the structure from any off-site residential structure or residentially zoned lot. Accessory structures must maintain a minimum of a 15-foot setback from any lot line adjacent to a residential structure or residentially zoned lot, or the required setback of the zoning district where the antenna support structure is located, whichever is greater.

(2) Mixed use, commercial, EBURD and industrial zoning setbacks antenna support structures and accessory facilities must meet the minimum yard setback requirements, including arterial setbacks, for the zoning district in which they are located.

(d) *Lot coverage and height.* Antenna support structures and accessory structures shall not exceed lot coverage requirements for the zoning district in which they are located. Accessory structures shall not exceed the height restrictions for the zoning district in which they are located.

(e) *Fencing and buffering.*

(1) *Fencing.* A chain link or solid wood fence, or masonry wall at least six (6) feet in height (eight (8) feet if razor or barbed wire is to be used) shall be constructed and maintained around the perimeter of the antenna support structure site. Climb-proof shields can be substituted for a fence or wall around the structure. Solid fences, at least six (6) feet in height are required adjacent to residential uses and residentially zoned property.

(2) *Landscaping.* For all facilities the following will be required: A continuous evergreen hedge at least four (4) feet in height when planted, shall be planted and maintained around the perimeter of the antenna support structure outside of the required fencing and spaced close together to provide a continuous visual screen. Shrubs shall also be planted and maintained around the guy anchors for visual screening purposes. This requirement may be waived through section 27-1614, Administrative relief, where the site does not have access to water.

A performance bond or letter of credit for two hundred fifty (150) percent of the landscaping and fencing materials and labor costs shall be posted with the planning division, prior to building permit approval, to ensure the placement of required landscaping and fencing in accordance with article 27-1200.

(3) *Commercial landscaping.* Landscaping requirements shall not apply to antenna support structures located in the heavy industrial (HI) zoning district.

(4) *Exceptions for city airport airfield area.* If federal safety and security standards within the city airport's airfield area prevent an antenna support structure from being fenced or landscaped, subsections 4.(e)(1) and 4.(e)(2) will not apply. Documentation of these standards must be submitted with the building permit or special review applications.

(f) *Lighting.* Antenna support structures shall not be artificially lighted unless required by the FAA or other local, state, or federal agency. If the FAA requires safety lighting, the use of red beacons is preferred to flashing strobe lights. Security lighting on site may be mounted up to twenty (20) feet high on the tower and shall be directed towards the ground to reduce light pollution, prevent off-site light spillage, and avoid illuminating the tower.

Cut-off security lighting must be used adjacent to residential uses or residentially zoned lots. When incorporated into the approved design of the facility, light fixtures used to illuminate sports fields, parking lots, or similar areas may be included in the facility.

(g) *Signage.* Signage shall be limited to non-illuminated warning and equipment identification signs.

(h) *Co-location.*

(1) Antenna support structures should be designed in all respects to accommodate multiple antennas. If the antenna support structure is over one hundred (100) feet in height, it should be designed to include both the applicant's antenna(s) and at least two (2) additional comparable antennas. If the tower is between fifty (50) and one hundred (100) feet tall it should be designed for at least one additional comparable antenna.

(2) All new antennas must co-locate on existing or approved antenna support structures or stealth communication facilities. Applicants may request a waiver from the co-location requirement through the special review process. Applicants must demonstrate that co-location is not feasible because there is no existing or approved antenna support structure within the required separation distance of the proposed site can accommodate the applicant's proposed antenna or a critical need exists for the proposed location and it is technically infeasible to locate or co-locate structures at or beyond the required separation distance.

(i) *Maintenance.*

(1) Equipment at a wireless communication facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector or local street, access for maintenance vehicles shall be exclusively by means of the collector or local street.

(2) All property used for the siting of an antenna support structure or antenna shall be maintained, without expense to the city, so as to be safe, orderly, attractive, and in conformity with city codes including those regarding the removal of weeds, trash and landscape maintenance.

(j) *Visual impact/aesthetics.*

(1) Wireless communication facilities shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable local, state, or federal agency, be painted a neutral color or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness.

(2) If an antenna is installed on a structure other than a tower, the antenna and associated electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. Antennas and antenna support structures may be mounted on existing buildings that are thirty (30) feet or more in height above the street grade.

(3) Roof-mounted antennas and antenna support structures shall not add more than twenty (20) feet to the total height of the building on which they are mounted. Roof-mounted

equipment shall be made visually unobtrusive to match existing air conditioning units, stair, elevator towers or other architectural elements. Only monopole antenna support structures with omni-directional (whip) or low profile single-directional (panel) shall be installed on building roofs. Examples of acceptable designs are shown in subsection (o) of this section. Crow's nest antenna arrays are prohibited on roof-top structures.

(4) Wireless communication facilities attached to new or existing structures shall be designed to blend with the structure's architecture and should be placed directly above, below or incorporated with vertical design elements of a structure.

(5) Wireless communication facilities shall be located as to minimize their visibility and not be placed within historic or scenic view corridors as designated by the city council, or by any state or federal law or agency.

(k) *Antenna support structure separation.* All antenna support structures over fifty (50) feet in height, regardless of the zoning district in which the structure is located, shall be located at least one mile from any other antenna support structure that is over fifty (50) feet. Up to three (3) antenna support structures located within an approved wireless communication facility tower farm shall be located at least one mile from any other tower farm.

(l) *Abandonment and removal.* If a WCF has not been in use for a period of three (3) months, the owner of the WCF shall notify the city of the non-use and shall indicate whether re-use is expected within the ensuing three (3) months. Any WCF that is not operated for a continuous period of six (6) months shall be considered abandoned. The city, in its sole discretion, may require an abandoned WCF to be removed. The owner of the WCF shall remove the same within thirty (30) days of receipt of written notice from the city. If the WCF is not removed within thirty (30) days, the city may remove it at the owner's expense and any approved permits for the WCF shall be deemed to have expired. Additionally, the city, in its sole discretion, shall not approve any new WCF application until the applicant who is also the owner or operator of any such abandoned WCF has removed such WCF or payment for such removal has been made to the city.

(m) *Hazardous materials.* No hazardous materials shall be permitted in association with WCFs, except those necessary for the operation of the WCF and only in accordance with all applicable law governing such materials.

5. *Commercial antenna support structures and antennas located in residential zoning districts.*

(a) *Minor modifications.* Antennas co-located on existing or approved stealth communication facilities or existing or approved antenna support structures which have previously received all required approvals and permits shall be permitted as an allowed use.

(b) *New support structures and major modifications.* Antenna support structures and antennas shall be permitted as an allowed use in all residential zoning districts provided they meet all of the following criteria:

(1) Stealth communication facilities conforming to all applicable provisions of this zoning code and roof-mounted antennas that do not add more than twenty (20) feet to the total height of the building on which they are mounted shall be permitted as an allowed use only when located on school, government-owned utility, and other government sites. Proposed antennas or antenna support structures that are contrary to this section must be requested as a land use contrary to zoning through the special review process or may be submitted to the board of adjustment for a hearing, whichever is the preference of the owner/agency.

6. *Commercial antenna support structures and antennas located in commercial zoning districts.*

(a) *Minor modifications.* Antennas co-located on existing stealth communication facilities or existing antenna support structures which have previously received all required approvals and permits shall be permitted as an allowed use in all commercial zones.

(b) New support structures and major modifications shall be considered as follows:

(1) Stealth communication facilities shall be permitted as an allowed use in all commercial zoning districts.

(2) Antenna support structures shall be permitted as an allowed use in all commercial and mixed-use zoning districts when located on school, government-owned utility, and other government sites. Proposed antennas or antenna support structures that are contrary to this section must be requested through the special review process.

(3) Antenna support structures and antennas located in NO, NC, and DX that do not meet the requirements of subsection 6(b)(1) or 6(b)(2) shall be required to obtain special review approval. Wireless communication facility tower farms are not allowed in these zoning districts.

(4) Antenna support structures and antennas located in CMU1, CMU2, CX, I1, EBURD, CBD, and P zoning districts shall be permitted as an allowed use provided that the towers meet the requirements subsection 6(b)(1) or 6(b)(2) or the following:

(i) Roof-mounted antenna that do not add more than twenty (20) feet to the total height of the building on which it is mounted shall be permitted as an allowed use. See additional requirements for roof-mounted antenna in subsection 4(j)(2).

(ii) Antenna support structures fifty (50) feet in height or less shall be permitted as an allowed use.

(iii) Antenna support structures that are greater than fifty (50) feet in height shall be required to obtain special review approval.

(iv) Wireless communication facility tower farms are permitted with special review approval, except in the CBD and P3 zoning districts.

(5) All antenna support structures located in I2 shall be permitted as an allowed use, including tower farms.

7. *Antenna support structures located in parks.* The presence of certain wireless communication facilities may conflict with the purpose of some city owned parks. Wireless communication facilities will be considered only following a recommendation by the city planning division; the city parks, recreation, and cemetery advisory board, and approved by the city council. Factors that will be considered include:

(a) Public parks of a sufficient scale and character that are adjacent to an existing commercial or industrial use;

(b) Commercial recreation areas and major playfields; and,

(c) Park maintenance facilities.

8. *Small cell WCF.* The following standards apply in those zones where small cell telecommunications facilities are allowed as a permitted use:

(a) An antenna may be installed on existing exterior support structures, but the installation of taller poles or new overhead wiring to accommodate the antennas will not be permitted without a special review approval.

(1) An antenna may be installed at least twenty (20) feet from the ground in a residential zone or on an existing residential support structure or support structure on privately owned land, or fifteen (15) feet from the ground in a commercial or mixed-use zone or on an existing commercial structure or support structure on privately owned land.

(2) An antenna may be mounted on the wall of a building facing the rear lot line at a height of at least twenty (20) feet in a residential zone or when mounted on a residential building, or fifteen (15) feet in a commercial or mixed-use zone or when mounted to a commercial building.

(b) An antenna must not be installed on or within sixty (60) feet of a single-family or two-family dwelling unit and must not be installed on the front façade of any residence.

(c) Cable connecting the antennas to the equipment box shall be contained inside the pole or support structure or shall be flush mounted and covered with a metal, plastic or similar material cap matching the color of the pole or structure on which it is installed, properly secured and maintained by the applicant.

(d) Related unstaffed equipment cabinets may be located within a building, an equipment cabinet outside a building, an equipment cabinet on a rooftop, or an equipment room within a building.

(1) Such related equipment shall have a maximum square footage of ten (10) square feet with a maximum height of two (2) feet and must be so located and installed in accordance with the applicable setback and other requirements of the zone in which the property is classified.

(2) A related unstaffed equipment cabinet may be installed on a rooftop of a building on privately owned land which is at least fifteen (15) feet in height, provided it and all other roof structures do not occupy more than twenty-five (25) percent of the roof area.

(e) The applicant shall provide proof that it is a licensed provider and will comply with all applicable federal, state and city laws and regulations, including those regarding wireless communications services.

(f) An antenna and equipment box must be installed as a stealth telecommunications facilities on a property within a historic district or that has been designated by the city as a historic resource, and the historic district commission must review such an application.

(g) Public property. A private small cell telecommunications antenna may be located on the exterior of public property or attached to an existing support structure owned or operated by the city and shall be a permitted use in all zones.

(h) All such small cell telecommunications antennas shall be located and designed so as to minimize visual impact on surrounding properties and from public streets.

(i) No signs are permitted in connection with any small cell telecommunications antenna.

(j) No lights are permitted on any monopole or antenna unless required by the FCC, the FAA, or the city.

(k) No more than one building, pole or other support structure containing a small cell telecommunications facility or co-located facility is permitted on a lot or parcel of land, or for parcels larger than a half-acre, per half-acre of land.

9. *Nonconforming wireless communication facilities.* Antenna support structures and/or facilities in existence on the date of the adoption of these regulations, that do not comply with the requirements of these regulations, (nonconforming antenna support structures) are subject to the following provisions:

(a) Nonconforming antenna support structures may continue their present use but may not be expanded or increased in height without complying with these regulations, except as further provided in this section.

(b) Nonconforming antenna support structures which are hereafter damaged and destroyed, by less than fifty (50) percent of its replacement value, due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to obtaining a building permit and other necessary approvals, but without otherwise complying with these regulations. If an antenna support structure is destroyed or damaged by more than fifty (50) percent of its replacement the antenna support structure must be brought into compliance with these regulations.

(c) The owner of any nonconforming antenna support structure may make minor modifications in order to improve the structural integrity of the facility, to allow the facility to accommodate co-located antennas or facilities, or to upgrade the facilities to current engineering, technological or communications standards, without having to conform to the provisions of these regulations.

10. *Abandonment.* Wireless communications facilities will be considered abandoned if they are unused by all providers at the facility for a period of six (6) months. Determination of abandonment shall be made by the planning division, which shall have the right to request documentation from the facility owner regarding support or antenna usage. Upon abandonment, the facility owner shall have ninety (90) days to:

(a) Re-use the facility, or transfer the facility to another owner who will re-use it; or

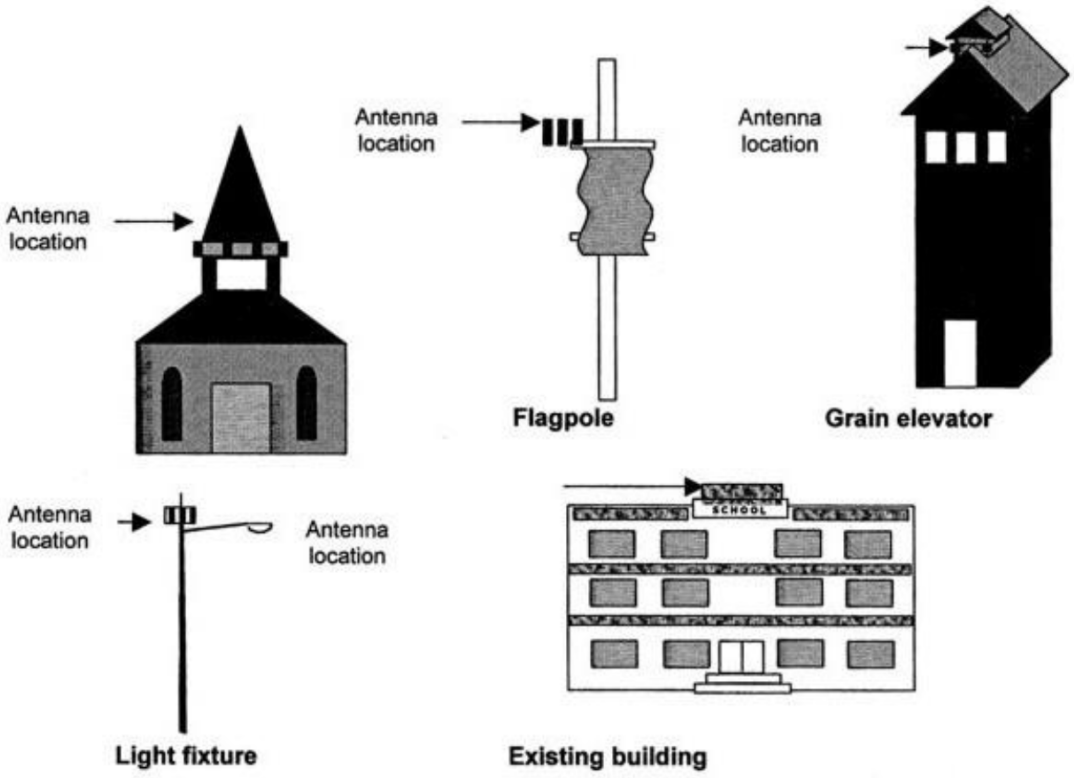
(b) Dismantle the facility. If the facility is not removed within ninety (90) days of abandonment, the city may remove the facility at the facility and/or property owner's expense. If the facility is removed, city approval of the facility expires.

(c) If the facility owner is unable to remove the facility within the ninety (90) days due to unusual circumstances, the planning division may grant the facility owner an additional ninety (90) days in which to comply with the requirements of this section.

11. *Nuisances.* Wireless communication facilities, including, without limitation, power source, ventilation and cooling, shall be operated at all times within the city noise regulations, shall not be operated so as to cause the generation of heat that adversely affects a building occupant and shall not be maintained or operated in such a manner as to be a nuisance.

12. *Wireless communication facilities, illustrated examples.*

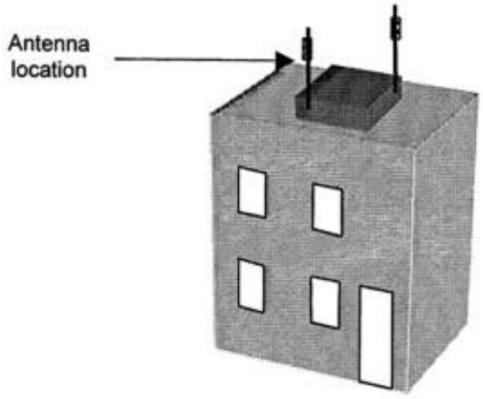
(a) *Stealth communication facilities.*



(b) *Antenna support structures.*



(c) *Roof-mounted antenna support structures and antennas.*



13. *Minor modification procedures.*

(a) Minor modifications to facilities permitted under these regulations shall be approved by the planning division so long as they comply with the original approved design.

(b) *Timeframe for review.* Subject to the tolling provisions of subsection (c) below, within sixty (60) days of the date on which an applicant submits an application seeking approval under this section, the city shall approve the application unless it determines that the application is not covered by this subsection, or otherwise in non-conformance with applicable codes.

(c) *Tolling of the timeframe for review.* The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement of the city and the applicant, or in cases where the zoning coordinator determines that the application is incomplete:

(1) To toll the timeframe for incompleteness, the city must provide written notice to the applicant within thirty (30) days of receipt of the application, specifically delineating all missing documents or information required in the application;

(2) The timeframe for review begins running again when the applicant makes a supplemental written submission in response to the city's notice of incompleteness;

(3) Following a supplemental submission, the city will notify the applicant within ten (10) days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in subsection 14.(c)(1). In the case of a second or subsequent notice of incompleteness, the city may not specify missing information or documents that were not delineated in the original notice of incompleteness;

(4) *Failure to act.* In the event the city fails to act on a request for minor modification, within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The request becomes effective when the applicant notifies the city in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted; and

(5) *Interaction with Telecommunications Act Section 332(c)(7).* If the city determines that the applicant's request is not a request for minor modification, the presumptively reasonable timeframe under section 332(c)(7), as prescribed by the FCC's Shot Clock order, will begin to run from the issuance of the city's decision that the application is not a request for minor modification. To the extent such information is necessary, the city may request additional information from the applicant to evaluate the application under section 332(c)(7) reviews.

(d) In the event that after submittal of the application, or as a result of any subsequent submittals, applicant modifies the proposed facilities modification described in the initial application, the application as modified will be considered a new application subject to commencement of a new application review period; provided that, applicant and the approval authority may, in the alternative, enter into a mutually agreeable tolling agreement allowing the city to request additional submittals and additional time that may be reasonably necessary for review of the modified application.

(e) *Decision.* The approval authority shall review a minor modification application to determine if the proposed facilities modification is subject to this section, and if so, if the proposed facilities modification will result in a substantial change to the physical dimensions of an eligible support structure.

(1) Within sixty (60) days of the date on which the city receives a minor modification application, less any time period that may be excluded under the tolling provisions of this section or a tolling agreement between the applicant and the approval authority, the approval authority shall approve the application and contemporaneously issue a minor modification permit unless the approval authority determines that the application is not subject to this section, or the proposed facilities modification will substantially change the physical dimension of an eligible support structure.

(2) *Denial.* A minor modification application shall be denied upon determination by the approval authority that the proposed facilities modification is not subject to this section or will substantially change the physical dimensions of an eligible support structure. A proposed facilities modification will substantially change the physical dimensions of an eligible support structure if it meets any of the substantial change criteria. A denial of a minor modification application shall set forth in writing the reasons for the denial and shall be provided to the applicant.

(3) *Deemed approved application.* An application that has been deemed approved shall be and constitute the equivalent of a minor modification permit, except as may be otherwise determined by a court of competent jurisdiction, and shall be subject to generally applicable enforcement and compliance requirements in the same manner as a minor modification permit issued pursuant to this section.

(f) *Term of minor modification permit.* A minor modification permit issued pursuant to this section, and any deemed approve application, shall be valid for a term of one hundred eighty (180) days from the date of issuance, or the date the application is deemed approved.

14. *New support structure and major modification procedures.* Applications for new support structures and major modifications to existing antenna support structures permitted under these regulations shall be approved through a special review. Major modifications are any modifications that exceed the definition of minor modifications and constitute a substantial change per subsection 27-1007.C.3.

City Council Regular

Date:	04/24/2023
Title:	Public Hearing and Resolution for Annexation 23-01
Presented by:	Hunter Kelly, Planner 1
Department:	Planning & Community Services
Presentation:	Yes
Legal Review	Not Applicable

RECOMMENDATION

Staff recommends the City Council hold a public hearing on the annexation. Upon completion of the hearing, staff recommends the City annex the petitioned property with the staff recommended conditions of approval.

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

Sanderson Stewart behalf of McCall Development submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located East of East Lane and South of Elysian Road. The land being annexed is described as Tracts of Land situated in the NW 1/4 of Section 19, T.1S., R.26E, P.M.M., Yellowstone County, Montana, said tracts being a portion of Tract 2 of Certificate of Survey No. 3592, recorded July 2nd, 2015, under Document No. 3745237 and a portion of Tract 2A-1 of Amended Tract 2A of Amended Tract 2, Certificate of Survey No. 3594, recorded March 2nd, 2022, under Document No. 4009586 on file and of record in the office of the Yellowstone County Clerk and Recorder, more particularly described as follows:
Beginning at the northwest corner of Lot 5, Block 24 of Annafeld Subdivision, Fourth Filing, recorded May 25th, 2022, under Document No. 4018177 on file and of record in the office of the Yellowstone County Clerk and Recorder; Thence S 00°08'35" E along the line common to said Certificate of Survey No. 3594 and Annafeld Subdivision, Fourth Filing a distance of 709.30 feet; Thence N 89°57'58" W for a distance of 185.93 feet; Thence N 00°02'02" E for a distance of 155.58 feet; Thence N 89°57'59" W for a distance of 184.98 feet; Thence N 00°02'02" E for a distance of 355.80 feet; Thence S 89°57'58" E for a distance of 76.01 feet; Thence N 00°02'02" E for a distance of 361.07 feet to a point on the line common to said Certificate of Survey No. 3594 and Certificate of Survey No. 3592; Thence N 00°09'54" W for a distance of 30.00 feet; Thence N 89°58'09" E for a distance of 282.65 feet to a point on the line common to said Certificate of Survey No. 3592 and Annafeld Subdivision, Fourth Filing; Thence along the west line of said Annafeld Subdivision, Fourth Filing, the following three courses and distances: S 00°09'54" E for a distance of 30.00 feet; N 89°58'09" E for a distance of 9.55 feet; S 00°08'35" E for a distance of 163.49 feet to said Point of Beginning.
Said annexation containing 6.307 gross and net acres, more or less.

The property is zoned Planned Development (PD). This is a zoning district recognized by the City. Property immediately adjacent to the subject property was previously annexed in order to build the Annafeld Subdivision.
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. This annexation is part of the 5th Filing of the Annafeld subdivision. This subdivision will have Subdivision Improvement Agreement approved by City Council within 45 working days of annexation approval.
3. Existing or proposed public improvements within the area to be annexed will meet City standards. The Subdivision Improvement Agreement, which is a condition of approval, will outline public improvements required of the developer as part of developing the property. The only way this property could be developed in the city not according to adopted policies and regulations would require action from City Council or the Board of Adjustment to grant variances allowing deviations from adopted codes.
4. All property owners within the area to be annexed must sign a Waiver of Right to Protest future Special Improvement Districts. A standalone waiver is required as a condition of approval for this annexation. The waiver is good in perpetuity and is not subject to the 20-year limitation as identified in the Montana Subdivision and Platting Act.
5. If annexed, any proposed land use will comply with the zoning.
    1. A zone change is not required as part of this annexation. This parcel is zoned PD (Planned Development) which is recognized by the City.
6. Residential densities planned for development within the area to be annexed must meet an overall average

density of at least 4-7 dwelling units per acre. This area being annexed with be part of the Annafeld subdivision, 5th Filing. This filing of the subdivision is approximately 8 dwelling units per acre.

7. The proposed land use within the area to be annexed shall conform to the goals of the City of Billings Growth Policy. This parcel is most in line with the following:
    1. Strong Neighborhoods - Safe, accessible and comfortable places for people to walk and gather
    2. Housing choices for all ages and families
    3. Interconnected network of sidewalks and trails that are safe at all times

    A strong neighborhood is a place where we will be comfortable no matter our age, income or heritage and provides gathering spaces to encourage everyday interaction between residents.

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.

- Water and Sanitary Sewer: Public water and sanitary sewer service is available to the property proposed for annexation. Sanitary sewer service will be provided by connecting to the existing 8-inch gravity sewer main located in Rosemary Road, Eva Marie Lane, Norma Jean Lane, and Annafeld Parkway W. There is an existing 10-inch sewer main located in Centennial Farm Road, from St. George Boulevard to Annafeld Parkway E., and extends north in Annafeld Parkway E. to Farmstead Avenue. The subdivision water system will consist of new 12-inch water main in Norma Jean and in a portion of St. Peter Lane. 8-inch water mains will be installed in the remaining streets in Annafeld Subdivision, Fifth Filing. Future filings of the Annafeld Planned Development will provide the opportunity to make additional connections to the trunk main in Elysian Road providing water main looping.
- Storm water: Any development will be compliant with the adopted Stormwater Management Manual.
- Transportation: The Developer Tract will be accessed from Farmstead Avenue, Centennial Farm Road, Rosemary Road, Eva Marie Lane, Norma Jean Lane, and Annafeld Parkway West. The Public Right-of-way along East Lane will be dedicated to the City of Billings.
- Fire Stations: The Billings Fire Department currently serves the subject property through the Billings Urban Fire Service Area agreement. The Billings Fire Department will continue to serve the property upon annexation. As this and additional annexations are built out, additional fire department resources will be needed to meet and maintain our high level of service due to the increased call volume and burden on our department these annexations create. The nearest fire station is Station #5, located at 1623 East Lane, approximately 2.86 road miles or 7 minutes driving time to the subject property.
- Parks: No Parkland or Trails will be required as part of this annexation.
- School facilities: The School district did not raise any special requests or concerns during their review of this proposal. This is typical for commercial development such as this. Though this development will bring jobs to the vicinity it will not necessarily equate to new residences or students.

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.

- Transit: The annexed area is not directly serviced by a MET Route. The nearest route currently operates through the intersection of Elysian Road and Mullowney Lane. This intersection is approximately 1.12 miles from the proposed annexation location via roadway.
- Police: This proposed development is adjacent to established city limits and will not require an adjustment in schedules or staffing at this time. There is sufficient ingress/egress to the area. Despite recent passage of a safety levy, continued annexation and development will affect our ability to deliver service without commensurate resources.
- Public Utilities: The Public Works-- Distribution and Collection Division had no concerns with the annexation request.
- Public Works -Street and Traffic Division: The Street and Traffic Division stated that it has no concerns with serving the property.
- 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.
- 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. Depending on factors at any given time such as traffic and congestion, this property may be within the area of acceptable response time.
- Legal and Finance: General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation.

- 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 it is consistent with the Limits of Annexation map and the criteria of the annexation policy has been met. Further, coordination with other departments does not raise concerns that cannot be mitigated. These decisions have a cumulative affect, therefore, City Council is being provided with a recommendation of approval.

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 the property and was advertised in the Yellowstone County News.

ALTERNATIVES

The City Council may

- Approve,
- Conditionally 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. On March 1, 2023, the annexation petition was submitted to the Planning Division by the owner's agent. On April 24, 2023 the City Council is scheduled to take action on the petition.

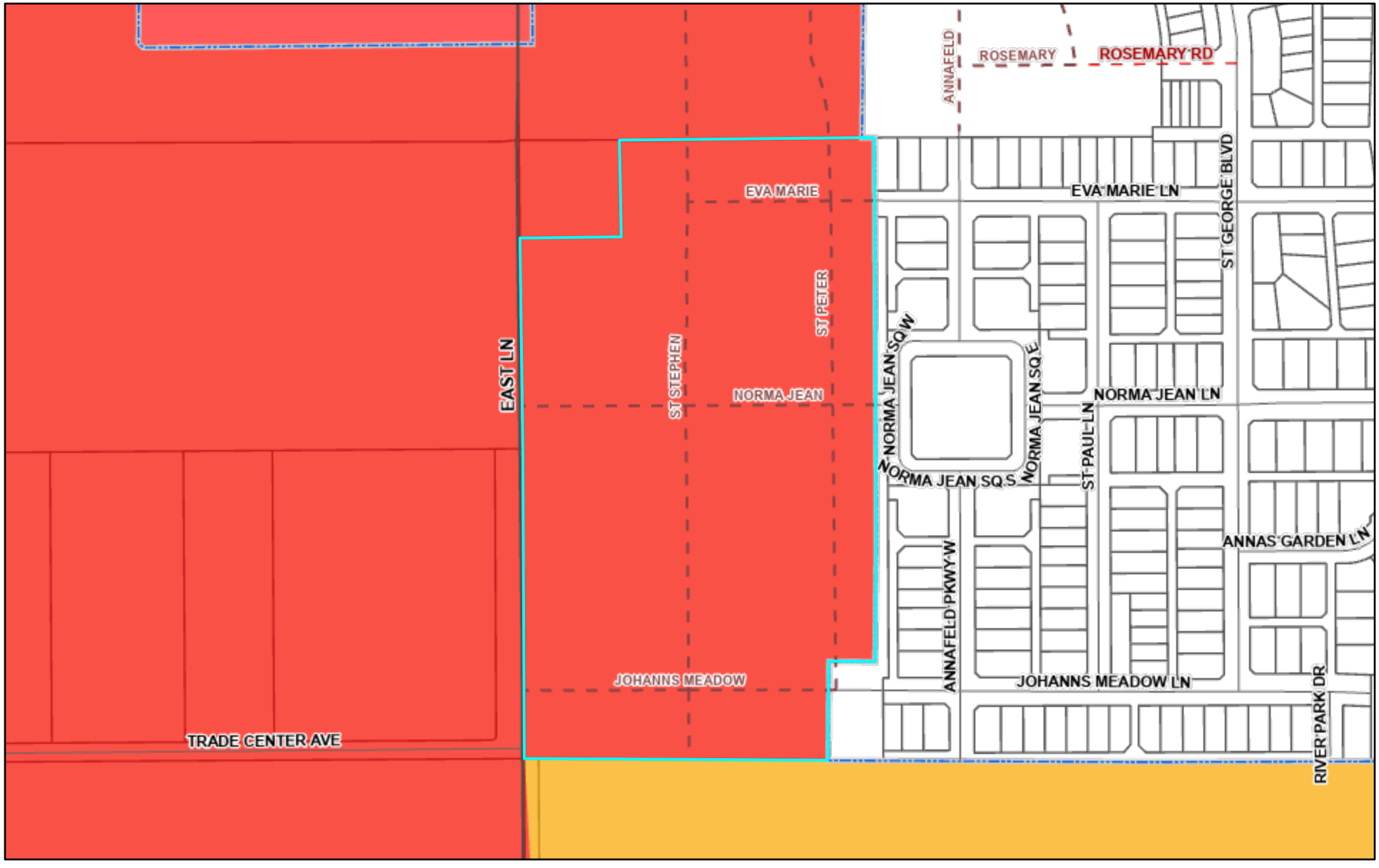
FISCAL EFFECTS

This application has no impact on the Planning Division Budget.

Attachments

Limits of Annexation Map
Annexation Resolution

Limits of Annexation



RESOLUTION NO. 23 -

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 NW 1/4 of Section 19, T.1S., R.26E, P.M.M., Yellowstone County, Montana, said tracts being a portion of Tract 2 of Certificate of Survey No. 3592, recorded July 2nd, 2015, under Document No. 3745237 and a portion of Tract 2A-1 of Amended Tract 2A of Amended Tract 2, Certificate of Survey No. 3594, recorded March 2nd, 2022, under Document No. 4009586 on file and of record in the office of the Yellowstone County Clerk and Recorder, more particularly described as follows:
Beginning at the northwest corner of Lot 5, Block 24 of Annafeld Subdivision, Fourth Filing, recorded May 25th, 2022, under Document No. 4018177 on file and of record in the office of the Yellowstone County Clerk and Recorder; Thence S 00°08’35” E along the line common to said Certificate of Survey No. 3594 and Annafeld Subdivision, Fourth Filing a distance of 709.30 feet; Thence N 89°57’58” W for a distance of 185.93 feet; Thence N 00°02’02” E for a distance of 155.58 feet; Thence N 89°57’59” W for a distance of 184.98 feet; Thence N 00°02’02” E for a distance of 355.80 feet; Thence S 89°57’58” E for a distance of 76.01 feet; Thence N 00°02’02” E for a distance of 361.07 feet to a point on the line common to said Certificate of Survey No. 3594 and Certificate of Survey No. 3592; Thence N 00°09’54” W for a distance of 30.00 feet; Thence N 89°58’09” E for a distance of 282.65 feet to a point on the line common to said Certificate of Survey No. 3592 and Annafeld Subdivision, Fourth Filing; Thence along the west line of said Annafeld Subdivision, Fourth Filing, the following three courses and distances: S 00°09’54” E for a distance of 30.00 feet; N 89°58’09” E for a

distance of 9.55 feet; S 00°08’35” E for a distance of 163.49 feet to said Point of Beginning.
Said annexation containing 6.307 gross and net acres, more or less.

(# 23-01) See Exhibit “A” Attached

2. CONDITIONS. The annexation is approved, subject to the following conditions:

- Within 45 working days and prior to site development, a Subdivision Improvement Agreement shall be approved as part of a Preliminary Plat approval for Annafeld Subdivision, 5th Filing.

- Within 14 working days, a standalone Waiver of Right to Protest, granted in perpetuity, shall be signed by the developer and filed with the Yellowstone County Clerk and Recorder upon the City’s approval of the annexation.

If the above conditions are not satisfied as set forth herein, the annexation will not be effective and any subsequent requests for annexation of the property legally described within this resolution shall be processed as a new petition for annexation.

3. EFFECTIVE DATE. This resolution to annex the above-described territory shall be effective immediately upon satisfaction of all conditions. If the above condition(s) are not satisfied, this resolution shall be null and void and shall have no effect.

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 24th day of April, 2023.

CITY OF BILLINGS:

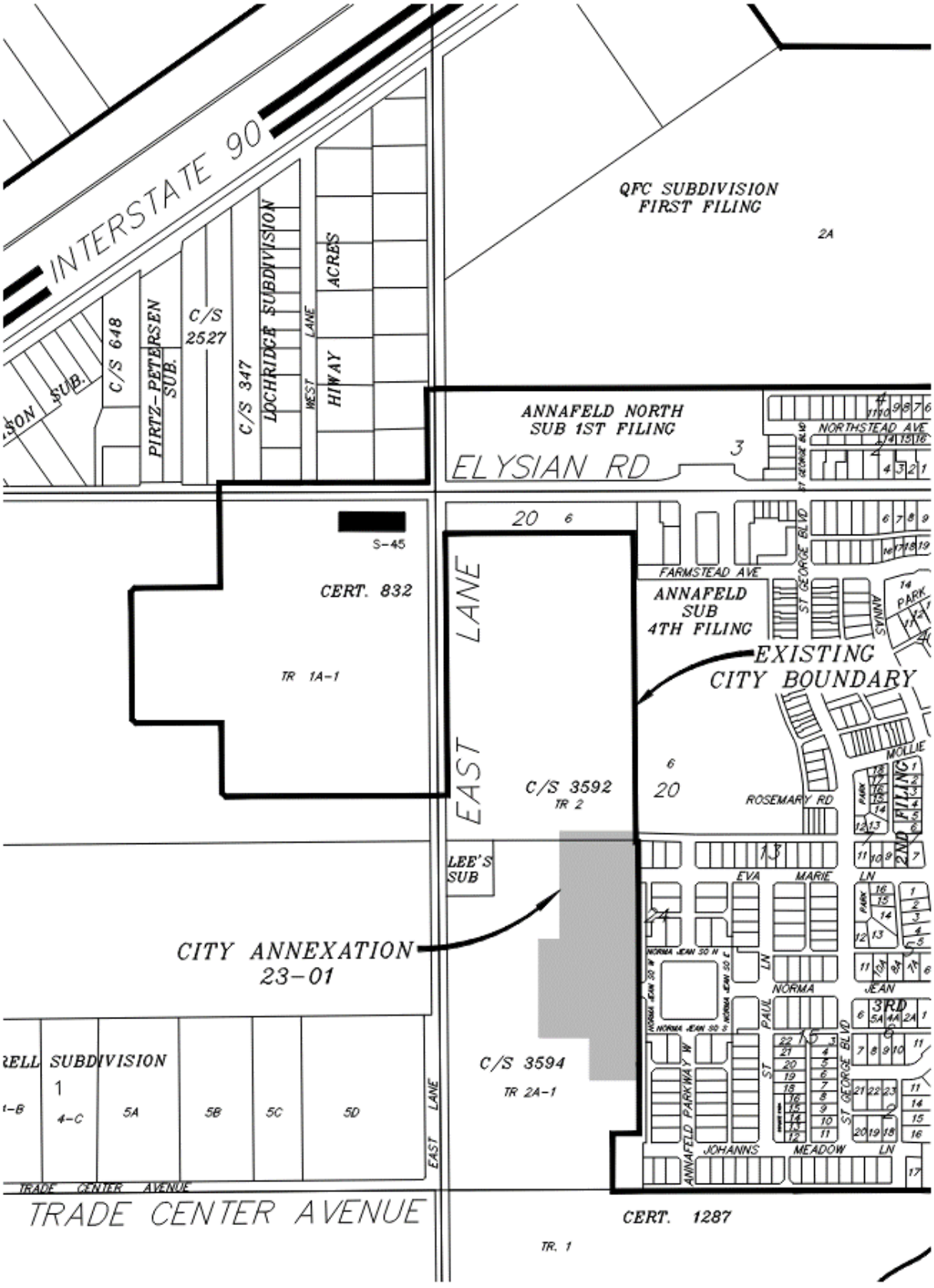
BY: _____

William A. Cole, Mayor

ATTEST:

BY: _____
Denise R. Bohlman, City Clerk
(# 23-01)

EXHIBIT "A"


INTERSTATE 90
QFC SUBDIVISION
FIRST FILING
2A
C/S 648
PIRTZ-PETERSEN SUB.
C/S 2527
C/S 347
LOCHRIDGE SUBDIVISION
ACRES
WEST LANE
HIWAY
ANNAFELD NORTH
SUB 1ST FILING
ELYSIAN RD
3
NORTHSTEAD AVE
ST GEORGE BLVD
S-45
CERT. 832
TR 1A-1
20
6
EAST LANE
FARMSTEAD AVE
ANNAFELD
SUB
4TH FILING
EXISTING
CITY BOUNDARY
C/S 3592
TR 2
ROSEMARY RD
MOLLIE
2ND FILING
LEE'S SUB
CITY ANNEXATION
23-01
EVA
MARIE
LN
NORMA JEAN
3RD
PAUL
ST GEORGE BLVD
C/S 3594
TR 2A-1
ANNAFELD PARKWAY W
JOHANNS
MEADOW
LN
TRADE CENTER AVENUE
CERT. 1287
TR. 1

City Council Regular

Date:	04/24/2023
Title:	Public Hearing - Ward Boundary Expansion Ordinance First Reading - Annexation 23-01
Presented by:	Hunter Kelly, Planner 1
Department:	Planning & Community Services
Presentation:	No
Legal Review	Not Applicable

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)

Sanderson Stewart behalf of McCall Development submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located East of East Lane and South of Elysian Road. The land being annexed is described as being Tracts of Land situated in the NW 1/4 of Section 19, T.1S., R.26E, P.M.M., Yellowstone County, Montana, said tracts being a portion of Tract 2 of Certificate of Survey No. 3592, recorded July 2nd, 2015, under Document No. 3745237 and a portion of Tract 2A-1 of Amended Tract 2A of Amended Tract 2, Certificate of Survey No. 3594, recorded March 2nd, 2022, under Document No. 4009586 on file and of record in the office of the Yellowstone County Clerk and Recorder, more particularly described as follows:

Beginning at the northwest corner of Lot 5, Block 24 of Annafeld Subdivision, Fourth Filing, recorded May 25th, 2022, under Document No. 4018177 on file and of record in the office of the Yellowstone County Clerk and Recorder; Thence S 00°08'35" E along the line common to said Certificate of Survey No. 3594 and Annafeld Subdivision, Fourth Filing a distance of 709.30 feet; Thence N 89°57'58" W for a distance of 185.93 feet; Thence N 00°02'02" E for a distance of 155.58 feet; Thence N 89°57'59" W for a distance of 184.98 feet; Thence N 00°02'02" E for a distance of 355.80 feet; Thence S 89°57'58" E for a distance of 76.01 feet; Thence N 00°02'02" E for a distance of 361.07 feet to a point on the line common to said Certificate of Survey No. 3594 and Certificate of Survey No. 3592; Thence N 00°09'54" W for a distance of 30.00 feet; Thence N 89°58'09" E for a distance of 282.65 feet to a point on the line common to said Certificate of Survey No. 3592 and Annafeld Subdivision, Fourth Filing; Thence along the west line of said Annafeld Subdivision, Fourth Filing, the following three courses and distances: S 00°09'54" E for a distance of 30.00 feet; N 89°58'09" E for a distance of 9.55 feet; S 00°08'35" E for a distance of 163.49 feet to said Point of Beginning. Said annexation containing 6.307 gross and net 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 and public hearing is scheduled for April 24, 2023. Upon approval the second reading will occur on May 8, 2023.

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 application has no impact on the Planning Division Budget.

Attachments

Ward Boundary Ordinance

ORDINANCE NO. 23-_____

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 3 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 NW 1/4 of Section 19, T.1S., R.26E, P.M.M., Yellowstone County, Montana, said tracts being a portion of Tract 2 of Certificate of Survey No. 3592, recorded July 2nd, 2015, under Document No. 3745237 and a portion of Tract 2A-1 of Amended Tract 2A of Amended Tract 2, Certificate of Survey No. 3594, recorded March 2nd, 2022, under Document No. 4009586 on file and of record in the office of the Yellowstone County Clerk and Recorder, more particularly described as follows:
Beginning at the northwest corner of Lot 5, Block 24 of Annafeld Subdivision, Fourth Filing, recorded May 25th, 2022, under Document No. 4018177 on file and of record in the office of the Yellowstone County Clerk and Recorder; Thence S 00°08'35" E along the line common to said Certificate of Survey No. 3594 and Annafeld Subdivision, Fourth Filing a distance of 709.30 feet; Thence N 89°57'58" W for a distance of 185.93 feet; Thence N 00°02'02" E for a distance of 155.58 feet; Thence N 89°57'59" W for a distance of 184.98 feet; Thence N 00°02'02" E for a distance of 355.80 feet; Thence S 89°57'58" E for a distance of 76.01 feet; Thence N 00°02'02" E for a distance of 361.07 feet to a point on the line common to said Certificate of Survey No. 3594 and Certificate of Survey No. 3592; Thence N 00°09'54" W for a distance of 30.00 feet; Thence N 89°58'09" E for a distance of 282.65 feet to a point on the line common to said Certificate of Survey No. 3592 and Annafeld Subdivision, Fourth Filing; Thence along the west line of said Annafeld Subdivision, Fourth Filing, the following three courses and distances: S 00°09'54" E for a distance of 30.00 feet; N 89°58'09" E for a distance of 9.55 feet; S 00°08'35" E for a distance of 163.49 feet to said Point of Beginning.

Said annexation containing 6.307 gross and net acres, more or less.

(# 23-01) See Exhibit "A" Attached

2. EFFECTIVE DATE. This ordinance shall be effective either thirty (30) days after second reading and final adoption as provided by law, or upon the effective date of Resolution No. 23-_____ approving the annexation of the above territory, whichever date is later.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

4. 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.

PASSED by the City Council on the first reading this 24th day of April, 2023.

PASSED by the City Council on the second reading this 8th day of May, 2023.

THE CITY OF BILLINGS:

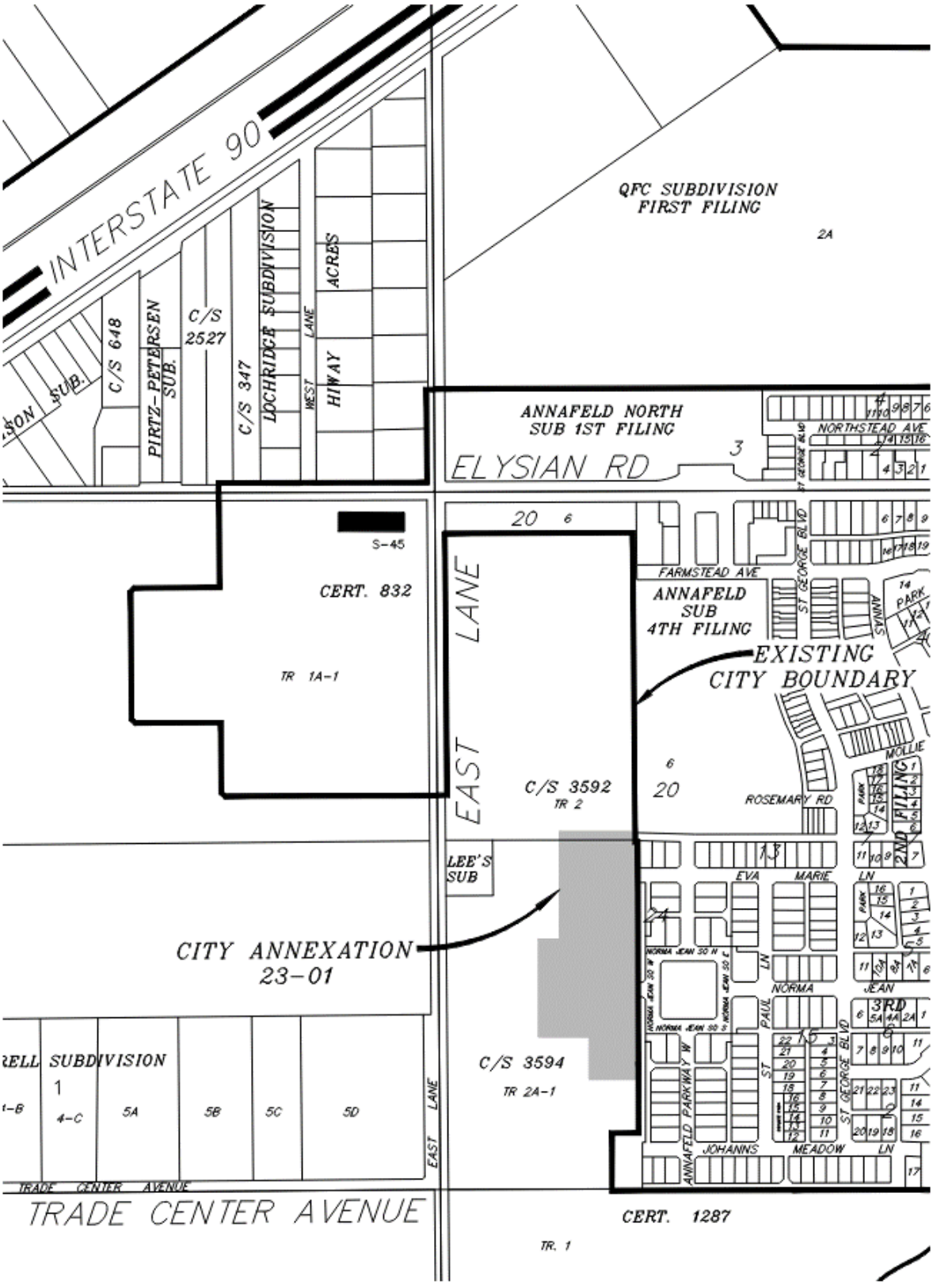
_____
William A. Cole, MAYOR

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BY: _____
Denise Bohlman, CITY CLERK

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