

## **RESOLUTION 26-\_\_\_\_\_**

### **A RESOLUTION CONSOLIDATING THE URBAN RENEWAL DISTRICT ADVISORY COMMITTEES INTO A SINGLE BILLINGS URBAN RENEWAL DISTRICT ADVISORY COMMITTEE, AND RESCINDING RESOLUTIONS 25-11291, 25-11292, AND 25-11293**

**WHEREAS**, City Council has adopted urban renewal plans creating three urban renewal districts that include a tax increment financing provision: the Extended North 27th Street Urban Renewal District (“DOWNTOWN District”), created by Ordinance No. 08-5483 on December 8, 2008; the East Billings Urban Renewal District (“EBURD”), modified by Ordinance No. 15-5652 on April 13, 2015; and the South Billings Boulevard Urban Renewal District (“SBBURD”), expanded by Ordinance No. 21-5765 on July 26, 2021, and expanded by Ordinance 25-5922 on November 10, 2025 (collectively, the “Districts”).

**WHEREAS**, the 2025 Montana legislature passed Senate Bill 3 (“SB3”), requiring any urban renewal district that uses tax increment financing to create an advisory committee to advise the local government about the administration of the urban renewal area, and requiring that the committee include at least one representative from each incorporated city or town, county, or school district with boundaries that overlap the urban renewal district.

**WHEREAS**, on August 25, 2025, in response to SB3, City Council adopted Resolution 25-11293 creating the Extended North 27th Street Urban Renewal District Advisory Committee, Resolution 25-11291 creating the East Billings Urban Renewal District Advisory Committee, and Resolution 25-11292 creating the South Billings Boulevard Urban Renewal District Advisory Committee (collectively, the “Prior Resolutions”), each establishing a separate advisory committee for its respective District.

**WHEREAS**, City Council has determined that consolidating the three advisory committees into a single Billings Urban Renewal Districts Advisory Committee will promote efficient administration and coordinated oversight of the Districts, while continuing to satisfy the requirements of SB3 as to each District individually.

**WHEREAS**, Billings, Montana City Code (BMCC) Section 2-501 provides, “[a]ll boards, committees or commissions shall be governed by this article except as otherwise provided by Charter, this Code, statute or interlocal agreement.”

**WHEREAS**, the advisory committee required by SB3 is a permanent advisory committee that is required by state law. Sec. 2-501, BMCC.

**WHEREAS**, BMCC Article 2-500 sets forth the qualifications, process for appointment, terms of office, rules of procedure for meetings, powers, and supervision of advisory boards except as otherwise provided in state law. Sec. 2-501, BMCC.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, THAT RESOLUTIONS 25-11291, 25-11292, AND 25-11293 ARE RESCINDED AND THE BILLINGS URBAN RENEWAL DISTRICTS ADVISORY COMMITTEE IS CREATED AS FOLLOWS.**

**Section 1.** Transition Period; Continued Operation of Prior Committees. Until the Transition Date, the advisory committees established under Resolution 25-11291 (East Billings Urban Renewal District Advisory Committee), Resolution 25-11292 (South Billings Boulevard Urban Renewal District Advisory Committee), and Resolution 25-11293 (Extended North 27th Street Urban Renewal District Advisory Committee) shall continue to meet, act, and exercise all advisory functions granted to them under the applicable Prior Resolution, and the members serving on those committees shall continue to hold their respective seats and terms as though the Prior Resolutions remained in full force and effect.

“Transition Date” means the date on which all eleven (11) members of the Advisory Committee identified in Section 4 below have been appointed by the Mayor and confirmed by City Council, and the Advisory Committee has held its first organizational meeting. The City Administrator shall promptly notify City Council and the chair of each committee formed under the Prior Resolutions, in writing, upon the occurrence of the Transition Date.

**Section 2.** Rescission. Effective as of the Transition Date, Resolution 25-11291, Resolution 25-11292, and Resolution 25-11293 are rescinded in their entirety, and the advisory committees established under those resolutions are dissolved.

**Section 3.** A single advisory committee, to be known as the “Billings Urban Renewal Districts Advisory Committee” (“BURD/Advisory Committee”), is hereby created to advise City Council regarding the administration of the DOWNTOWN, EBURD, and SBBURD. Members of the Advisory Committee will be appointed by the Mayor and confirmed by City Council. The Mayor shall promptly begin the appointment process to minimize the transition period described in Section 1. The Advisory Committee shall not exercise the advisory functions described in Section 8 below until the Transition Date; until that date, those functions continue to be performed by the committees described in Section 1.

**Section 4.** The Advisory Committee shall be comprised of eleven (11) voting members qualified as set forth in Sec. 2-501.1, BMCC, and shall be comprised as follows:

- a. One (1) representative from the City of Billings.
- b. One (1) representative from Yellowstone County.
- c. One (1) representative from School District 2.
- d. One (1) representative from Elysian School District 23.
- e. One (1) representative of Big Sky Economic Development Authority.
- f. Two (2) at-large members who own, operate, or represent a business, property, or organization in the DOWNTOWN District or who otherwise have a significant vested interest or presence in the DOWNTOWN District.

- g. Two (2) at-large members who own, operate, or represent a business, property, or organization in the EBURD or who otherwise have a significant vested interest or presence in the EBURD.
- h. Two (2) at-large members who own, operate, or represent a business, property, or organization in the SBBURD or who otherwise have a significant vested interest or presence in the SBBURD.

**Section 5.** New Appointments; Termination of Prior Appointments. Effective as of the Transition Date, all appointments made under the Prior Resolutions, and the terms associated with those appointments, terminate. The Mayor shall appoint, subject to confirmation by City Council, all members of the Advisory Committee identified in Section 4 above. An individual who served under a Prior Resolution is eligible for appointment to the Advisory Committee but does not carry over any prior term, seniority, or holdover status; each appointment made under this Resolution is a new appointment governed by Section 6 below.

**Section 6.** In accordance with Sec. 2-505, BMCC, the terms will run on a calendar year basis, except each board member shall serve an inaugural term from the date of appointment by City Council to December 31, 2026. If a board member's term expires before his or her replacement has been appointed, he or she shall holdover until the position has been filled. All appointees after the initial appointments described in the following paragraph shall be appointed for four (4) year terms. The remainder of Sec. 2-505, BMCC, is superseded by state law and terms will not be limited. A vacancy occurring during a term will be filled for the unexpired term in the same manner as other vacancies.

Beginning January 1, 2027, terms of appointees shall initially be staggered as follows, and subsequent appointees shall have terms of four (4) years thereafter:

- a. The City of Billings representative shall have an initial term of three (3) years.
- b. The Yellowstone County representative shall have an initial term of four (4) years.
- c. The School District 2 representative shall have an initial term of four (4) years.
- d. The Elysian School District 23 representative shall have an initial term of three (3) years.
- e. The Big Sky Economic Development Authority representative shall have an initial term of three (3) years.
- f. Of the two (2) at-large members representing the DOWNTOWN District, one shall have an initial term of three (3) years and one shall have an initial term of four (4) years.
- g. Of the two (2) at-large members representing the EBURD, one shall have an initial term of three (3) years and one shall have an initial term of four (4) years.

- h. Of the two (2) at-large members representing the SBBURD, one shall have an initial term of three (3) years and one shall have an initial term of four (4) years.

The length of each at-large member's initial term listed in subsections (f) through (h) shall be established at the first meeting of the Advisory Committee through a random process by having the affected members draw straws (or the equivalent) designating either a three-year or four-year term. All subsequent at-large members will be assigned four-year terms.

**Section 7.** The Advisory Committee shall, within three (3) months of the appointment of all members, adopt and follow the policies and procedures for advisory boards, commissions, and committees outlined in Article 2-500, Boards, Commissions and Committees, BMCC, and shall adopt meeting schedules and establish procedures for officers and their election, and other appropriate conditions for the conduct of its members.

**Section 8.** Beginning on the Transition Date, the Advisory Committee shall have no assigned powers and shall only serve in an advisory capacity to City Council. With respect to each District, considered individually, the Advisory Committee shall provide reports and recommendations to City Council related to the implementation of that District's urban renewal plan and administration of that District in the following areas:

- A. Annual reports, training, CIP review and budgets;
- B. Allocation of TIF funds for urban renewal projects;
- C. Amendments to the District's urban renewal plan;
- D. Other matters as directed by City Council related to the District.

Recommendations concerning a particular District's budget, TIF fund allocation, or urban renewal plan amendments pertain solely to that District's tax increment fund and do not affect, and shall not be commingled with, the tax increment funds of the other Districts.

**Section 9.** City Council has final expenditure approval of tax increment financing funds for each District, regardless of whether the Advisory Committee has recommended approval, disapproval, or even reviewed a potential project, cost, or expenditure.

**Section 10.** City staff shall be allocated to assist with coordination of meetings, objectives, and activities of the Advisory Committee, and the committees described in Section 1 during the transition period, as directed by the City Administrator.

**Section 11.** This Advisory Committee will be eliminated, and this Resolution will sunset following the expiration of the last of the Districts to have a tax increment financing provision in effect. If a District's tax increment financing provision expires while the other Districts' provisions remain in effect, the Advisory Committee will continue for the remaining District(s), and the two at-large seats under Section 4 associated solely with the expired District will be eliminated.

**Section 12.** This Resolution shall be effective upon adoption, except that the rescission of the Prior Resolutions under Section 2 and the termination of appointments under Section 5 shall not take effect until the Transition Date.

**APPROVED AND ADOPTED** by the Billings City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**CITY OF BILLINGS:**

By: \_\_\_\_\_  
Mike Nelson, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Denise R. Bohlman, City Clerk