

## CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution 24-11196, entitled: "RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1425; CREATING THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on **April 22, 2024**, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Councilmembers voted in favor thereof: Shaw, Gulick, Neese, Owen, Joy, Kennedy, Aspenlieder, Tidswell, Boyett and Rupsis; voted against the same: N/A; or were absent: N/A.

WITNESS my hand officially this 22<sup>nd</sup> day of April, 2024.



*Denise R. Bohlman*  
Denise R. Bohlman  
Billings City Clerk

## RESOLUTION 24-11196

RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. **1425**; CREATING THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND.

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

**Section 1. Passage of Resolution of Intention.** This Council, on **March 25, 2024**, adopted Resolution No. **24-11188** (the "Resolution of Intention"), pursuant to which this Council declared its intention to create a special improvement district, designated as Special Improvement District No. **1425** of the City, under Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, for the purpose of financing the costs of certain local improvements described generally therein (the "Improvements") and paying costs incidental thereto, including costs associated with the sale and the security of special improvement district bonds drawn on the District (the "Bonds"), the creating and administration of the District, the funding of a deposit to the City's Special Improvement District Revolving Fund (the "Revolving Fund").

**Section 2. Notice and Public Hearing.** Notice of passage of the Resolution of Intention was duly published and mailed in all respects in accordance with the law, and on **April 22, 2024**, this Council conducted a public hearing on the creation or extension of the District and the making of the Improvements. The meeting of this Council at which this resolution was adopted is the first regular meeting of the Council following the expiration of the period ended 15 days after the first date of publication of the notice of passage of the Resolution of Intention (the "Protest Period").

**Section 3. Protests.** Within the Protest Period, no protests were filed with the City Clerk and not withdrawn by the owners of property in the District subject to assessment for 100% of the total costs of the Improvements. **The protest represents 100% of the assessed cost.**

**Section 4. Creation of the District: Insufficiency of Protests.** The District is hereby created on the terms and conditions set forth in, and otherwise in accordance with, the Resolution of Intention. The protests against the creation or extension of the District or the making of the Improvements filed during the Protest Period, if any, are

hereby found to be insufficient. The findings and determinations made in the Resolution of Intention are hereby ratified and confirmed.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 22<sup>nd</sup> of April, 2024.



CITY OF BILLINGS

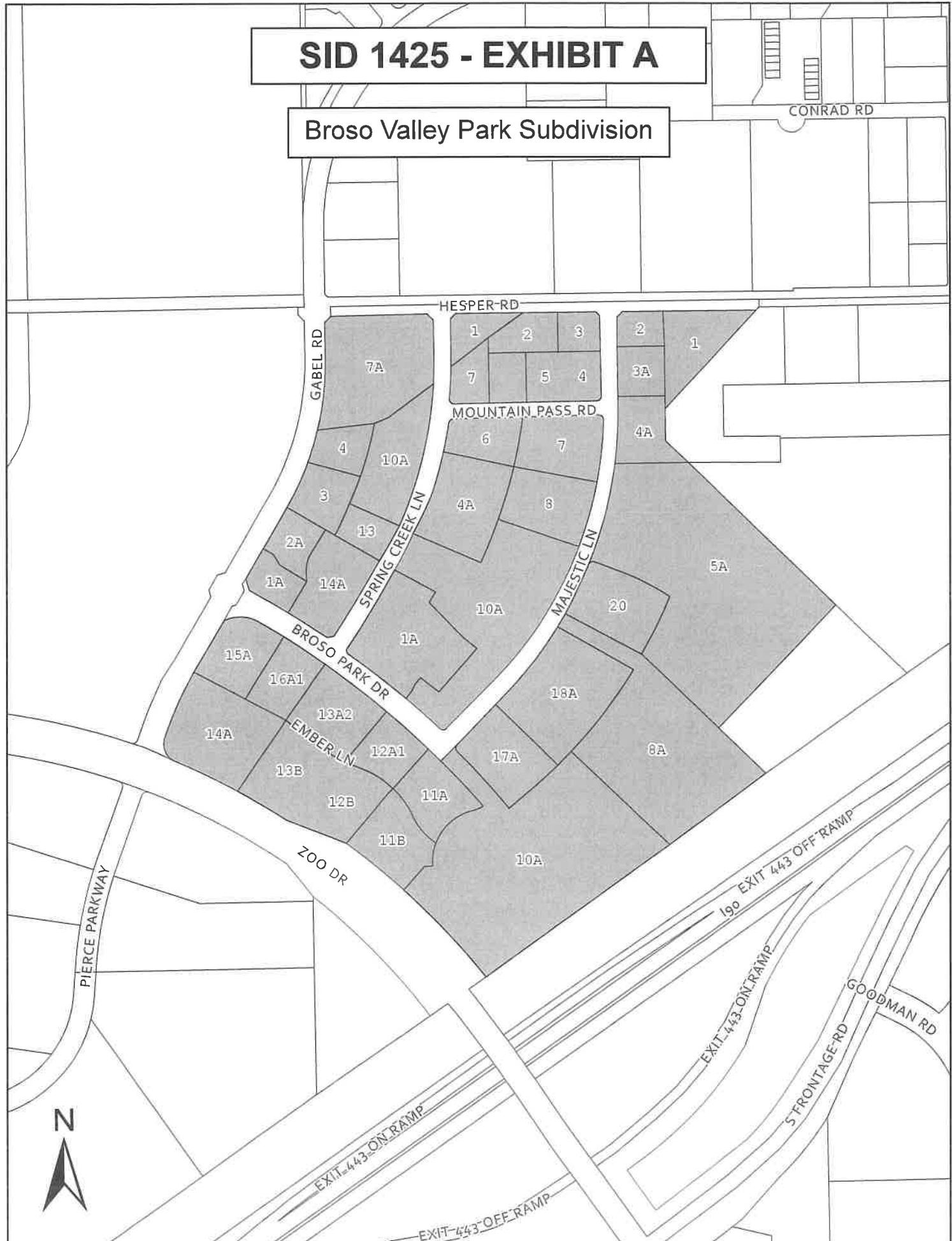
By: William A. Cole  
William A. Cole, Mayor

ATTEST:

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

# SID 1425 - EXHIBIT A

## Broso Valley Park Subdivision



## City Council Regular

**Date:** 04/22/2024  
**Title:** SID 1425, Broso Park and Gabel Traffic Signal Public Hearing and Resolution Creating District  
**Presented by:** Debi Meling  
**Department:** Public Works  
**Presentation:** Yes  
**Legal Review:** Yes  
**Project Number:** N/A

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### RECOMMENDATION

Staff recommends that Council conduct a public hearing and approve the resolution creating SID 1425 Broso Park and Gabel Traffic Signal.

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

With recent developments within Broso Valley Park Subdivision, a traffic signal at the intersection of Broso Park Drive and Gabel Road is warranted. The Subdivision Improvements Agreement for Broso Valley Park Subdivision states that the subdivision is responsible for one-half of the cost of construction of the traffic signal at Broso Valley Park Drive and Gabel Road. The remaining one-half of the cost of the signal will be completed through a cash contribution from the City, noting there is some additional cost borne by the City to reconstruct some previously constructed ADA ramps that do not meet current standards. When the property on the west side of Gabel Road develops in the future, the City will require the developer to reimburse the City for one-half of the cost of the traffic signal. This project is also widening about 800-feet of the west side of Gabel Road south of Broso Valley Park Drive to add a travel lane. The additional travel lane is being funded from a cash contribution recently collected from Costco for traffic impacts to the intersection of Zoo Drive and Gabel Road. Staff sent letters to property owners in January and March 2024 informing them of the project.

Prior to creation of the SID anticipated for this April 22 Council meeting, staff solicited bids in order to obtain accurate costs for the SID. The project was bid on February 20, 2024 with Montana Lines being the lowest responsible bidder. Actual bid costs were then used to determine the overall SID cost and proposed assessments.

The protest period ends on April 15, 2024, and protests will be presented at the City Council meeting.

### ALTERNATIVES

The Council may:

- Conduct a public hearing and approve the resolution creating SID 1425; or,
- After holding a public hearing, do not approve the resolution creating SID 1425. If not approved, the traffic signal will not be constructed by SID and would have to be constructed through other funding mechanisms.

### FISCAL EFFECTS

The total estimated costs of the improvements are \$730,379.70. The costs of the improvements are to be paid from the following sources: (1) \$289,000.00 of Special Improvement District bonds; (2) \$116,958.33 of cash contribution collected from Costco by the City; and (3) \$324,421.37 of cash contribution from the City of Billings from Gas Tax funds.

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### Attachments

SID 1425 Resolution Creating District  
Map of SID 1425

Res.24-11196

COUNCIL ACTION	Approved
11-0	
APR 22 2024	
db	
CITY CLERK	