RESOLUTION 25-11291

A RESOLUTION ESTABLISHING THE EAST BILLINGS URBAN RENEWAL DISTRICT ADVISORY COMMITTEE

WHEREAS, City Council adopted the modified East Billings Urban Renewal Plan ("Plan"), which governs the operation and administration of the East Billings Urban Renewal District ("District"), and modified the District by Ordinance No.15-5652 on April 13, 2015;

WHEREAS, the modified Plan for the District includes a tax increment financing provision;

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;

WHEREAS, SB3 requires that the committee must include at least one representative from each incorporated city or town, county, or school district with boundaries that overlap with the urban renewal district;

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 THE EAST BILLINGS URBAN RENEWAL DISTRICT ADVISORY COMMITTEE ("Advisory Committee") BE CREATED AS FOLLOWS.

Section 1. An Advisory Committee is hereby created whose members will be appointed by the Mayor and confirmed by the City Council.

Section 2. The Advisory Committee shall be comprised of nine (9) 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. Six (6) at-large members who own, operate, or represent a business, property, or organization in the District or who otherwise have a significant vested interest or presence in the District.

Section 3. 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 the city council to December 31, 2025. 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, 2026, terms of appointees shall initially be staggered as follows:

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. Three representatives listed under (d) of Section 2 shall have an initial term of three (3) years and three shall have an initial term of four (4) years.

The length of each member's initial term listed in subsections (d) shall be established at the first meeting of the committee through a random process by having the 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 4. The Advisory Committee shall, within three (3) months of 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 Committee, BMCC, and shall adopt bylaws providing for meeting schedules, officers and their election, and other appropriate conditions for the conduct of its members.

Section 5. The Advisory Committee shall have no assigned powers and shall only serve in an advisory capacity to the City Council. The Advisory Committee shall provide reports and recommendations to City Council related to the implementation of the urban renewal plan and administration of the District in the following areas:

A. Annual reports 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.

Section 6. City Council has final expenditure approval of tax increment financing funds, regardless of whether the Advisory Committee has recommended approval, disapproval, or even reviewed a potential project, cost, or expenditure.

Section 7. City staff shall be allocated to assist with coordination of meetings, objectives, and activities of the Advisory Committee as directed by the City Administrator.

Section 8. This Advisory Committee will be eliminated and this resolution will sunset following the expiration of the District having a tax increment financing provision.

Section 9. This resolution shall be effective upon adoption.

APPROVED AND ADOPTED by the Billings City Council on this 25th day of August, 2025.

CITY OF BILLINGS:

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

ATTEST:

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