

ORDINANCE NO. 98-5070

ORDINANCE RELATING TO THE MODIFICATION OF
THE BILLINGS, MONTANA DOWNTOWN
REDEVELOPMENT PLAN (THE URBAN RENEWAL
PLAN) TO APPROVE CERTAIN PROJECTS AS URBAN
RENEWAL PROJECTS

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

Section 1. Recitals. The City by Resolution No. 12303, adopted December 20, 1976, adopted the Billings, Montana, Downtown Redevelopment District Plan (the "Plan") as an urban renewal plan for the Downtown Redevelopment District (the "District") pursuant to Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act"), which Plan contained a provision for tax increment financing. Pursuant to the Act and the procedures contained in the Plan, as amended by Ordinance No. _____ and Resolution No. 98-17412, adopted September 28, 1998, the City has set forth its intention to fund, designate and approve the following urban renewal projects (the "Projects"), has given notice and conducted public hearings with respect thereto:

a. Lincoln Center Rehabilitation and Renovation Project. The Lincoln Center located at 415 North 30th Street was an Urban Renewal Project in 1987 and consisted of the renovation and rehabilitation of the Lincoln Junior High School building to provide an administrative facility for the Billings School District No. 2 in order to add a significant number of daytime employees working in the District. Additional work is now required to maintain the Lincoln Center and increase its use to the community. This project will include re-roofing the Lincoln Center, replacement of the boiler, refurbishing and equipping the auditorium for film, musical and assembly uses, refurbishing of the upper floors for additional office and functions use, adding a sound system to the Board Room, adding a security alarm system, installing a fiber optics telecommunications room, and replacing, improving and refurbishing of HVAC systems. The estimated cost of this project is \$1,300,000. The City may approve use of up to \$1,300,000, which will be paid over a two-year period from available tax increments for fiscal years 1997-98 and 1998-99.

b. Additional Parking for Lincoln Center Area. The Lincoln Center area has become a vital part of the District and additional parking in this area is necessary. This project will consist of acquiring land for and establishing additional off street parking either through surface lots or a parking structure to serve the Lincoln Center area of the Urban Renewal District. The estimated cost of this project is \$2,500,000. The City proposes to use tax

increment as it becomes available along with other available revenues as they become available over the next three to four fiscal years.

c. Rehabilitation of Municipal Parking Garages. The City has four municipal parking garages in the District as it becomes available have been financed with tax increment revenues or bond proceeds, parking revenues, special assessments or a contribution thereof and which have been critical to the viability of the District. This project will include improvements to the four garages consisting of but not limited to repairing concrete ramps, beams and columns, shotblasting, sealing and restriping ramps to meet ADA requirements, repairing expansion joints and masonry, resealing stairtowers, and installing new floor deflectors to improve roof drainage. The estimated cost of this project is \$1,000,000 and will be paid from available tax increments for fiscal years 1997-98 and 1998-99.

d. Contract with Downtown Billings Partnership. The City proposes to enter into a contract for services (the "Contract") with the Downtown Billings Partnership for a two year period pursuant to which the Partnership will provide administrative services with respect to implementation of the Urban Renewal Plan. The Contract will specify a plan of work that the City expects to be accomplished for \$114,098, payable in fiscal year 1998-99.

e. Expansion of Yellowstone County Youth Services Facility. Yellowstone County proposes to design, construct and furnish a 16 security detention cell expansion to the County's existing Youth Services Facility which is located in the District at 410 South 26th Street. The estimated cost of the Project is \$1,086,000. The City will approve use of up to \$400,000 of available tax increment for fiscal years 1997-98 and 1998-99 to assist the County with the expansion.

f. Acquisition and Clearing of Land for Probation and Parole Building. This project will assist in the development and construction within the District on South 27th Street between 3rd and 4th Avenues South of a 12,000 square foot office building by General Contractors Construction Company (GCCC) which will be leased to the State of Montana for 15 years for its Probation and Parole Offices. The building will require all of lots 13 through 24 of Block 170. The City currently owns lots 13 through 19 and proposes to sell those to GCCC for \$2.50 per square foot. GCCC proposes to purchase lots 20 through 24 and clear them for the project. The estimated cost of the project is \$1,051,000. It is proposed that the City expend up to \$147,753 from the City Land Development Fund to pay the costs of the demolition, clearing and related infrastructure and underwriting the costs of lots 20 through 24 so that the cost to GCCC for those lots will be \$2.50 per square foot.

Section 2. Findings. The Council hereby finds, with respect to each of the Projects described in Section 1 hereof, as follows:

- a. a workable and feasible plan exists for making available adequate housing for any persons who may be displaced by the Projects;
- b. the Plan, as modified to include the Projects, conforms to the comprehensive plan or parts thereof of the City;
- c. the Plan, as modified to include the Projects, will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise;
- d. a sound and adequate financial program exists for the financing of each of the Projects; and
- e. each of the Projects constitutes an urban renewal project within the meaning of the Act and the Plan.

Section 3. Approval of Projects. This Council hereby approves ratifies and confirms modification of the Plan to designate the Projects as urban renewal projects within and under and to be undertaken pursuant to the Plan, and the Projects are hereby approved. All actions of this Council heretofore taken with respect to the Projects, to the extent not inconsistent herewith, are hereby ratified and confirmed.

PASSED, ADOPTED and APPROVED on first reading this 28th day of September, 1998.

PASSED, ADOPTED and APPROVED on second reading this 13th day of October, 1998.

CITY OF BILLINGS



By Charles Z. Trosky
Mayor

Attest:

By: Marita Herold
City Clerk