



Work Session Meeting Agenda
2 Park Drive South, Great Falls, MT
Virtual Meeting by Zoom
April 20, 2021
5:30 PM

Due to the COVID-19 health concerns, the format of the City Commission meeting will be held in a virtual video-conferencing environment. City Commission members and City staff will attend the meeting via a remote location, using a virtual meeting method.

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation. Public participation is welcome in the following ways:

- Attend the virtual meeting utilizing Zoom Webinar. Attendees must register in advance for the Commission Meeting: https://us02web.zoom.us/webinar/register/WN_0_rczYPcTQObjPbzBAZB5Q
- After registering, you will receive a confirmation email containing information about joining the webinar by Zoom.
- Participate by phone. Attendees must register in advance for the Commission Meeting using the link above. After registering, you will receive a confirmation email containing information about joining the webinar by phone. If you do not have internet access you may contact the Great Falls Public Library prior to the meeting at 453-9706 and they can assist with registration. This would need to be done by 5:30 on the evening of the meeting. The Mayor will provide direction during the meeting on how to alert staff that you have comments for the agenda item. *If you wish to comment on agenda items, press *9 to raise your hand. When identified, press *6 to unmute yourself.*
- Attend in person. Masks are recommended and social distancing will be enforced. Public may view and participate in the meeting from the Gibson Room. Please refrain from attending in person if you are not feeling well.
- Provide public comments in writing. Comments may be sent via mail to City Clerk, PO Box 5021, Great Falls MT 59403 or by email to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Please ensure that comments arrive before 12:00 PM on Tuesday, April 20, 2021. Due to tracking and dissemination requirements, written communication must be received by that time in order to be shared with the City Commission and appropriate City staff for consideration during the agenda item; and, will be so noted in the official record of the meeting.

CALL TO ORDER

PUBLIC COMMENT

(Public comment on agenda items or any matter that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of five (5) minutes. Speak into the microphone, and state your name and either your address or whether you are a city resident for the record.)

WORK SESSION ITEMS

1. Neighborhood Council Updates - Neighborhood Council #6.

2. Revised TIF Program Allowances - Follow up from February 2, 2021 Work Session - Craig Raymond.

DISCUSSION POTENTIAL UPCOMING WORK SESSION TOPICS

ADJOURNMENT

City Commission Work Sessions are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Work Session meetings are re-aired on cable channel 190 the following Thursday morning at 10 a.m. and the following Tuesday evening at 5:30 p.m.

UPCOMING MEETING SCHEDULE

Work Session -- Tuesday May 4, 2021 5:30 p.m.

Commission Meeting -- Tuesday May 4, 2021 7:00 p.m.



Downtown TIF Programs

Proposed by the
Downtown Development Partnership and
Planning & Community Development Staff

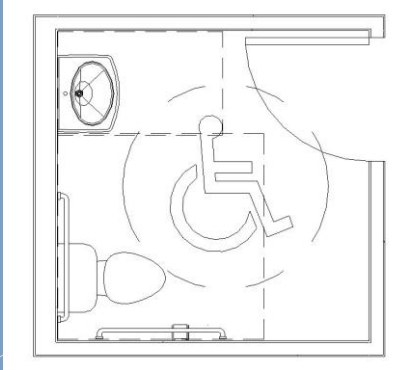
Code Compliance

Façade

Environmental Safety



Code Compliance: Elevators, Fire Suppression, Handicapped Accessibility





**Façade
Improvement:**
Permanent, exterior
improvements





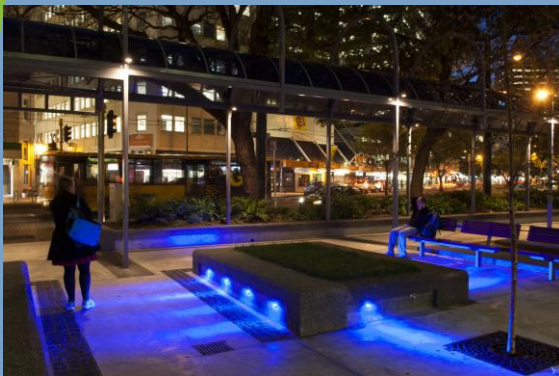
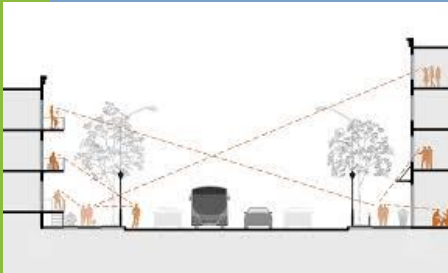
Northern Lofts



BIGSKY LPW
SELECT PROPERTIES ARCHITECTURE

Environmental Safety:

Exterior security and blight elimination measures that include cameras & lighting



Administration:

- City staff to administer the program
- Staff to review and award applications up to the program funding caps (similar to CDBG process)
- City Commission to approve any application which exceeds programmatic funding caps based on unique and/or high impact projects



We hope to have
these programs
in place
Summer 2021



**CITY OF GREAT FALLS
DOWNTOWN URBAN RENEWAL DISTRICT
FAÇADE IMPROVEMENT PROGRAM**

IMPORTANT: Costs to be paid with Tax Increment Funds (TIF) may not be incurred by the Applicant prior to funding approval and the satisfaction of any conditions of such approval.

INTRODUCTION:

The Downtown Development Partnership (DDP) advocated for the creation of several programs that would allow developers to utilize TIF for assistance in redevelopment or rehabilitation of private properties within the Downtown Urban Renewal District (District).

Any approved subsidies are in the form of matching funds to private investment, up to a maximum of \$50,000 for permanent Façade Improvements. The applicant has the sole responsibility to repay any loans used to finance the private portion of the project.

Information on these programs is available through Planning & Community Development at the City of Great Falls (City). Each program targets various conditions and has different criteria that must be addressed through the application process.

The following is a summary of the Façade Improvement Program.

PROGRAM OBJECTIVES:

The primary objective of the Façade Improvement Program is the elimination and prevention of blight and the redevelopment of the Downtown core by encouraging voluntary repair of existing commercial property within the District and providing for improvements of the public facing exteriors of buildings in the Downtown Urban Renewal District.

The intent of the Façade Improvement Program is to improve the urban core and encourage redevelopment and elimination of blight through the use of TIF funds as specified by Montana Urban Renewal Law 7-15-42 and 43, MCA. Authorization for the City to administer a program such as the Façade Improvement Program can be found in State Statute.

Examples of specific applicable sections of the Law are as follows:

- 7-15-4206 MCA – Blight – the substantial physical dilapidation, deterioration, age obsolescence, or defective construction, material, and arrangement of building or improvements, whether residential or nonresidential;
- 7-15-4206 MCA – Rehabilitation – carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements;
- 7-15-4233 MCA – Powers which may be exercised by an urban renewal agency – to improve, clear, or prepare for redevelopment any real or personal property in an urban renewal area;
- 7-15-4288 MCA – Costs that may be paid by Tax Increment Financing (TIF) – costs incurred in connection with the redevelopment activities allowed under 7-15-4233.

Authorization for these programs was called for in the Downtown Master Plan under Aesthetics, item 1.c.

Additional objectives are to:

1. Encourage elimination of conditions that could be a serious and growing menace, injurious to public health, safety, and welfare.
2. Encourage private investment in commercial property in the District through the use of public incentives.
3. Stimulate economic and business development within the District by providing safe environments for workers, businesses, and the public.
4. Retain and expand safe employment opportunities through economic development.

The approved funding is given at the discretion of the City Commission based upon staff review of the applicant's compliance with program objectives, eligibility requirements, eligible construction activities, and availability of TIF funds.

ELIGIBILITY REQUIREMENTS:

The following eligibility requirements have been established to accomplish the Façade Improvement Program objectives. These requirements involve the specifics of individual requests for approved funds, and the materials that the applicant must submit to have a successful application. Application forms may be obtained from the City – Planning and Community Development. Application forms must be completed in their entirety before the project will be considered.

1. For the purposes of this program, a "project" is defined as any permanent improvements on public facing exterior surfaces within the Downtown Urban Renewal District boundaries. This could include, but is not limited to, window upgrades/installation, entryways, masonry, installation, and refurbishment or major overhaul of permanent overhangs
2. Matching funds for the subsidy may total up to fifty percent (50%) of the project's eligible expenses.
3. The maximum limit of TIF funds granted through the Façade Improvement Program is \$50,000.
4. The maximum aggregate limit of TIF funds granted through any of the TIF Programs by the City on any one project is \$80,000.
5. The maximum aggregate limit of TIF funds granted through any of the TIF Programs by the City on any one parcel is \$80,000 over a fifteen (15) year period.
6. The City Commission may, upon the demonstration of extraordinary circumstances, elect to approve grants in excess of these caps, at their discretion.
7. The maximum aggregate limit of TIF funds granted through any of the TIF Programs will not exceed \$500,000 per fiscal year. If this maximum has been achieved in a fiscal year, the City Commission will not approve additional projects during that fiscal year.
8. All applications will be reviewed in the order in which they are received by the City.
9. All commercial property within the District is eligible for this program, with the exception of publicly owned buildings. For the purposes of this program, residential properties with four or more units will be considered commercial properties.
10. All property taxes, special improvement district assessments, and other assessments on the project property must be paid to date. Evidence of payment in the form of a tax receipt is required and must be submitted with the application.
11. Documentation from architects or engineers licensed to practice in Montana will be accepted if their analysis and plans are verified in writing. In addition, a listing of the

construction materials, project elements, and a rendering of the proposed project may also be required.

12. If approved for TIF funds, the applicant is required to follow requirements for public construction contracts as it pertains to payment, competitive bidding and standard prevailing rate of wages. All expenditures must be itemized by materials and labor, and construction estimates must be obtained from licensed and bonded contractors and submitted with the application. Receipts, or invoices marked as paid by the contractor or vendor or comparable documentation will be required for all work undertaken on eligible project improvements prior to reimbursement being approved.
13. All plans, materials, construction techniques and the completed project are subject to inspection and verification by City personnel.
14. If any one of these requirements are not met TIF funding may be withheld.

ELIGIBLE ACTIVITIES:

IMPORTANT: All construction undertaken pursuant to the Façade Improvement Program must be in accordance with a design that has been reviewed and approved by City Building Officials to ensure compliance with program objectives, design criteria and City Code compliance. The applicant must also obtain all applicable permits and comply with all municipal ordinances and adopted building codes.

The Façade Improvement Program was created to encourage voluntary repair of existing commercial property within the District and provide for improvements of public facing exteriors of the buildings in the District. All applications must meet these specific criteria to be eligible for TIF funds subsidy, if applicable.

Eligible activities include, but are not limited to the following:

1. Installation, construction, or significant permanent improvements to include replacement of public facing exterior surfaces including, but not limited to, window upgrades/installation, entryways, masonry, installation, and refurbishment or major overhaul of permanent overhangs.
2. All improvements covered by the program must be of a permanent nature.
3. Architectural/engineering assistance and design fees are eligible expenses. All fees and permit charges must be itemized, and receipts provided.
4. The following are ineligible activities for funding through the Façade Improvement program:
 - a. Improvements that are not of a permanent nature;
 - b. Routine maintenance or repair of window casings, entryways, or permanent overhangs;
 - c. Corrections of structural deficiencies of the building;
 - d. Fines or charges levied against the property for any reason;
 - e. Work initiated prior to necessary program approvals.

PLEASE NOTE: Items ineligible for assistance under the Façade Improvement Program may be eligible under other programs offered by the City. A Façade Improvement applicant may submit an application for or be concurrently involved in those programs. Items listed in the application for TIF assistance will be reviewed by the City to determine the appropriate program or programs they may fall under. All applications are evaluated on a case-by-case basis. The City shall have sole discretion with respect to the administration of TIF funds under the program and the submission of applications materials by an Applicant shall in no way result in any entitlement

by such Applicant to any TIF funds under the program unless and until awarded by the City and then only upon satisfaction of all pre-requisites established by the City for receipt of TIF funds.

APPLICANT RESPONSIBILITIES:

The successful applicant for TIF assistance must undertake the following responsibilities pursuant to the Façade Improvement Program.

1. Applicant completes TIF application and complies with all program requirements. This material is provided to the City for review.
2. In the application process, applicant provides expected date of completion of the project. If project is not completed by this date, TIF funds obligated may be rescinded.
3. Applicant selects the architect, engineer, and contractors who will participate in the project, complies with competitive bidding and standard prevailing wage requirements, and obtains all permits and necessary approvals from the City associated with the project.
4. If the applicant finances all or part of the private portion of the project using a lending institution, he/she/they will be solely responsible for all loan repayments and for compliance with all lender requirements.
5. Applicant is solely responsible for the full payment of all material, laborers and subcontractors employed in the project.
6. At the completion of the Project, the applicant must submit copies of all relevant contractor or vendor invoices, receipts verifying payment. Invoices must be marked as paid by the contractor or vendor.
7. It is the applicant's responsibility to ensure that the applicant and all of the applicant's contractors or sub-contractors have adequate liability and workers compensation insurance for the project.

CITY RESPONSIBILITIES

1. The City provides the applicant with the Façade Improvement Program application.
2. The City reviews the application and determines which activities and expenses are eligible.
3. The City evaluates the eligible expenses as they relate to the program objectives and calculates the matching funds subsidy to determine any potential TIF contribution to the project.
4. The City notifies the applicant of project approval.
5. The City closes out the application upon satisfactory completion of the project:
 - a. Inspection of the project for completeness and compliance to design submitted in the application.
 - b. Reviews lien waivers from contractors, subcontractors, and vendors.
 - c. Reviews paid invoices and/or prevailing wage payroll certification from contractors and vendors.
 - d. Processes claim for payment.
6. The City has absolutely no responsibility for payment of any applicant's material, laborers, or contractors.
7. The City shall have no civil liability for any damages or claims arising from any of the applicant's undertakings.

**CITY OF GREAT FALLS
DOWNTOWN URBAN RENEWAL DISTRICT
ENVIRONMENTAL SAFETY PROGRAM**

IMPORTANT: Costs to be paid with Tax Increment Funds (TIF) may not be incurred by the Applicant prior to funding approval and the satisfaction of any conditions of such approval.

INTRODUCTION:

The Downtown Development Partnership (DDP) advocated for the creation of several programs that would allow developers to utilize TIF for assistance in redevelopment or rehabilitation of private properties within the Downtown Urban Renewal District (District).

Any approved subsidies are in the form of matching funds to private investment, up to a maximum of \$5,000 for Environmental Safety improvements. The applicant has the sole responsibility to repay any loans used to finance the private portion of the project.

The Environmental Safety Program works toward the elimination of blight based upon the principles of Crime Prevention Through Environmental Design (ENVIRONMENTAL SAFETY) and other safety and security design principles. ENVIRONMENTAL SAFETY is a set of design principles used to discourage crime and promote building security.

Information on these programs is available through Planning & Community Development at the City of Great Falls (City). Each program targets various conditions and has different criteria that must be addressed through the application process.

The following is a summary of the Environmental Safety Program.

PROGRAM OBJECTIVES:

The primary objectives of the Environmental Safety Program is the elimination and prevention of blight and the redevelopment of the Downtown core by encouraging commercial property and business owners to install measures that provide for safety and security on the exterior of the buildings in the Downtown Urban Renewal District.

The intent of the Environmental Safety Program is to improve the urban core and encourage measures that contribute to public safety through the use of TIF funds as specified by Montana Urban Renewal Law 7-15-42 and 43, MCA. Authorization for the City to administer a program such as the Environmental Safety Program can be found in State Statute.

Examples of specific applicable sections of the Law are as follows:

- 7-15-4206 MCA – Blight – the substantial physical dilapidation, deterioration, age obsolescence, or defective construction, material, and arrangement of building or improvements, whether residential or nonresidential;
- 7-15-4206 MCA – Rehabilitation – carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements;
- 7-15-4233 MCA – Powers which may be exercised by an urban renewal agency – to improve, clear, or prepare for redevelopment any real or personal property in an urban renewal area;

- 7-15-4288 MCA – Costs that may be paid by Tax Increment Financing (TIF) – costs incurred in connection with the redevelopment activities allowed under 7-15-4233.

Authorization for these programs was called for in the Downtown Master Plan, under Aesthetics, item 1.c.

Additional objectives are to:

1. Reduce/remove the opportunity for crime to occur in our Downtown core.
2. Prevent crime by designing a physical environment that positively influences human behavior.
3. Promote positive interactions for those frequenting Downtown.
4. Retain and expand safe employment opportunities in our Downtown core.

The approved funding is given at the discretion of the City based upon review of the applicant's compliance with program objectives, eligibility requirements, eligible construction activities, and availability of TIF funds.

ELIGIBILITY REQUIREMENTS:

The following eligibility requirements have been established to accomplish the Environmental Safety Program objectives. These requirements involve the specifics of individual requests for approved funds, and the materials that the applicant must submit to have a successful application. Application forms may be obtained from the City – [Planning and Community Development](#). Application forms must be completed in their entirety before the project will be considered.

1. For the purposes of this program, a "project" is defined as installation of specific safety and security measures that consist of exterior lighting and/or security cameras on commercial properties/businesses located within the Downtown Urban Renewal District boundaries.
2. Matching funds for the subsidy may total up to fifty percent (50%) of the project's eligible expenses.
3. The maximum limit of TIF funds granted through the ENVIRONMENTAL SAFETY Program is \$5,000.
4. The maximum aggregate limit of TIF funds granted through any of the TIF Programs by the City on any one project is u \$80,000.
5. The maximum aggregate limit of TIF funds allowed granted through any of the TIF Programs by the City on any one parcel is \$80,000 over a fifteen (15) year period.
6. The City Commission may, upon the demonstration of extraordinary circumstances, elect to approve grants in excess of these caps, at their discretion.
7. The maximum aggregate limit of TIF funds granted through any of the TIF Programs will not exceed \$50,000 per fiscal year. If this maximum has been achieved in a fiscal year, the City will not approve additional projects during that fiscal year.
8. All applications will be reviewed in the order in which they are received by the City.
9. All commercial property within the District is eligible for this program, with the exception of publicly owned buildings. For the purposes of this program, residential properties with four or more units will be considered commercial properties.
10. All property taxes, special improvement district assessments, and other assessments on the project property must be paid to date. Evidence of payment in the form of a tax receipt is required and must be submitted with the application.

11. Documentation from architects or engineers licensed to practice in Montana will be accepted if their analysis and plans are verified in writing. In addition, project elements, and a rendering of the proposed project may also be required.
12. If approved for TIF funds, the applicant is required to follow requirements for public construction contracts as it pertains to payment, competitive bidding and standard prevailing rate of wages. All expenditures must be itemized by materials and labor, and construction estimates must be obtained from licensed and bonded contractors and submitted with the application. Receipts, or invoices marked as paid by the contractor or vendor or comparable documentation will be required for all work undertaken on eligible project improvements prior to reimbursement being approved.
13. All plans, materials, construction techniques and the completed project are subject to inspection and verification by City personnel.
14. If any one of these requirements are not met TIF funding may be withheld.

ELIGIBLE ACTIVITIES:

IMPORTANT: All construction undertaken pursuant to the Environmental Safety Program must be in accordance with a design that has been reviewed and approved by City Building Officials to ensure compliance with program objectives, design criteria and City Code compliance. The applicant must also obtain all applicable permits and comply with all municipal ordinances and adopted building codes.

The Environmental Safety Program was created to eliminate blight and encourage redevelopment of the Downtown through the implementation of public safety and security measures of the buildings in the District. All applications must meet these specific criteria to be eligible for TIF funds subsidy, if applicable.

Eligible activities include, but are not limited to the following:

1. Installation of exterior lighting and/or security cameras on the exterior of commercial buildings located within the Downtown Urban Renewal District boundaries.
2. All improvements covered by this program must be of a semi-permanent nature.
3. All fees and permit charges must be itemized, and receipts provided.
4. The following are ineligible activities for funding through the Environmental Safety Program:
 - a. Architectural/engineering assistance and design fees;
 - b. Improvements that are not of a semi-permanent nature;
 - c. Fines or charges levied against the property for any reason;
 - d. Work initiated prior to necessary program approvals.

PLEASE NOTE: Items ineligible for assistance under the Environmental Safety Program may be eligible under other programs offered by the City. An Environmental Safety Program applicant may submit an application for or be concurrently involved in those programs. Items listed in the application for TIF assistance will be reviewed by the City to determine the appropriate program or programs they may fall under. All applications are evaluated on a case-by-case basis. The City shall have sole discretion with respect to the administration of TIF funds under the program and the submission of applications materials by an Applicant shall in no way result in any entitlement by such Applicant to any TIF funds under the program unless and until awarded by the City and then only upon satisfaction of all pre-requisites established by the City for receipt of TIF funds.

APPLICANT RESPONSIBILITIES:

The successful applicant for TIF assistance must undertake the following responsibilities pursuant to the Environmental Safety Program.

1. Applicant completes TIF application and complies with all program requirements. This material is provided to the City for review.
2. In the application process, applicant provides expected date of completion of the project. If project is not completed by this date, TIF funds obligated may be rescinded.
3. Applicant selects the architect, engineer, and contractors who will participate in the project, complies with competitive bidding and standard prevailing wage requirements and obtains all permits and necessary approvals from the City associated with the project, if applicable.
4. If the applicant finances all or part of the private portion of the project using a lending institution, he/she/they will be solely responsible for all loan repayments and for compliance with all lender requirements.
5. Applicant is solely responsible for the full payment of all material, laborers and subcontractors employed in the project.
6. At the completion of the Project, the applicant must submit copies of all relevant contractor or vendor invoices, receipts verifying payment. Invoices must be marked as paid by the contractor or vendor.
7. It is the applicant's responsibility to ensure that the applicant and all of the applicant's contractors or sub-contractors have adequate liability and workers compensation insurance for the project.
8. Applicant is responsible to register security cameras with the Great Falls Police Department.

CITY RESPONSIBILITIES

1. The City provides the applicant with the Environmental Safety Program application.
2. The City reviews the application and determines which activities and expenses are eligible.
3. The City evaluates the eligible expenses as they relate to the program objectives and calculates the matching funds subsidy to determine any potential TIF contribution to the project.
4. The City notifies the applicant of project approval.
5. The City closes out the application upon satisfactory completion of the project:
 - a. Inspection of the project for completeness and compliance to design submitted in the application.
 - b. Reviews lien waivers from contractors, subcontractors, and vendors.
 - c. Reviews paid invoices and/or prevailing wage payroll certification from contractors and vendors.
 - d. Processes claim for payment.
6. The City has absolutely no responsibility for payment of any applicant's material, laborers, or contractors.
7. The City shall have no civil liability for any damages or claims arising from any of the applicant's undertakings.

**CITY OF GREAT FALLS
DOWNTOWN URBAN RENEWAL DISTRICT
LIFE-SAFETY CODE COMPLIANCE PROGRAM**

IMPORTANT: Costs to be paid with Tax Increment Funds (TIF) may not be incurred by the Applicant prior to funding approval and the satisfaction of any conditions of such approval.

INTRODUCTION:

The Downtown Development Partnership (DDP) advocated for the creation of several programs that would allow developers to utilize TIF for assistance in redevelopment or rehabilitation of private properties within the Downtown Urban Renewal District (District).

Any approved subsidies are in the form of matching funds to private investment, up to a maximum of \$25,000, to correct existing Life-Safety Code violations. The applicant has the sole responsibility to repay any loans used to finance the private portion of the project.

Information on these programs is available through Planning & Community Development at the City of Great Falls (City). Each program targets various conditions and has different criteria that must be addressed through the application process.

The following is a summary of the Life-Safety Code Compliance Program.

PROGRAM OBJECTIVES:

The primary objective of the Life-Safety Code Compliance Program (CCP) is the elimination and prevention of blight and the redevelopment of the Downtown core by encouraging voluntary repair of existing commercial property within the District and providing for improvements to correct existing Life-Safety Code violations.

The intent of the CCP is to improve the urban core and encourage redevelopment and elimination of blight through the use of TIF funds as specified by Montana Urban Renewal Law 7-15-42 and 43, MCA. Authorization for the City to administer a program such as the CCP can be found in State Statute.

Examples of specific applicable sections of the Law are as follows:

- 7-15-4206 MCA – Blight – the substantial physical dilapidation, deterioration, age obsolescence, or defective construction, material, and arrangement of building or improvements, whether residential or nonresidential;
- 7-15-4206 MCA – Rehabilitation – carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements;
- 7-15-4233 MCA – Powers which may be exercised by an urban renewal agency – to improve, clear, or prepare for redevelopment any real or personal property in an urban renewal area;
- 7-15-4288 MCA – Costs that may be paid by Tax Increment Financing (TIF) – costs incurred in connection with the redevelopment activities allowed under 7-15-4233.

Authorization can also be found, as noted above in the Introduction, in the Downtown Urban Renewal Plan under Aesthetics, item 1.c.

Additional objectives are to:

1. Encourage elimination of conditions that could be a serious and growing menace, injurious to public health, safety, and welfare.
2. Encourage private investment in commercial property in the District through the use of public incentives.
3. Stimulate economic and business development within the District by providing safe environments for workers, businesses, and the public.
4. Retain and expand safe employment opportunities through economic development.

The approved funding is given at the discretion of the City Commission based upon staff review of the applicant's compliance with program objectives, eligibility requirements, eligible construction activities and availability of TIF funds.

ELIGIBILITY REQUIREMENTS:

The following eligibility requirements have been established to accomplish CCP objectives. These requirements involve the specifics of individual requests for approved funds, and the materials that the applicant must submit to have a successful application. Application forms may be obtained from the City – Planning and Community Development. Application forms must be completed in their entirety before the project will be considered.

1. For the purposes of this program, a "project" is defined as the remedial actions with respect to existing Life Safety Code issues per building on properties located within the Downtown Urban Renewal District boundaries.
2. Matching funds for the subsidy may total up to fifty percent (50%) of the project's eligible expenses.
3. The maximum limit of TIF funds granted through the CCP is \$25,000.
4. The maximum aggregate limit of TIF funds granted through any of the TIF Programs by the City on any one project is \$80,000.
5. The maximum aggregate limit of TIF funds granted through any of the TIF Programs by the City on any one parcel is \$80,000 over a fifteen (15) year period.
6. The City Commission may, upon the demonstration of extraordinary circumstances, elect to approve grants in excess of these caps, at their discretion.
7. The maximum limit of TIF funds granted through any of the TIF Programs will not exceed \$500,000 per fiscal year. If this maximum has been achieved in a fiscal year, the City Commission will not approve additional projects during that fiscal year.
8. All applications will be reviewed in the order in which they are received by the City.
9. All commercial property within the District is eligible for this program, with the exception of publicly owned buildings. For the purposes of this program, residential properties with four or more units will be considered commercial properties.
10. All property taxes, special improvement district assessments, and other assessments on the project property must be paid to date. Evidence of payment in the form of a tax receipt is required and must be submitted with the application.
11. Documentation from architects or engineers licensed to practice in Montana will be accepted if their analysis and plans are verified in writing. In addition, a listing of the construction materials, project elements, and a rendering of the proposed project may also be required.
12. If approved for TIF funds, the applicant is required to follow requirements for public construction contracts as it pertains to payment, competitive bidding, and standard prevailing rate of wages. All expenditures must be itemized by materials and labor, and

construction estimates must be obtained from licensed and bonded contractors and submitted with the application. Receipts, or invoices marked as paid by the contractor or vendor or comparable documentation will be required for all work undertaken on eligible project improvements prior to reimbursement being approved.

13. All plans, materials, construction techniques and the completed project are subject to inspection and verification by City personnel.
14. If any one of these requirements are not met TIF funding may be withheld.

ELIGIBLE ACTIVITIES:

IMPORTANT: All construction undertaken pursuant to the CCP must be in accordance with a design that has been reviewed and approved by City Building Officials or Fire Code Officials to ensure compliance with program objectives, design criteria and Life-Safety Code compliance. The applicant must also obtain all applicable permits and comply with all municipal ordinances and adopted building codes.

The Code Compliance Program is designed to address Life-Safety Code issues on commercial properties, which may endanger occupants, visitors, or the public. All applications must address resolution of documented Code issues to be eligible for TIF funds subsidy, if applicable.

Eligible activities include, but are not limited to the following:

1. Installation, construction, or significant improvement including, but not limited to, required emergency exits, fire suppression systems, fire escapes, fire detection and alarm systems, protection of open stairways, stairway shafts and/or other exit enclosures, and provision of fire-rated door, floor, ceiling and/or wall assemblies.
2. Installation, construction, or significant improvement in regard to ADA compliance including, but not limited to, installation of ADA compliant doorways, restrooms, or ramps.
3. Installation, construction, or significant improvement including, but not limited to, elevator installation.
4. All improvements covered by this program must be of a permanent nature.
5. Architectural/engineering assistance and design fees are eligible expenses. All fees and permit charges must be itemized, and receipts provided.
6. The following are ineligible activities for funding through the CCP program:
 - a. Utility connections or replacement other than those which may be directly required by the installation of eligible item(s) such as fire suppression water connections;
 - b. Improvements or upgrades to existing electrical or plumbing systems other than those directly required by installation of an eligible item(s);
 - c. Corrections of structural deficiencies of the building;
 - d. Fines or charges levied against the property for any code violations;
 - e. Work initiated prior to necessary program approvals.

PLEASE NOTE: Items ineligible for assistance under the CCP program may be eligible under other programs offered by the City. An applicant may submit an application for or be concurrently involved in those programs. Items listed in the application for TIF assistance will be reviewed by the City to determine the appropriate program or programs they may fall under. All applications are evaluated on a case-by-case basis. The City shall have sole discretion with respect to the administration of TIF funds under the program and the submission of applications materials by an Applicant shall in no way result in any entitlement by such Applicant to any TIF

funds under the program unless and until awarded by the City and then only upon satisfaction of all pre-requisites established by the City for receipt of TIF funds.

APPLICANT RESPONSIBILITIES:

The successful applicant for TIF assistance must undertake the following responsibilities pursuant to the CCP.

1. Applicant completes TIF application and complies with all program requirements. This material is provided to the City for review.
2. In the application process, applicant provides expected date of completion of the project. If project is not completed by this date, TIF funds obligated may be rescinded.
3. Applicant selects the architect, engineer, and contractors who will participate in the project, complies with competitive bidding and standard prevailing wage requirements, and obtains all permits and approvals associated with the project.
4. A letter or Certificate of Occupancy from the relevant City Building Officials or Fire Code Officials stating the work has been completed satisfactorily must be received by the City upon project completion and prior to TIF fund disbursement.
5. If the applicant finances all or part of the private portion of the project using a lending institution, he/she/they will be solely responsible for all loan repayments and for compliance with all lender requirements.
6. Applicant is solely responsible for the full payment of all material, laborers and subcontractors employed in the project.
7. At the completion of the Project, the applicant must submit copies of all relevant contractor or vendor invoices, receipts verifying payment. Invoices must be marked as paid by the contractor or vendor.
8. It is the applicant's responsibility to ensure that the applicant and all of the applicant's contractors or sub-contractors have adequate liability and workers compensation insurance for the project.

CITY RESPONSIBILITIES

1. The City provides the applicant with the Code Compliance Program application.
2. The City reviews the application and determines which activities and expenses are eligible.
3. The City evaluates the eligible expenses as they relate to the program objectives and calculates the matching funds subsidy to determine any potential TIF contribution to the project.
4. The City notifies the applicant of project approval.
5. The City closes out the application upon satisfactory completion of the project:
 - a. Reviews Certificate of Occupancy or other documentation from City Building Officials or Fire Code Officials;
 - b. Inspection of the project for completeness and compliance to design submitted in the application;
 - c. Reviews lien waivers from contractors, subcontractors, and vendors;
 - d. Reviews paid invoices and/or prevailing wage payroll certification from contractors and vendors;
 - e. Processes claim for payment.
6. The City has absolutely no responsibility for payment of any applicant's material, laborers, or contractors.
7. The City shall have no civil liability for any damages or claims arising from any of the applicant's undertakings.