

## Livingston Urban Renewal Agency Agenda



The regular meeting of the Livingston Urban Renewal Agency Committee has been scheduled for July 22, 2025 at 4:30 PM in Community Room, City/County Complex. This meeting will be facilitated by Allison Vicenzi.

<https://us02web.zoom.us/j/82526372452?pwd=bvX0k5TY1kOLSgdm25Xyxj4XOJHr2M.1>

Meeting ID: 825 2637 2452  
Passcode: 966119

1. Roll Call

2. Approval of Minutes

**A. APPROVAL OF MINUTES FROM MAY 27, 2025, REGULAR MEETING**

3. New Business

**A. FACADE GRANT APPLICATION FOR 101 N. MAIN STREET**

**B. PRESENTATION OF BY-LAWS AND HANDBOOK**

4. Old Business

**A. DISCUSSION REGARDING ESTABLISHMENT OF SUBCOMMITTEES**

5. Public Comments

6. Board Comments

7. Adjournment

**File Attachments for Item:**

**A. APPROVAL OF MINUTES FROM MAY 27, 2025, REGULAR MEETING**

## Livingston Urban Renewal Agency Agenda



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<https://us02web.zoom.us/j/86038899052?pwd=Q4PhG6jlrvasT4aLgA5JYSt3ABEJQ7.1>

Meeting ID: 860 3889 9052

Passcode: 679469

### 1. Roll Call

Allison Vicenzi, Lisa Garcia, Julie Evans, Sarah Knoebl, Brianne Downey & Melissa Nootz

City Staff in attendance: Planning Director Jennifer Severson

### 2. Approval of Minutes

#### **A. APPROVAL OF MINUTES FROM MARCH 25, 2025, REGULAR MEETING**

#### **B. APPROVAL OF MINUTES FROM APRIL 22, 2025, REGULAR MEETING**

Allison provided a word correction in the March minutes.

Julie corrected the name of Planning Director Jennifer Severson in the April minutes

Lisa clarified that she will email a summary of the Downtown Enhancement Program in the April Minutes

Allison also provided a word correction in the April Minutes.

Allison motioned to approve March and April minutes with corrections and seconded by Lisa. Unanimously approved.

## **Livingston Urban Renewal Agency Agenda**

### **3. New Business**

#### **A. FACADE GRANT APPLICATION FOR 122 N. MAIN STREET**

Suzie Hoffman is the applicant and gave a brief overview of her project. She stated she has taken this project to HPC and has since communicated with Planning Director Severson about the project.

Planning Director Severson stated the project she presented to HPC was a little different as it didn't include a specific paint color, and since that time a law was passed effective immediately stating that HPC can no longer be required to make any design or zoning decisions. She will meet with HPC in June to discuss their role moving forward.

Vice Chair Nootz asked Planning Director Severson about parking permits for this project and noted that the machines taking up public space for periods of time have a negative impact on neighboring buildings.

Planning Director Severson stated that it is a question for the City Manager.

Lisa asked the applicant what the cost difference is between the back and front of the building is cost wise because in the past the back of the buildings do not qualify as façade, so they have needed to see those numbers separated out.

The applicant understands the contractor would need to give a breakdown of cost.

Vice Chair Nootz thanked Lisa for her question about the back of the building and asked that staff advise on what could be included, since that building does have the little parklet in the back, which may allow that portion to be considered part of the façade. She expressed that she really likes this project and thinks it's great.

Allison also expressed liking this project. She did wonder about missing costs, such as the brick shows TBD, and stated that she expects the cost might be greater. She wondered if it would be better to wait until costs are finalized so they could potentially give more to the project.

#### **B. DIRECT FUNDING REQUEST FOR DOWNTOWN INTERSECTION PILOT PROJECT**

Planning Director Severson stated this is a pilot project being done to support recommendations in the Downtown Master Plan. It exceeds the maximum amount allowed under the enhancement grant. She stated they have decided to go with a direct funding request for this. She stated these are temporary treatments to consider certain intersection improvements with focus on increasing safety and supporting placemaking. They contracted with Western Transportation Institute out of Montana State and they are helping with design. They looked at the Main and Callendar intersection, and looking at this area the goal is not to takeaway any street parking space, and utilize extra space. There has been talk about having these permanently, or just seasonally for maintenance purposes.

Sarah asked if there are additional bollards and installations being accounted for in the count that they would be paying for?

## **Livingston Urban Renewal Agency Agenda**

Planning Director Severson stated they cannot ask for things to buffer these sections.

Sarah asked if other data will be collected other than just comment surveys, and wondered about radar.

Planning Director Severson stated they were going to do that before, but they thought it was an extra expense that may not actually provide that much data.

Sarah stated one piece of information that would be interesting to know is yield rates.

Melissa abstained from the conversation and removed herself from the conversation and room, as he works for Montana State.

Sarah stated she will abstain as well and removed herself from the conversation and room.

There was question about voting ability with 2 members abstained and 1 not present.

Planning Director Severson stated it might be best to bring this back to next meeting.

Lisa wanted to confirm the amount being requested.

Planning Director Severson stated it is \$46,856.96.

Julie asked about something that had been done at the intersection at 5<sup>th</sup> and Callendar.

Planning Director Severson stated that was done before she was here and they should check with the City Manager about this.

Lisa asked if City had the ability to fund the difference using the calculation they do for reimbursement grants.

Planning Director Severson stated they do not, that is why they are asking the URA for a direct funding.

Allison stated she is a little shocked at the cost for this pilot project.

Planning Director Severson stated it's the materials, they are not cheap, and that is why they were given the itemized statement.

Allison asked if this is an outsource of labor, do they need a 2<sup>nd</sup> quote.

Planning Director Severson stated that the City Manager didn't think so.

Allison wondered what type of recurring requests they get for projects like this.

Planning Director Severson let the board know it is up to them how they want to handle this, they can move forward with it or ask for it to come back at a later meeting where strategy can be discussed.

Allison wanted to know why they couldn't just do 1 intersection, collect the data on that, then move to another and gather data again. She stated they might want to gather data

## **Livingston Urban Renewal Agency Agenda**

from the first one and change it for the 2<sup>nd</sup> intersection. She doesn't understand why all 3 are being rolled out at once and they are spending that much for materials.

Planning Director Severson stated they would not get an accurate read if they only did 1 intersection at a time for a few weeks at a time.

Allison expressed that for the amount of money being asked for she is struggling to envision what it will look like with lack of design plan.

Lisa asked if WTI would be able to render something more significant for them to look at.

Planning Director Severson explained the example that was provided and review bench sizes and a few scenarios.

Allison expressed concern about continuing to find projects like this in the future and wonders if that is something to URA should continue to fund. She does support funding this if materials are able to be reused in following years.

Planning Director Severson confirmed that yes, it will be used this year and future years.

Lisa supports Allison in have a strategy session to review what their funds can and should be used for.

Julie motioned to approve funding for the project seconded by Lisa. Approved by Allison, Lisa and Julie.

### **C. APPLICATION FOR DOWNTOWN ENHANCEMENT PROGRAM GRANT – BANNERS**

Allison introduced the item.

Lisa expressed that she feels this does not fall within the guidelines of the downtown enhancement program, and the design does not promote arts and culture. She stated it seems like an advertisement for LBID.

Melissa asked for clarity around URA purview. She understands that Planning Director Severson is just a placeholder for this meeting and may not have the answers.

Melissa and Planning Director Severson stated these banners would go by Neptune's around the chain link fence.

Planning Director Severson stated the intent of these banners is to shield the construction site in that area, and the QR codes link to businesses downtown and events happening.

Lisa expressed thoughts that this is not mural, but it does look like an advertisement, and advertisements don't qualify as arts and culture.

Allison would like to see something that can be reused and something more artistic. She also talked about how to use these banners to lead people to the URA to utilize grant funds.

## **Livingston Urban Renewal Agency Agenda**

Sarah stated she understands where Allison is coming from with getting URA information out there, but doesn't think this is the route to do that since these banners are being brought before them today for approval to cover a blighted area.

Allison would like to see these banners be more artistic and feature a local artist.

Sarah expressed that all of these additional ideas are great, but they need to think about how this needs to happen now.

Melissa asked if the URA contributes to the existing banners around town.

Planning Director Severson stated no, the money comes out of the funding that they get to promote Livingston.

Melissa expressed concern with putting the URA logo on the banners.

Julie asked if they would put these banners up even if the URA didn't fund it.

Lisa and Allison stated that they don't think LBID does not have the funding.

Melissa expressed that it is a low cost, and banners like this tend to have a long lifespan. She also thought that the URA should come up with a long-term plan for requests like this.

Lisa motioned to approve the item not to exceed \$200.00, seconded by Sarah. Unanimously approved.

### **4. Old Business**

#### **A. TRANSMITTAL OF INVOICE FOR WARMING SHELTER**

Allison introduced the item.

Brian from HRDC expressed thanks to the URA for supporting the warming center. The fund allowed them to keep the doors open until in the end of March. He reviewed the invoice and other funding they were able to use. He would like to work with the URA in future about funding and budget for the warming center, and will be hosting stakeholder meetings.

Melissa expressed that he should reach out to City staff and other who could weigh in on this, and encourage him to reach out to the City Manager.

### **5. Public Comments**

### **6. Board Comments**

Lisa asked that subcommittees be placed on the next agenda. She pointed out the grant program guidelines uploaded to the website still showed track changes. She would like the grant programs to highlight that they have a direct funding option as well.

Allison expressed interest in having a strategy meeting with Grant, and would like to have an update from Public Works.

## **Livingston Urban Renewal Agency Agenda**

Melissa stated the Commission will review the Board and Commission Handbook and Bylaws at a future City Commission meeting. She said there will be clarity that will come after the handbook and bylaws are approved.

### **7. Adjournment**

Melissa motioned to adjourn seconded by Lisa. Unanimously approved.

**File Attachments for Item:**

**A. FACADE GRANT APPLICATION FOR 101 N. MAIN STREET**



**DATE:** July 22, 2025  
**TO:** URA Board Members  
**FROM:** Grant Gager, City Manager  
**REGARDING:** Façade Grant Application for 101 N. Main Street

### **Recommendation and Summary**

Staff is recommending the Board review and take action on the Façade Repair and Renovation Grant application submitted for the property at 101 N. Main Street. The Board may do so using the following motion:

"I move to approve the Façade Grant application for 101 N. Main Street and direct staff to work with the applicant through the reimbursement process."

The reasons for the recommendation are as follows:

- The applicant has submitted an application for the façade grant program.
- Funding remains in the Agency budget for FY 2026.

### **Introduction and History**

The URA has adopted guidelines for its Façade Repair and Renovation Grant Program which were most recently updated in February 2022 (Attachment A). The applicant has submitted an application to the program.

### **Analysis**

The application includes a request for \$73,979 in URA funds which is half of the total project budget of \$147,958. The project is expected to commence in the summer of 2025.

### **Fiscal Impact**

The grant request is for \$73,979 and funds remain in the Agency's resources to fund this grant.

### **Strategic Alignment**

The application is consistent with the program guidelines that have been adopted by the Board.

### **Attachments**

- A: [Façade Repair and Renovation Grant Program Guidelines](#)
- B: Submitted Application

2025  
**LIVINGSTON URBAN RENEWAL AGENCY FACADE  
GRANT APPLICATION**

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***BUILDING: THE THOMPSON BLOCK BUILDING***

***PATCHING & POINTING FAÇADE UPGRADES, NEW  
DECORATIVE WINDOWS & AWININGS***

***REQUEST: \$73,979.00***

**CONTACTS:**

*Tracy Raich 406.223.8418, [tracy@tracyraich.com](mailto:tracy@tracyraich.com)  
Robin Naughton Reed 206.228.5448,  
[Robin@reedfly.com](mailto:Robin@reedfly.com)*

**TAX STATUS:** 3 Ts LLC (partnership)

**MAILING ADDRESS:** 1808 East River Road, Livingston MT 59047

**ESTIMATED PROJECT START DATE:** Mid-July 2025

**ESTIMATED COMPLETION:** Section 1-September 2026, see below for the estimated completion date for the final 2 sections.

**PROJECT MANAGER:** Dave Raich, Member Manager of 3 Ts LLC



*Photo illustration of the West Callender Side of our building after completion of the patching & pointing, new decorative windows and awnings.*

## PROJECT TITLE/PROJECT SUMMARY:

This is the Second Phase of the Thompson Block Building Facade Upgrades - Patching & Pointing, New Decorative Windows, New Metal Awnings.

**PROPOSED BUDGET:** We have solicited bids (attached hereto) for: Eleven custom sized unframed windows of P516 glass & installation from Nevin's Glass in Livingston, Custom etching on the windows from All American Woodworks of Emigrant, Patching & Pointing from Paradise Valley Masonry (this contractor patched & pointed the front of our building last year), Four metal awnings and tin from General Awnings, Meloni Metals and Millwork.com.

The total budget is \$147,958.00. We are seeking a grant for 50% which is equal to \$73,979.00.

**STATEMENT OF CONDITION/NEED:** The general exterior of 101 Main is in need of rehabilitation after years of substandard maintenance, neglect, and weathering typical of harsh our Montana environment. This is the second phase of our restoration project which includes:

1. **Patching & Pointing** The 100-year old building was painted with lead paint which we removed in 2022-2024. The West Callender Street side of the building in is need of pointing & patching. \$95,847.00

2. **Decorative Windows** The West Callender Street side of the building has some of the original beautiful etched decorative windows above and below the existing awnings. Many of these windows are gone or damaged. We will replace 11 missing or damaged windows. Nevin's glass has sourced a textured glass called P516 which is similar to the original window glass. Nevins was the only vendor who spent considerable time measuring all of the windows and willing to take the time to source this glass and install it. \$11,734.00

All American Woodworks will replicate the original etching on the new glass prior to installation. \$3747.00

3. **Awnings** Lastly, the canvas awnings will be replaced with bronze or black metal awnings similar to those seen on other historic buildings in the historic preservation district. Installation will be handled by Paradise Valley Masonry, \$19,500.00 who will also fill the old bolt/bracket holes prior to installing the new awnings, \$14,970. In addition, tin ceiling panels will be secured to the underside of the awnings, \$2,160.00.

**PROJECT WORK PLAN:** During this second phase of our restoration of the Thompson Building Callender Street side, 3 T's LLC will accomplish the work in three sections consecutively beginning in the summer of 2025 and continuing into 2026/2027. This 1/3 approach will be more efficient and will also help to mitigate any negative impact to foot traffic and visibility for our commercial store front tenants. Additionally, this approach will only require scaffolding to be put up once while a section is being completed vs three different times for each item to be completed.

We would like to discuss the possibility of developing our grant program for this ask that might allow us to receive grant money reimbursement at the completion of each 1/3 section of the side of our building, as it is likely that it will take more than one grant cycle to complete all three sections/phases due to weather constraints during winter months and also due to our cash flow. If this is not possible, we understand.

**PROPOSED PROCESS:** We will begin at the end of the building near the alley and work toward Main Street. Each section will include pointing and patching of the brick, removal of existing awnings and replacement with cantilevered tie back historic style metal awnings, replacement of the original etched windows as many are broken or missing.

The one-time scaffolding (pedestrian sidewalk enclosure and debris catch) means the scaffolding will be installed for all three work stages. Pointing and patching, installing the new windows and installing the new awnings. The scaffolding will be erected on approximately one 1/3 of the building starting from the alley through to the record store, then in following years each remaining third will be accomplished in the same manner. We will need a parking space for a man lift for each section as it is completed. The scaffolding will not be in place during the entire project. Rather for each section at a time.

With our first 1/3 section we will purchase all permanent materials i.e., new windows and awnings. Additionally, 1/3 of the building will be patched, pointed, windows installed and awnings installed. The estimated cost of \$66,660.00. The second and third sections will cost less as the windows and awnings will have already been purchased. The estimated cost of \$40,649.00.

**Bids** - we have only obtained one bid for the pointing & patching and awning installation from Paradise Masonry (Luke). There are not many masons in the area and we prefer this contractor as he did the work on the front of our building, and we want the side to match the front. This contractor did an excellent job and stayed on budget. He is also willing to install the awnings for us while his scaffolding is up to streamline the process and limit disruptions to our commercial tenants. Luke is passionate about being a part of our restoration process and take pride in his work. Additionally, we have only obtained one bid for the windows from Nevin's Glass. They were the only window company who was willing to show-up and measure the windows on two separate occasions to ensure accuracy. Nevins was also the only glass company willing to spend a considerable amount of time sourcing a glass product that looks similar to what was installed so many years go. We have also only obtained one estimate for the custom glass etching from All American Woodworks of Emigrant MT. We contacted over 20 companies for this and All American Woodworks is the only vendor in Montana who is willing and able to do this work. He has visited the building on two occasions.

We look forward to discussing our Grant Application with you with the goal of restoring the beautiful Thompson Block Building for our community.

Thank you for your consideration. We are grateful for the grant program and the staff and volunteers who are working so hard to beautify downtown Livingston.

#### Attachments:

Paradise Valley Masonry Estimate - \$95,847.00

Paradise Valley Masonry Estimate Awnings Installation - \$19,500.00

American Woodworks Quote - \$3747.00

Nevins Glass Quote - \$11,734.00

General Awnings Quote - \$34,071.00

Meloni Metals Awnings Quote - \$14,970.00

Millworks.com Metal Tile Ceiling Quote - \$3,609.90

Americian Tin Ceilings - \$2,160.00

# Paradise Valley Masonry & Flooring

682 East River Rd.  
Pray, MT 59065  
(406) 223-9250  
pvmasonry406@gmail.com

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**05/20/2024**

## **Revised Estimate/Invoice for: Dave & Tracy Raich**

Location: 101 N. Main St., Livingston, MT 59047

For Historical restoration of brick, including construction of a pedestrian sidewalk enclosure and debris catch, removal of existing cement joints by grinding and chiseling, repair of any disintegrated brick and re-filling and tuck pointing of joints. Repair and re-surface of concrete window sills.

Approximate timeframe : 12 weeks (4 weeks with 2 men, 8 weeks with me alone) Timeframe is subject to change (possibly shorter) depending on how deteriorated it is and how much has to be hand chiseled.

2 men, 4 weeks, 40hrs/wk @\$100/hr = \$32,000.00

1 man, 8 weeks, 40hrs/wk @\$100/hr = \$32,000.00

**Labor Cost= \$64,000.00**

Client will provide cost of materials (cost of restoration materials is minimal, to include cement, grinder blades, grout bags, diesel fuel, etc.)

**Restoration Materials Cost = \$1,250.00**

**Lift Rental = \$10,524.00**

**Machine parking permit, \$100.00 permit, \$20/day, 90 days = \$6,100.00**

**2 Pedestrian sidewalk covers & debris catch(w/breakdown) = \$14,000.00**

**Total Approx. Project Cost = \$95,847.00**

**Terms:**

Initial payment of = \$63,847.00 ( 1/2 labor cost up front @ \$32,000.00 + 27,674.00 ,for all labor and materials on pedestrian sidewalk cover, Restoration Materials, Lift Rental, parking permit)

1/4 Labor cost due at halfway point= \$16,000.00

1/4 Labor cost due upon full completion= \$16,000.00

Luke Bradshaw/Owner

## ALL AMERICAN WOODWORKS



## QUOTE / CONTRACT

**"Old School Woodworking with a Modern Touch"**YOUR GOTO AUTHORIZED ECOPOXY RETAILER  
We Use What We Sell !

343 Hercules Road #1199 Emigrant, MT 59027

DATE

MAY 22, 2025

5th Ave W. # 542 Sunburst, MT 59482  
(406) 223-8330

QUOTE # N/A CUSTOMER ID

QUOTE # 25-0170 GE

www.AAWMT.com

Custom Matched Window Etching

BILL TO: Tracy Raich

Apprx. Completion

**NOTE:**RAICH MONTANA PROPERTIES, LLC Shelby  
1808 E. River Rd. Livingston, MT 59047Date(s): 3 - 4 Weeks From  
Receiving GlassAAW Will Deliver Completed  
Etched Window Glass to Site.

CONTACT:

Quote Valid For: 10 DAYS

Prepared By: Steve Sirois

Tracy Raich

406-223-8418 / Tracy@TracyRaich.com

DESCRIPTION	QTY	AMOUNT
Pick-Up 9 Pcs. of Client Supplied Glass from Client's Supplier	1.5	\$ 97.50
Provide Custom Stencil Materials Required For Etching of All Glass	171 SF	\$ 1,500.00
Provide Exact Duplicate Etchings on 9 Pieces of Glass Per Sample For:		
8 Pcs. To Be 58 x 48 x 3/16" # P516 Privacy Glass	155 SF	\$ 1860.00
1 Pc. To Be 48 x 46 x 3/16" # P516 Privacy Glass	16 SF	\$ 192.00
* AAW Will Deliver All 9 Pieces of Glass to Job Site Located	1.5	\$ 97.50
@ #2 Callender St. Livingston, MT 59047 Upon Completion.		
	Deposit Due Upon Acceptance	\$ 1900.00
Balance Due Upon Installation/Delivery, Completion: \$ 1,886.00	All Materials & Labor TOTAL :	\$ 3747.00

Minimum of 50% Is Due Upon Acceptance with Balance Due Prior to Shipping. Shipments Will Only Be Scheduled Once Final Payment Has Been Received.. If AAW is Installing; Balance Due Upon Installation Completion

If you have any questions concerning this QUOTE, please reach out to Steve at (406) 223-8330 or Steve@AAWMT.com.

PLEASE MAKE CHECKS PAYABLE TO:

ALL AMERICAN WOODWORKS

THANK YOU FOR YOUR BUSINESS!

## MELONI METALS QUOTE #2569

3824 Oakley Ave.  
 Memphis, TN 38111  
[sales@melonimetals.com](mailto:sales@melonimetals.com)  
 901-335-1405

6/16/2025  
 Terms: 1/2 Deposit  
 VALID FOR 30 DAYS  
 Rep: Scott Folk

Billing Address	Job Site Address
Raich, Dave	Livingston Storefront
1808 E. River Rd.	<a href="mailto:dave.araich@gmail.com">dave.araich@gmail.com</a>
Livingston, MT 59047	<a href="tel:406-223-3888">406-223-3888</a>
	Livingston, MT

QUANTITY	(PROJECTION X WIDTH)	TYPE	COST
3	6' x 14'	Suspended Canopies (Standard Color)	
1	6' x 18'	Suspended Canopy (Standard Color)	
1		Delivered (2-3 Weeks)	\$ 14,970.00

### Includes:

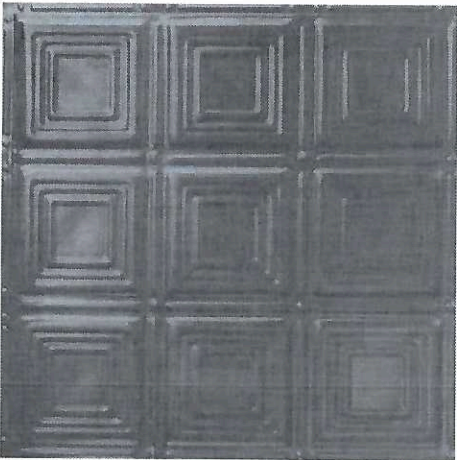
6" Extruded Fascia with 4 Corners (Standard Colors- Black)  
 Flat Pan Decking (Standard Colors-Black)  
 Scupper for Drainage (Location to be confirmed on Shop Drawing)  
 1.5" Square Hangers for Attachment 1' Above Transom

### Does not Include:

Installation  
 Hardware for attachment to building

**Signature for Acceptance of Proposal:** \_\_\_\_\_

Quote valid for 30 days. This order is not subject to cancellation. The customer is responsible for sizes. A 50% deposit must be collected prior to fabrication. Final payments are due within 10 days of delivery. Interest will be applied for past due payments. Products include one year warranty. Production time is contingent on material availability. Submitted by: *Scott Folk*



Pattern #20

# Pattern #20


Black Matte    s-p20-bmt

★★★★☆ 16 Reviews

**\$24.00** per panel

\$6.00 per sq. ft. | Panels are 2'x2'



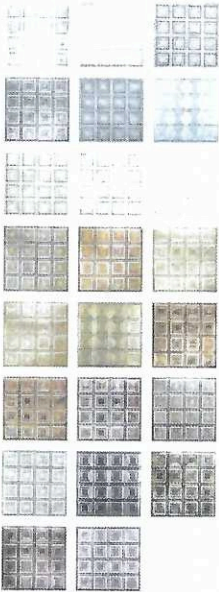


COLOR SAMPLE PACKS

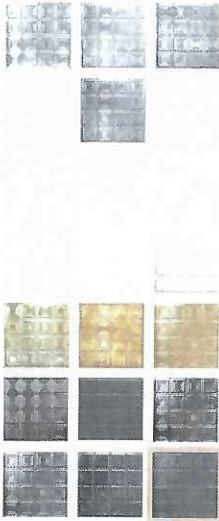
Add sample to cart

Receive 5 samples for the price of \$7.99 + FREE SHIPPING

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Standard & Premium [LEARN MORE](#)



Unfinished [LEARN MORE](#)



All colors (except Unfinished) are sealed, finished products with a coat to protect from rust. We recommend that unfinished panels be finished to prevent oxidation. They can be painted or clear coated.

Select an installation type +

☒ Snaplock

Panel Options +

☒ Non-Acoustic

Do you know how many 2x2 tiles are needed for your project? +

2'X2' TILE QUANTITY

90

Amount per Tile    **\$24.00**

Total    **\$2160.00**

Split your purchase into monthly installments for orders over \$500 with [shop Pay](#) [Learn more](#)



# Paradise Valley Masonry & Flooring

682 East River Rd.  
Pray, MT 59065  
(406) 223-9250  
pvmasonry406@gmail.com

**06/16/2025**

**Estimate (Awning)**

**For: Dave & Tracy Raich**

Location: 101 N. Main St., Livingston, MT 59047

For removal and installation of 4 Awnings, including a 4 man crew and dump trailer, haul-away. Repairing holes in brick where existing awning brackets and anchors were located.

Estimated Cost = \$19,500.00

**Subject:** FW: Nevins Glass - Quote for Glass & Labor  
**Date:** Wednesday, June 11, 2025 at 4:58:49 PM Mountain Daylight Time  
**From:** Tracy Raich  
**BCC:** Tracy Raich  
**Attachments:** image001.png

**From:** Nevins Glass <[nevinsglass@gmail.com](mailto:nevinsglass@gmail.com)>  
**Date:** Wednesday, June 11, 2025 at 1:33 PM  
**To:** Tracy Raich <[tracy@tracyraich.com](mailto:tracy@tracyraich.com)>  
**Cc:** Dave Raich <[dave.araich@gmail.com](mailto:dave.araich@gmail.com)>  
**Subject:** Re: Nevins Glass - Quote for Glass & Labor

Tracy & Dave:

Here is an updated quote for glass & estimated low high labor to install.

Qty 11	3/16"	P516 Obscure Glass	Misc Sizes	\$5134.00
		Etching provided by others		

Labor to install glass in frames \$3200.00 - \$6600.00

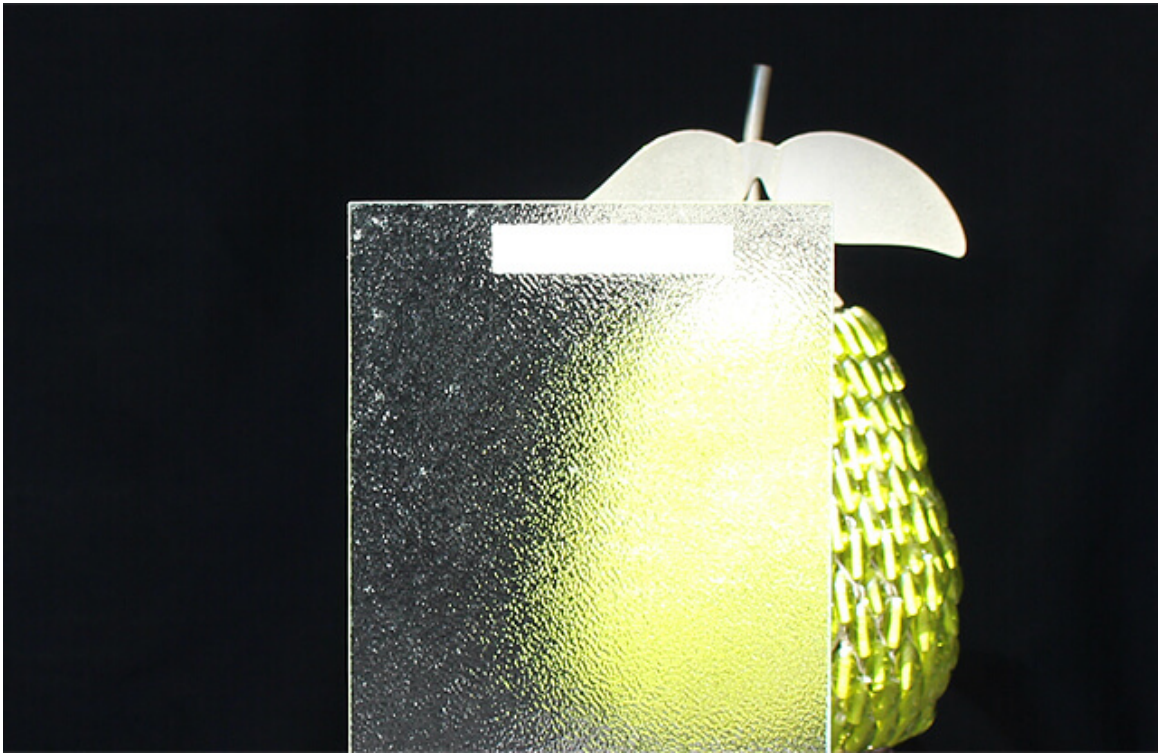
Note: All materials (wood / metal) scaffolding, provided by Dave Raich

Lead time on glass is a couple weeks out. Payment of glass in full at time of order.

Let us know if you have any additional questions.

Thank you,  
Dana, Jim, & Kade

Nevins Glass  
406 222 3170

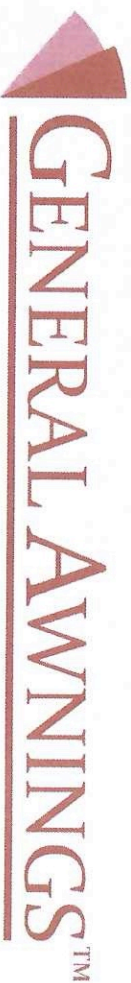


## P516 Glass

Let us know what you think.

Thank you,  
Dana, Jim, & Kade

Nevins Glass  
406 222 3170



(4) Items

Tel: 888.330.3115

Contact Us

Product Search

## Shopping Cart

- FREE ground shipping to all 48 contiguous United States.
- Most packages will be shipped by UPS or FedEx. Larger packages will be shipped by a commercial freight carrier.

Qty.

Item

3



**Century Series Awning with 8"-Wide Flat Panels**

Length along Building:

Projection from Wall:

Roof Panel Color:

Gutter & Brace Color:

Optional Downspout Kit Color:

168"

72"

Bronze

Bronze

Same color as Gutter & Braces

2

This item ships in 20 to 25 business days. Shipping time for this item is currently longer than normal due to an exceptionally busy season.

Unit price:

3 x \$7,568.00

Product total:

\$22,704.00

Remove item:

X

1

Century Series Awning with 8"-Wide Flat Panels



Length along Building:

216"

Projection from Wall:

72"

Roof Panel Color:

Bronze

Gutter & Brace Color:

Bronze

Optional Downspout Kit Color:

Same color as Gutter & Braces

This item ships in 20 to 25 business days. Shipping time for this item is currently longer than normal due to an exceptionally busy season.

Unit price:

1 x \$9,207.00

Product total:

\$9,207.00

Remove item:

X

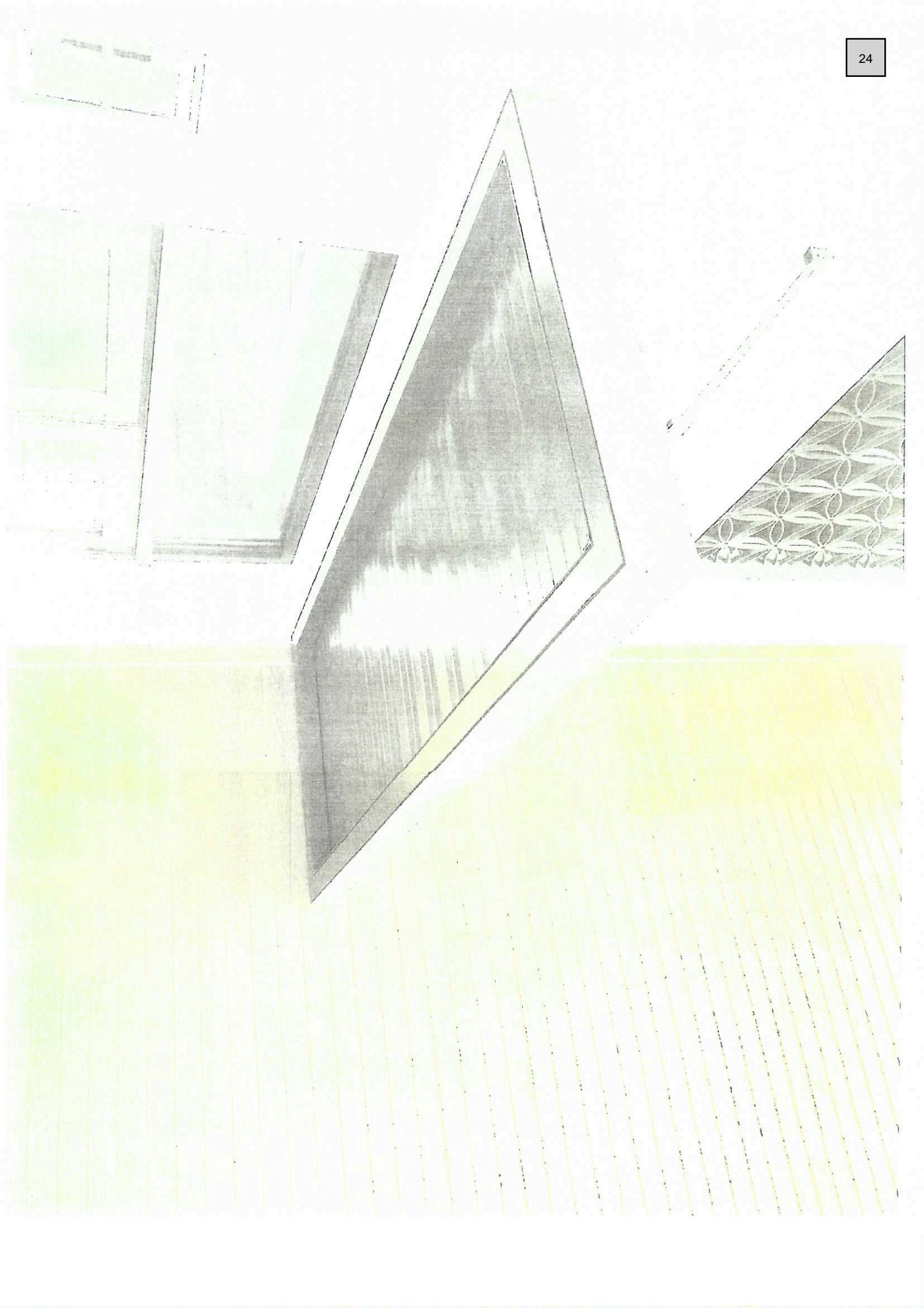
Update Qty

Shipping:

\$0.00

Total:

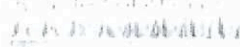
\$31,911.00



(/810-cornice-4-length-2-p-x-2-h-

(/905-cornice-4-length-4-p-x-4-h-

25



lacquer-steel-finish.html)

[810 Cornice, 4' Length, 2"P x 2"H, Lacquer Steel Finish](#)  
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finish.html)

Item No.: MM810LS

\$12.80

lacquer-steel-finish.html)

[905 Cornice, 4' Length, 4"P x 4"H, Lacquer Steel Finish](#)  
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Item No.: MM905LS

\$16.90

## Estimate your shipping and tax



Enter your destination to get a shipping estimate.

Country \*


United States

State/Province

Please select region, state or province

Zip/Postal Code

Subtotal \$3,609.90

Grand Total **\$3,609.90** Proceed to Checkout

Not the right color  
and more \$

**Lowest Price Guarantee** ([https://www.millwork.com/customer-service#ordering\\_lowestprice](https://www.millwork.com/customer-service#ordering_lowestprice))

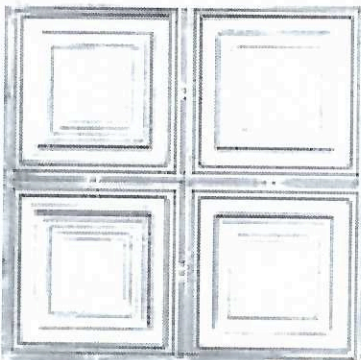
[CORBELS & BRACKETS \(HTTPS://WWW.MILLWORK.COM/CORBELS-BRACKETS.HTML\)](https://www.millwork.com/corbels-brackets.html)

[MOULDING AND TRIM \(HTTPS://V](https://www.millwork.com/moulding-and-trim.html)

## SHOPPING CART

320 Plate Pattern with a 12" Repeat, Nail Up, 24"W x 48"L, Lacquer Steel Finish was added to your shopping cart.

### Product Name



[320 Plate Pattern with a 12" Repeat, Nail Up, 24"W x 48"L, Lacquer Steel Finish](https://www.millwork.com/320-plate-pattern-with-a-12-repeat-nail-up-24-w-x-48-l-lacquer-steel-finish.html) (<https://www.millwork.com/320-plate-pattern-with-a-12-repeat-nail-up-24-w-x-48-l-lacquer-steel-finish.html>)

Estimated ship date: Tuesday, Jun. 24th - Friday, Jun. 27th

Item No.: MC3202448NULS



[Remove item](#)

([https://www.millwork.com/checkout/cart/delete/id/209445/form\\_key/51hNwdu1dsBEM](https://www.millwork.com/checkout/cart/delete/id/209445/form_key/51hNwdu1dsBEM))

(<https://www.millwork.com/320-plate-pattern-with-a-12-repeat-nail-up-24-w-x-48-l-lacquer-steel-finish.html>)

[Continue Shopping](#)

[Clear Cart](#)

## You May Also Like...



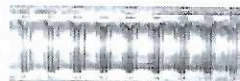
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[approx-200-sq-ft-lacquer-steel.html](#))

[Box of Conehead Nails. Covers approx. 200 SQ. FT. Lacquer Steel](#) ([/box-of-conehead-nails-covers-approx-200-sq-ft-lacquer-steel.html](#))

Item No.: MA200LS

\$14.14



([/806-cornice-4-length-6-p-x-6-h-](#)

[lacquer-steel-finish.html](#))

[806 Cornice, 4" Length, 6"P x 6"H, Lacquer Steel Finish](#) ([/806-cornice-4-length-6-p-x-6-h-lacquer-steel-finish.html](#))

Item No.: MM806LS

\$21.10

[Chat](#)

**File Attachments for Item:**

**B. PRESENTATION OF BY-LAWS AND HANDBOOK**

## CITY OF LIVINGSTON

### URBAN RENEWAL AGENCY BY-LAWS

#### **Article 1: Purpose**

Section 1: The Livingston Urban Renewal Agency shall be vested with the authority of administering the Livingston Urban Renewal Plan, as described in the Livingston City Commission's Ordinance 1932. As such, this Board will advise the City Commission on matters pertaining to Urban Renewal within the City's jurisdiction. This Board will also advise the City Commission as to any revisions or updating of the City's Urban Renewal Plan. The creation and operation of the Board is codified in Title 7, Chapter 15, Parts 42 and 43 of the Montana Code Annotated (MCA).

#### **Article 2: Membership**

Section 1: The Livingston Urban Renewal Agency shall consist of Six (6) members. Five (5) citizen members, who are residents of the City, to be appointed by the City Commission for overlapping two (2) year terms and one (1) member of the City Commission who shall be a voting member and shall be appointed annually by the City Commission. Other than the City Commissioner, a member shall not hold any public office of the City other than their membership.

Section 2: Vacancies will be filled by the City Commission as soon as practicable.

Section 3: Members may be removed in accordance with the City's Board and Commission handbook.

Section 4: Members shall be subject to the provisions of the Livingston Conflict of Interest Policy as codified in Chapter 2 of the Livingston Municipal Code.

#### **Article 3: Meetings**

Section 1: Regular meetings will be held on the Urban Renewal Agency of each month at a venue provided by the City (generally the Community Room in the City-County Building).

Section 2: Special meetings may be called by the assigned City Staff Member. City staff will notify Board members at least two (2) days in advance of the purpose, date, time and place of the meeting.

Section 3: All meetings will be noticed in accordance with City policy, City ordinance and State law.

Section 4: Regular meetings may be canceled when no business is pending; however, the Board shall meet at least once quarterly in each calendar year.

Section 5: Meetings are subject to Montana's Open Meeting Laws as set forth in 2-3-101 et seq MCA.

Section 6: Meetings shall be conducted according to the board operating procedures detailed in the City's Board and Commission handbook.

#### **Article 4: General Operations**

Section 1: The Urban Renewal Agency is responsible for holding public hearings and making recommendations pertaining to Urban Renewal to the City Commission.

Section 2: A quorum shall consist of a majority of appointed, voting Board members (Four of Six). No official action can be transacted and no motions may be passed without a quorum present.

Section 3: Officers: At the first meeting of each calendar year, the Board will elect, from its members, a Chair and a Vice-Chair. The Chair will perform the following duties:

- Facilitate all meetings according to the board operating procedures detailed in the City's Board and Commission handbook and maintaining order.
- Promote efficient use of the Board's time while assuring that all interested parties have an opportunity to participate in Board activities.

The Vice-Chair shall perform the duties of the Chair in the Chair's absence.

Assigned City Staff shall act as Secretary. The Secretary shall be responsible for keeping records of the Board actions and recommendations, including overseeing the taking of minutes, sending out meeting notices and distributing copies of minutes and agendas.

Section 4: A member of the Board who knows, in advance, that they will be absent from a scheduled meeting shall notify the Chair and Assigned City Staff as soon as possible. Any absence without notice is undesirable. Any member who misses more than 25% of meetings in a twelve (12) month period without giving notice and being excused shall be subject to replacement by the governing body.

#### **Article 5: Adoption and Amendment**

Section 1: These Bylaws are adopted this 3 day of June, 2025, by the Livingston City Commission.

Section 2: These Bylaws may be amended by the City Commission as deemed necessary by the City Commission at an appropriately noticed public meeting.

# City of Livingston

## Board and Commission Handbook



May 2025

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## Handbook Purpose and Use

This Handbook is intended for use by members of the City of Livingston's Advisory and Ad-Hoc Boards and Commissions. The Handbook provides members with an understanding of the City's structure and the role of their specific Board or Commission in supporting the City. This handbook will provide members a general understanding of expectations for how Boards and Commissions operate, including relevant statutory references. Members are encouraged to use additional resources including the Livingston Growth Policy, Montana Municipal Officials Handbook, the State Land Use Review Handbook and the Montana State University Local Government Center to develop a more complete understanding of specific issues.

The operation of the local government in the City of Livingston is governed by two principal documents: Montana Code Annotated (MCA) and the Livingston Municipal Code (LMC). These two documents provide the framework through which the City of Livingston operates. Certain functions have been delegated to the City to manage through Local Laws (LMC) while others are mandated by State Code (MCA). Within the handbook, there are many references to the Montana Code Annotated and Livingston Municipal Code. The excerpts from each are updated as frequently as possible. Before acting upon any reference, readers are encouraged to review the references to ensure the accuracy of the materials at the time of reading.

## City of Livingston Board and Commissions

### Purpose

The City of Livingston is governed by a Commission-Manager form of government pursuant to Title 2, Chapter 3, Part 3 of the Montana Code Annotated (MCA 7-3-301 et seq.). The City Commission appoints a Manager who is "responsible to the commission for the administration of all local government affairs placed in the manager's charge by law, ordinance, or resolution." (MCA 7-3-301).

Montana Code Annotated and the Livingston Municipal Code have established the authority or requirement for certain Boards and Commissions to be created by the City Commission. In the City of Livingston, these Boards include:

- Consolidated Land Use Board
- Historic Preservation Commission
- Urban Renewal Agency
- Board of Appeals

Additionally, the City is required by MCA to have representatives on the following joint City-County Boards:

- City-County Board of Health
- City-County Library Board
- City-County Airport Board

All Boards and Commissions exist to enhance public participation in local government. The City intends that Boards and Commissions are an avenue for the citizenry to express their desires in policy matters. These desires are expressed through recommendations to the City Commission.

## Relation to City

The work of City Boards and Commissions shall always be in support of the Livingston City Commission. To ensure such alignment, the agenda and work plan of the City Boards and Commissions shall be created by the City staff member with City Commission priorities in mind. Board and Commission members are not agents of the City, and shall not take official actions on behalf of the City or direct City staff.

## Relation to City Commission

Except for “temporary advisory committees established by the Manager,” members of the Boards and Commissions of the City of Livingston are appointed by the City Commission pursuant to MCA 7-3-312. Vacancies on Boards and Commissions will be filled through a process managed by the City Manager and appointments shall be for a definite term.

Members may be removed from Boards and Commissions by the City Commission for cause including for habitual absenteeism (defined as more than 25% unexcused absences from meetings in a 12-month period), inability to abide by rules, inability to work respectfully as part of the board or commission, improper conduct or failure to interact with the public in a productive manner. In such cases, the City Manager shall make a removal recommendation to the City Commission.

As detailed below, each Board or Commission exists to perform a function that is established in either Montana Code Annotated, Livingston Municipal Code or a combination of both. In all cases, the recommendations or actions of Board or Commission is expected to be in support of the work of the Livingston City Commission and in accordance with guiding documents including the Growth Policy and relevant plans adopted by the City Commission.

## Relation to City Staff

Each Board or Commission of the City of Livingston shall have a City staff member assigned by the City Manager to support its function. The City staff member shall have responsibility for the posting of agendas, provision of materials and creation of minutes to support the function of the Board or Commission.

Board and Commissions do not have authority to direct the work of assigned staff or the City Manager. Members and the Presiding Officer of a Board or Commission are expected to consult with the City Manager and assigned staff regarding work assignments.

## Role of Boards and Commission

The role of each City of Livingston Board or Commission is established by its authorizing statute, whether that is Montana Code Annotated, Livingston Municipal Code or a combination of both.

- Consolidated Land Use Board: The Consolidated Land Use Board functions as both the City Planning Board (MCA 76-1-101, et seq.) and Municipal Zoning Commission (MCA 76-2-307, et seq.) that are established in State Code. However, the Consolidated Land Use Board is also governed by the Livingston Municipal Code Chapter 27.

- Historic Preservation Commission: The Historic Preservation Commission is governed by Livingston Municipal Code Chapter 31.
- Urban Renewal Agency: The Livingston Urban Renewal Agency is governed by Title 7, Chapter 15, Part 42 of Montana Code Annotated. The goals of the Agency are also governed by the Urban Renewal Plan adopted pursuant to MCA requirements.

## Actions of Boards and Commissions

Each Board or Commission acts as a body and actions are authorized through a voting process. Each vote requires a member to make a motion that is seconded by another member. A majority vote of the members present is required to approve any action. The regular actions of the Board or Commission most often take several forms: approval of minutes; recommendation to the City Commission for actions (including applications and ordinances); recommendation to the City Commission for setting of policy.

The function of each Board and Commission shall be governed according to the By-Laws adopted by the City Commission for each Board.

Members shall not perform work tasks to support the function of their Board or Commission. Any action of the Board or Commission that requires a subsequent task to be performed will be done so with the expectation that the assigned City staff member will accomplish the task. Therefore, Board and Commission members shall consult with the assigned staff and City Manager regarding work assignments.

## Board and Commission Meetings

### Place and Time

The City of Livingston Boards and Commissions meet according to protocols established by the City Commission and Manager. The time and place of the meetings is included in these protocols with the expectation that meetings will be held in a manner which maximizes opportunities for public participation.

### Public Participation

Meetings of City of Livingston Boards and Commissions, including subcommittees thereof, are subject to Montana Open Meeting Laws. Montana law requires that open meeting statutes be interpreted liberally. MCA 2-3-201 provides that public boards, commissions, councils, and agencies exist to conduct the people's business, and that their actions and deliberations must be carried out openly. The law makes clear that public agencies serve the people and that transparency is fundamental to maintaining that trust.

There are four essential elements to Montana's open meetings requirements:

1. A quorum—meaning the number of members legally required to conduct business—is convened, either through physical presence or electronic means (2-3-202, MCA);
2. The members hear, discuss, or act upon matters within the agency's jurisdiction (2-3-202, MCA);

3. The meeting is open to the public, and members of the press must be allowed to record the proceedings (2-3-211, MCA);

4. Minutes of all meetings are kept and made available to the public (2-3-212, MCA).

In addition, the public's right to know and right to participate provisions may apply to organizations outside of government if they are supported wholly or partly by public funds. Section 2-3-203, MCA, extends transparency expectations to such entities.

## Public Records

The records of the City of Livingston are generally open and available for public inspection at any time. The Montana Secretary of State has promulgated regulations for record retention that the City adheres to. Documents that are not available to the public include: closed meeting minutes; criminal justice information; attorney-client work product; and personnel records. Members should understand that their communications and documents are generally available for public inspection regardless of the device or program used to create, share or store them.

## Ex Parte Communications

Ex Parte communications are private conversations between a decision maker and a party or person concerning issues before the decision maker. Board and Commission members will declare any conversations about specific issues before the Board or Commission and relay the information and parties involved in the conversation.

## Procedures

The conduct of meetings of the Livingston City Boards shall adhere to the following provisions:

### A. Procedure to Conduct Business.

1. The Chair shall clearly announce the agenda item to be considered and ask other members for conflicts or ex parte disclosures.
2. Following announcement of agenda item, the Chair shall invite the City staff member to report on the item, including any recommendation that they might have.
3. The Chair shall ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.
4. The Chair shall invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input on the agenda item being considered. The Chair may limit the time of public speakers to four minutes. To be recognized, each person desiring to give comment, testimony or evidence shall proceed to the podium provided and after being recognized, give his or her name and address before testifying, commenting or presenting other evidence. All comments, testimony and evidence shall be directed to the presiding officer. No questions shall be asked of a Commission member except through the presiding

officer. At the conclusion of the public comments, the Chair shall announce that public input has concluded (or the public hearing as the case may be is closed).

5. The Chair shall invite a motion. The Chair shall announce the name of the member of the body who makes the motion.
  6. The Chair shall determine if any member of the body wishes to second the motion. The Chair shall announce the name of the member of the body who seconds the motion. No motion shall be debated or put to a vote unless the same shall be seconded. If the motion is made and seconded, the Chair should make sure everyone understands the motion. This is done in one (1) of three (3) ways: (1) The Chair can ask the maker of the motion to repeat it. (2) The Chair can repeat the motion. (3) The Chair can ask the City staff assigned to the meeting to repeat the motion.
  7. The Chair shall now invite discussion/debate of the motion by the body. Every member desiring to speak shall address the presiding officer, and upon recognition, shall confine themselves to the question under debate, avoiding all personalities and indecorous language.
    - a. A member, once recognized, shall not be interrupted when speaking unless it is to call them to order or as herein otherwise provided.
      - i. If a member, while speaking is called to order, they shall cease speaking until the question of order is determined, and, if in order, they shall be permitted to proceed.
    - b. Order of rotation in matters of debate or discussion shall be at the discretion of the presiding officer.
      - i. A member shall not speak more than twice on the same subject without leave of the Chair, nor more than once until every member desiring to speak on the pending question has had an opportunity to do so.
  8. If there is no desired discussion, or after the discussion has ended, the Chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.
  9. The Chair shall direct that the vote be taken by a roll call vote. If members of the body do not vote, then they "abstain". Unless the rules of the body provide otherwise (or unless a super-majority is required as delineated in these rules) then a simple majority determines whether the motion passes or is defeated.
  10. The Chair should announce the result of the vote and should announce what action (if any) the body has taken.
- B. Motions, Majority Approval, Debatable or not and Exceptions.
1. The Basic Motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a 5-member committee to

plan and put on our annual fundraiser."

2. The Motion to Amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a ten-member committee." A motion to amend takes the basic motion which is before the body and seeks to change it in some way. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way.
3. Order of Consideration of Motions. There can only be one (1) motion on the floor at a time. During the discussion of this motion, a member might make a second motion to "amend the main motion."
  - a. First, the Chair would deal with the motion to amend. After discussion and debate, a vote would be taken on the motion to amend.
  - b. Second, if the motion to amend passed the Chair would now move to consider the main motion (the first motion) as amended. If the motion to amend failed the Chair would now move to consider the main motion (the first motion) in its original format, not amended.
4. Motions Debatable, Exceptions. The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions and motions to amend are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action.
  - a. Exceptions. There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the body without debate on the motion):
    - i. A Motion to Adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.
    - ii. A Motion to Recess. This motion, if passed, requires the body to immediately take a recess. Normally, the Chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.
    - iii. A Motion to Fix the Time to Adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.
    - iv. A Motion to Postpone Consideration. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the body: "I move we postpone consideration of this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to consider the item and bring it back to the body will have to be taken at a future meeting. A motion to postpone consideration an item (or to bring it back to the body) requires a simple majority vote.

- v. A Motion to Limit Debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote". When such a motion is made, the Chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds (2/3) vote of the body. Note: that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a two-thirds (2/3) vote of the body.
- vi. Motion to Object to Consideration of an Item. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds (2/3) vote.

## City of Livingston Conflict of Interest Policy

### General

The City of Livingston has adopted a Conflict of Interest Policy that applies to members of its Boards and Commissions. The Conflict of Interest Policy exists in the Chapter 2 of the Livingston Municipal Code. Each member of a City of Livingston Board or Commission is expected to know and understand the Policy. Questions on the policy or its implementation shall be directed to the City Manager.

In addition to the Policy, the City also has a Disclosure Form that is included as Exhibit A. Each Board or Commission member shall submit a Disclosure Form to the City Manager at the time of appointment.

### LMC 2-24 Purpose of Conflict of Interest Policy

It is the intent of the City of Livingston to establish a Conflict of Interest Policy. This policy protects and encourages impartial and independent judgment ensuring that the private conduct and financial interest of public officials do not present a real conflict of interest in their responsibilities to serve the public.

The Policy, as enshrined in Livingston Municipal Code Sections 2-24 through 2-34, establishes minimum standards of conduct and is designed to assist public officials in understanding their obligations. This Policy applies to all elected officials and community or advisory board members.

Public confidence in government is essential and the City can help sustain it by establishing and enforcing rules to assure the impartiality and honesty of officials in all public discussions, decisions and transactions. Each affected advisory and community board of City government should inform its members of the provisions of this chapter and strive to effectively enforce its requirements by seeking appropriate assistance from the City Attorney, or City Manager.

### LMC 2-25 Organizational Responsibility for Conflict of Interest Policy

The legislative affairs of the City shall be conducted in a manner free from influences and/or activities that compromise the integrity of the process. It is the responsibility of each public official to ensure their compliance with this Policy.

In the event of a perceived Conflict of Interest, Officials may rely upon the advice of the City Attorney as to whether the official has a conflict of interest pursuant to law. In matters where a conflict of interest exists, the Official shall excuse themselves from the dais, and refrain from discussion and vote except when the Official's participation is necessary to obtain a quorum or otherwise enable action. In such a case, the official shall disclose the interest creating the appearance of impropriety and comply with the disclosure requirements of MCA 2-2-101 et seq., prior to performing the official act.

### LMC 2-26 Conflict of Interest Policy Definitions

Unless the context specifically indicates otherwise, the meanings of terms used in this ordinance shall be as follows:

1. Gift shall mean any benefit, favor, service, privilege, or thing of value which could be interpreted as influencing a public official's impartiality. Gifts include, but are not limited to: trips, money, merchandise, foodstuffs, and tickets to sports, civic or cultural events; services or work provided by City suppliers and offers of future employment from City suppliers. Gifts do not include items that would not ordinarily be interpreted as affecting an official's impartiality; such as an occasional business lunch, potted plants or flowers, boxes of candy for office personnel, or advertising office supplies, such as pencils, calendars, or pens, or other token gifts of small value.
2. Immediate and direct official action shall mean any vote, decision, recommendation, approval, disapproval, or other action, including inaction, which involves the use of discretionary authority.
3. Official shall mean and include any person who serves on the City Commission or any advisory or community board or commission created by the Commission.
4. Substantial conflict of interest shall mean a situation, which is likely to affect the judgment or actions of an official in the performance their duties for the City.
5. Financial Interest shall mean any interest which shall yield, directly or indirectly, a monetary or other material benefit (other than duly authorized salary or compensation for services to the City) to the official, their family members and cohabitants, or any person retaining the services of the official.

### LMC 2-27 Just and equitable treatment

- A. Use of Public Property. No official shall request or permit the use of City-owned vehicles, equipment, materials or property or the expenditure of City funds for personal convenience or profit unless authorized by other agreement. Use or expenditure is to be restricted to such services as are available to the public generally or for such employee in the conduct of official business.
- B. Obligations to Citizens. No official shall grant any special consideration, treatment or advantage beyond that which is available to every other citizen.
- C. Except as authorized by law and in the course of his or her official duties, no official shall use the power or authority of his or her office or position with the City in a manner intended to induce

or coerce any other person to provide such official or any other person with any compensation, gift, or other thing of value directly or indirectly.

D. No official may ask for or receive, directly or indirectly, any compensation, gift, or thing of value, or promise thereof, for performing or for omitting or deferring the performance of any official duty, or action by the City other than the compensation, costs or fees provided by law.

## LMC 2-28 Campaign activities

City officials are encouraged to participate in the political process on their own time, with their own personal resources, and outside of the workplace by working on campaigns for the election of any person to any office or for the promotion of or opposition to any ballot proposition. Officials shall not use or authorize the use of the facility of the City of Livingston for such purposes except as authorized by law. See subsection 2 –2-121 MCA which applies to public officials.

## LMC 2-29 Gifts and Things of Value

Officials may not accept gifts or other things of value when given by anyone who does business or seeks to do business with the City, if the gift is given for performance, or the failure to perform, one's duty; or when the gift could appear to be for the purpose of obtaining special consideration or to influence a City action. Pursuant to subsection 45-7-104 (5)(b) MCA, this section does not apply to trivial benefits incidental to personal, professional, or business contacts and involving no substantial risk of undermining official impartiality. A hosting government or agency may sometimes pay for other costs, such as travel expense and hotel accommodation, associated with government-related activities. Gifts of this nature are not a violation of this policy.

Gifts do not include items for which fair market value is paid or which are reimbursed by the City, or items received but donated to a charitable organization within 30 days of receipt of the gift. Meals are not considered gifts or items of value.

## LMC 2-30 Conflicts of Interest

In addition to conflicts of interest identified above, the following rules apply to all officials of the City. No official shall engage in any act that is in conflict with the performance of official duties. An official shall be deemed to have a conflict of interest if he or she directly or indirectly:

1. Receives or has any financial interest in any purchase, sale or lease to or by the City of any service or property when such financial interest was received or obtained with the prior knowledge that the City intended to purchase, sell or lease such property or service;
2. Is beneficially interested in any contract, sale, lease, option or purchase that may be made by, through, or under the supervision of the official, in whole or in part, or accepts, directly or indirectly, any compensation, gift or thing of value from any other person beneficially interested therein;

3. Accepts or seeks for others any employment, travel expense, service, information, compensation, gift or thing of value on more favorable terms than those granted to the public generally. These favorable terms may not be solicited from any person doing business, or seeking to do business with the City in an area for which the employee has responsibility or with regard to which he or she may participate. This subsection shall not apply to the receipt by elected officials of meals, refreshments or transportation within the boundaries of the City when given in connection with meetings with constituents or meetings which are informational or ceremonial in nature.

#### LMC 2-31 Prior employment

No official shall be disqualified from service solely because of his or her prior employment; however such official shall be disqualified from taking any immediate and direct official action with respect to his or her prior employer for a period of two (2) years from the date of termination of employment.

#### LMC 2-32 Contemporaneous employment

Under no circumstances shall any official engage in a decision that may cause a conflict of interest with his or her outside employment or financial interest. No use should be made of City-owned materials or facilities in performing such outside work.

#### LMC 2-33 New Official training

Every official, upon initiating service with the City, shall receive a copy of the Conflict of Interest Policy as part of the service's orientation.

#### LMC 2-34 Violation of Conflict of Interest Requirements

Violation of this ordinance shall be ground for discharge or other disciplinary action. Disciplinary action and grievance procedures will be conducted according to the City Commission Handbook and Montana Code Annotated where appropriate.

Exhibit A: Disclosure Form

City of Livingston

Disclosure Form

This form is provided to all Livingston City Board and Commission members to assist City Staff in identifying potential conflicts of interest. Commissioners and Board Members complete the form upon taking office and at update yearly throughout their term. The completed form must be returned to the City Manager.

Member Name: \_\_\_\_\_

Address: \_\_\_\_\_

Employer: \_\_\_\_\_

Spousal Employer: \_\_\_\_\_

Other Employers of Household Members: \_\_\_\_\_

Association Memberships: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please identify any other potential conflicts that you may have: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_