

**RESOLUTION NO. 4019**

**A RESOLUTION APPROVING A LETTER OF AGREEMENT RELATED TO THE SHARING OF COSTS FOR FLOOD PROTECTION PROJECT EXPENSES BETWEEN THE CITY OF MILES CITY, AND CUSTER COUNTY.**

*WHEREAS*, the City of Miles City and Custer County desire to share in the cost of obtaining certain services related to the Custer County / Miles City Flood Protection Project:

*AND WHEREAS*, a Letter of Agreement has been drafted which establishes the cost share for certain professional services related to said project;

*NOW THEREFORE BE IT RESOLVED* by the City Council of Miles City, Montana, as follows:

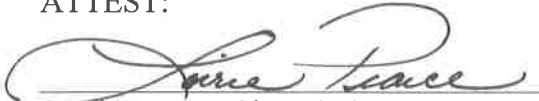
The Letter of Agreement re: Interlocal Agreement for Sharing Costs of Certain Flood Protection Project Expenses, attached hereto as Exhibit "A" and made a part hereof, is hereby approved by the City Council of the City of Miles City.

The Mayor is hereby authorized to execute said Letter of Agreement on behalf of the City, and to bind the City thereto.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS 27<sup>TH</sup> DAY OF DECEMBER, 2016.**

  
\_\_\_\_\_  
JOHN HOLLOWELL, Mayor

ATTEST:

  
\_\_\_\_\_  
Lorrie Pearce, City Clerk

**LETTER OF AGREEMENT**

**Re: Interlocal Agreement for Sharing Costs of Certain Flood Protection Project Expenses**

This **LETTER OF AGREEMENT** entered into this 27<sup>th</sup> day of December, 2016, and with an effective date July 1, 2016, by and between **CUSTER COUNTY, MONTANA**, a political subdivision of the State of Montana, hereinafter "COUNTY", and the **CITY OF MILES CITY, MONTANA**, a Montana municipal corporation, hereinafter "CITY".

**WHEREAS**, COUNTY and CITY desire to share in the cost of obtaining certain services related to the Custer County / Miles City Flood Protection Project.

**AND WHEREAS**, the parties wish to reduce their agreement as to such cost share to writing;

**NOW, THEREFORE, IT IS HEREBY AGREED AMONG THE PARTIES AS FOLLOWS:**

1. **Cost Share:** CITY agrees to pay 70% of the costs not covered by grants or outside funding for the services set forth below; and COUNTY agrees to pay 30% of the costs not covered by grants or outside funding for the service set forth below, beginning on the effective date set forth above. This Agreement as to cost sharing is limited to the services set forth herein and does not bind the parties with regards to the percentages of costs to be shared for the remaining portions of the Custer County / Miles City Flood Protection Project.

2. **Services Subject to Agreement:** The services which are subject to this agreement include the following:


- a. USACE Section 205, Study Portion;
- b. Supplemental professional services for the CCMC Flood Protection Project;
- c. Bond Counsel services used in connection with determining project funding options.

3. **Additional Services:** Additional services may be added to those set forth in Paragraph 2 by written agreement of the parties.

**CUSTER COUNTY, MONTANA**

By:  1-10-17  
Kevin Krausz, Commissioner

By:   
Jason Strouf, Commissioner

By:   
Keith Holmlund, Commissioner

**CITY OF MILES CITY**

By:   
John Hollowell, Mayor

Attest:   
Lorrie Pearce, City Clerk