

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER AND BUSINESS SUCCEEDS.”

WORK SESSION AGENDA

COUNCIL CHAMBERS

February 4, 2019

5:30 P.M.

CALL TO ORDER: Mayor Cole

1. Quarterly Updates:

- Billings Industrial Revitalization District (BIRD)
- Downtown Billings Partnership (DBP)
- South Billings Urban Renewal Association (SBURA)
- Budget
- Health Fund
- Initiatives
- City-wide Park District 1 Projects
- Code Enforcement Update
- Police
- Fire Department Paramedic Program
- Public Comment

2. City and Urban Renewal District Memorandums of Understanding (MOUs)

- Public Comment

COUNCIL DISCUSSION:

PUBLIC COMMENT on “NON-AGENDA ITEMS”. *Speaker Sign-in required. (Restricted to ONLY items not on this printed agenda. Comments are limited to 3 minutes. Please sign the roster at the cart located at the back of the Council chambers or at the podium.)*

ADJOURN:

CLOSED EXECUTIVE SESSION* (pending litigation)

*Note:

- This meeting is an “informal” meeting of the City Council. The content of the Agenda is subject to change at the meeting.
- In the event there is a Closed Executive Session at the end of a Work Session, the sole purpose is to discuss litigation strategy. The other parties to the case(s) discussed are not public bodies or associations as described in Section 2-3-203(1) and (2), MCA. The meeting is closed, as allowed by Section 2-3-203(4)(a), MCA, “to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position” of the City of Billings.

Council Work Session

1.

Meeting Date: 02/04/2019

TITLE: Quarterly Updates

Department: City Hall Administration

Presentation: Yes

PROBLEM/ISSUE STATEMENT

Quarterly Updates will be provided to Mayor and Council in the following areas:

- Billings Industrial Revitalization District (Tim Goodridge)
- Downtown Billings Partnership (Katy Easton - Downtown Billings Alliance)
- South Billings Urban Renewal Association (Steve Zier)
- City of Billings Budget (Andy Zoeller - Finance Director)
- City of Billings Health Insurance Fund (Karla Stanton - Human Resources Director)
- Council Initiatives (Kevin Iffland)
- City of Billings Park District 1 Projects (Mike Whitaker)
- Code Enforcement (Nicole Cromwell)
- Billings Police Update (Police Chief St John)
- Billings Fire Department Paramedic Program Update (Fire Chief Rash)

RECOMMENDATION

No action will be required by Council on this item.

Attachments

Quarterly Reports



1413 4th Avenue North, Suite C • Billings, MT 59101

Quarterly Report to City of Billings
FYE 2019 Quarter 2 – February 4, 2019

2018 EBURD Lighting Safety & Street Project

- 12 blocks of curb, gutter and asphalt are completed.
- Work on all the remaining flatwork, primarily sidewalks, will begin when the season changes.
- Sanitary and Storm Water upgrades are all finished.
- 159 of the 212 LED streetlights have been installed with the remaining 53 beginning in March pending permits from MRL/BNSF.
- Cost and design for promotional banners to hang on new street lights is being explored.

Landscaping & Beautification Project

- \$40,000 in total TIF funding was authorized by council to incentivize property owners with a dollar for dollar match on approved landscaping and beautification projects.
- Outreach to EBURD property owners continues with the focus on those affected by the Lighting Safety & Street Project
- A \$7,125 match has been approved for landscaping along Western Ranch Supply frontage which includes the planting and irrigation of 35 trees.

Amending the EBURD

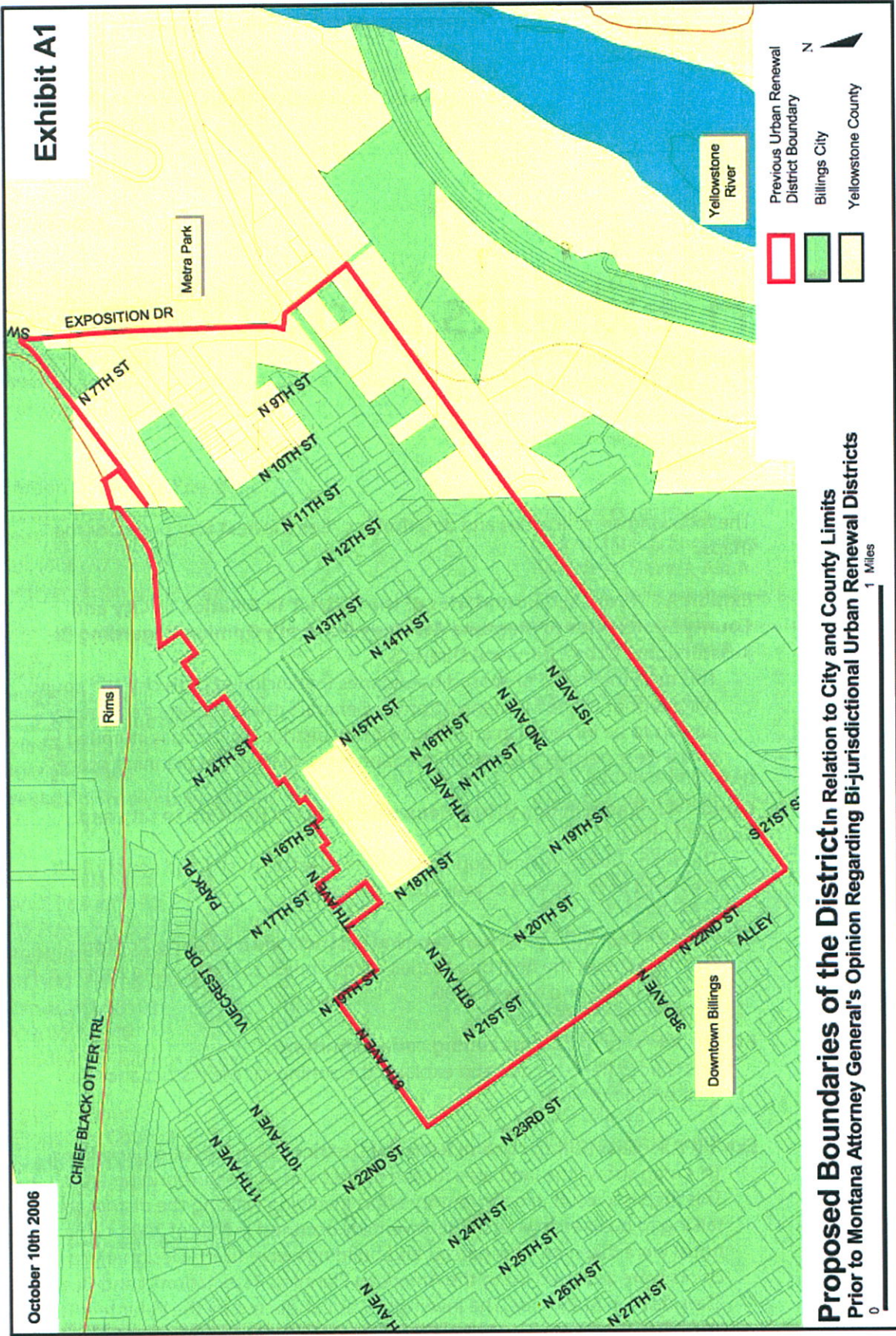
- The BIRD board passed a resolution to amend the EBURD if multiple Petitions to Annex properties are submitted to the city.
- Potential property transactions could make county island properties within the boundaries of the EBURD available for annexation into the city.
- Only properties within the original planned 2006 boundary of the EBURD will be considered.

FINANCIAL REPORT FOR THE QUARTER

Numbers provided by city finance department

	East Tax Increment Fund		
	<i>For the Quarter Ended December 31, 2018</i>		
FY19 Beginning Fund Balance	\$ 1,209,807		
Revenue			
Tax	439,959		
Intergovernmental	73,327		
Proceeds from Debt Issuance	3,560,367		
Investment Earnings	<u>19,395</u>		
Total Revenue	4,093,048		
			FY19
Expenditures			Budget
Professional Services	-		35,000
Cost Allocation	20,486		40,970
EBURD Operating Agreement	34,987		139,946
Development Project Incentives	115,172		184,250
Debt Service	259,189		444,138
Capital Outlay	<u>2,282,795</u>		<u>4,819,608</u>
Total Expenditures	2,712,629		5,663,912
Ending Fund Balance	\$ 2,590,226		
Cash Balance as of 12/31/18	\$ 2,128,149		

Exhibit A1



October 10th 2006

Proposed Boundaries of the District In Relation to City and County Limits
 Prior to Montana Attorney General's Opinion Regarding Bi-jurisdictional Urban Renewal Districts

1 Miles

0



Downtown Billings Partnership, Inc.
Downtown Billings Alliance
Main Office Hours: M-F 9am to 4pm

Quarterly Report to Billings City Council

FY 19 – 2nd Quarter Update

Monday, February 4, 2019

- Status of the N27th/Downtown Tax Increment Fund for FY 19 - Quarter Ending, December 31, 2018 – see attached spreadsheet with fund line items
- DBP Highlights and other work in the N27th Street Urban Renewal District
 - Development Director position update
 - Continued work with the Montana State TIF working group to review proposed legislation
 - Met with Lou Taubert owners and BSED twice on the sale or lease of their property
 - New Businesses Opened:
 - The Firehouse Restaurant and Bakery, opened in October
 - Buchanan Capitol, opened in new location in October
 - Toad and Willow, opened in November
 - The Post at The Depot (pop-up space), opened in November
 - Kirk's Grocery (art venue on Minnesota Ave.), opened in December
 - Murphy & Myers Law Offices, opened in December
 - Well Pared, opened in December
 - The historic Babcock Theater reopened in November and is currently showing films seven day a week
- General Alliance Work
 - DBA signed a lease to develop and move into the Meadowlark gallery on 29th as our new office location. The BID Team has relocated their shop to the garage owned by the Housing Authority of Billings on 1st Ave. N
 - Partnered with Native American Development Corporation to connect our Resource Outreach Coordinator with the Billings Urban Indian Health and Wellness Center
 - Created a new membership campaign focused on business development and marketing for downtown business
 - Downtown Events:
 - ArtWalk, October 5
 - Restaurant Week, October 5-13
 - Harvest Fest, October 13
 - Halloween Trick or Treat, October 31
 - Holiday Parade, November 23
 - Toys for Tots Headquarters in Montana Bank Building
 - Holiday Stroll/ArtWalk, December 7
 - AA5 preseason planning

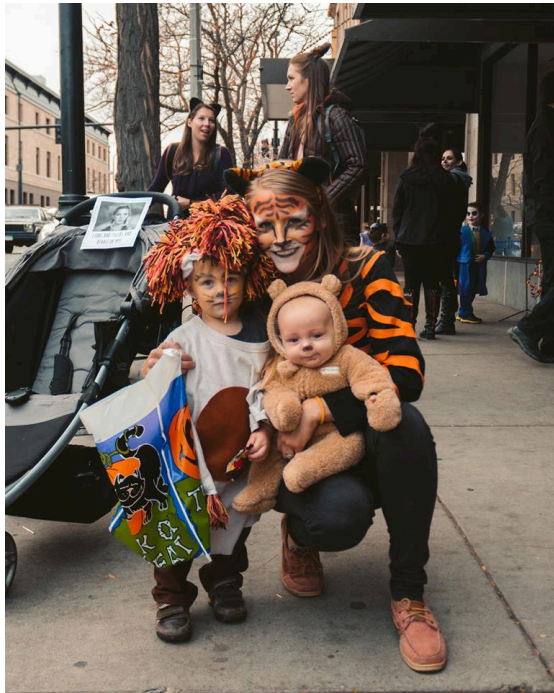
- Development Project Incentives (TIF grant projects)
 - Completed
 - Battle of the Plans – major award recipients
 - Well-Pared – eatery and juice bar, Opened December
 - SOMETHINGchic - women’s boutique, fully funded in November
 - In Progress
 - Sawyer Building – 2223 Montana Avenue
 - Building is occupied, but still working through a few remaining tenant spaces, finalizing paperwork for their reimbursement
 - One Big Sky District - Landmark, LLC
 - Bob Dunn and team were in Billings October 1 and December 17 to give updates and presentations to council, strategy partners, stakeholders, etc. on One Big Sky District planning efforts.
 - Attended numerous public meetings regarding OBSD
 - Alberta Bair Theater
 - Fully Executed
 - On Deck
 - Stillwater Building (Battin Courthouse)– 317 N 26th Street
 - Final draft development agreement to Developer
 - Art House Cinema Phase II – 109 N 30th Street
 - Final draft development agreement in review



Well Pared



Firehouse Restaurant



Downtown Trick or Treat



Toad and Willow

	N27/Downtown Tax Increment Fund			
	<i>For the Quarter Ended December 31, 2018</i>			
FY19 Beginning Fund Balance	\$2,523,093			
Revenue				
Tax	1,221,043			
Intergovernmental	105,910			
Investment Earnings	<u>6,305</u>			
Total Revenue	1,333,258			
		FY19		
Expenditures		Budget		
Professional Services	3,100	41,200		
Cost Allocation	28,956	57,916		
DBP Operating Agreement	116,434	279,441		
Development Project Incentives	216,578	2,730,588		
Debt Service	639,880	948,652		
Transfer to Parking	-	<u>100,000</u>		
Total Expenditures	1,004,948	4,157,797		
Ending Fund Balance	\$2,851,403			
Cash Balance as of 12/31/18	\$1,574,645			
Development Projects Outstanding				
Wendy's Bldg/124 Group	699,999			
Battle of the Plans 2017	24,900			
Art House Cinema	350,000			
Alberta Bair Theatre	3,500,000			
Griffin Sawyer	420,000			
Stillwater Building	<u>1,500,000</u>			
	6,494,899			



CITY COUNCIL QUARTERLY REPORT FEBRUARY 4TH, 2018 COUNCIL WORK SESSION

Please see the information below for the February 4th Quarterly Report from the SBURA related to activities in the South Billings Boulevard Urban Renewal District.

South Billings Aquatics & Recreation Center

- Concept Development Plan team led by A&E Architects and BRS Architects is about halfway through the planning process
- Steering Committee has been advising the consultant team
- A statistically valid survey component has been added to the planning process to provide more information to base decisions on
- The team is narrowing down the focus on facility types and operational costs, programming, and cost recovery

Project Updates

- Midland Rd project substantially complete (*see attached pictures*)
- Design services RFP for King Ave E (*see attached pictures*)
- Optimist playground equipment installation
- Collaboration with APDC & PRPL on the Amend Park turf field improvements in mid-2019
- FY20 Budget Planning upcoming (*see attached List of Accomplishments*)

South Billings Organizational Structure Updates

- The current organizational structure no longer reflects the needs of the organization
- New bylaws and articles of incorporation have been drafted and will be approved at the Feb 5th SBURA Board of Directors meeting
- Draft Memorandum of Understanding with the City of Billings will be approved at the Feb 5th SBURA Board of Directors meeting. Approval by City Council at the Feb 25th council business meeting
- FY16 SBURA/Zeier Consulting, LLC billing error discussion and action plan moving forward



**SOUTH BILLINGS URBAN
RENEWAL ASSOCIATION**

SBURA Quarterly Update 2.4.2019		
	<i>For the Quarter Ended December 31, 2018</i>	
FY19 Beginning Fund Balance	\$ 7,666,170	
Revenue		
Tax	1,729,097	
Intergovernmental	128,109	
Investment Earnings	<u>43,891</u>	
Total Revenue	1,901,097	
Expenditures		FY19 Budget
Professional Services	110,808	163,690
Cost Allocation	28,198	56,398
Development Project Incentives	2,250	92,712
Debt Service	477,197	652,444
Capital Outlay	<u>2,630,935</u>	<u>5,594,464</u>
Total Expenditures	3,249,388	6,559,708
Ending Fund Balance	\$ 6,317,879	
Cash Balance as of 12/31/18	\$ 5,609,679	

BEFORE & AFTER



BEFORE & AFTER



Larry Mayer Billings Gazette

BEFORE & AFTER



BEFORE & AFTER





LIST OF ACCOMPLISHMENTS TO DATE

Infrastructure Projects

- King Ave E & South Billings Boulevard-\$4.5 million
- Newman Ln-\$280,000
- Calhoun Ln-\$4.5 million
- Orchard Ln-\$4.8 million
- Sewer Phase I & II - \$2.5 million
- Ponderosa School Trail CTEP - \$25,000
- Midland Rd - \$4.5 million

Planning Projects

- South Billings Master Plan-\$275,000
- South Billings Urban Renewal Plan – Internal
- Yellowstone County Aquatics/Sports Facility Feasibility Study - \$5,000
- South Billings Aquatics & Recreation Concept Development Plan - \$150,000

Incentive & Community Projects

- Northridge Hotels - \$370,000
- Popeye's - \$70,000
- CLDI Orrel Cove Housing - \$39,000
- Orchard School Health Clinic - \$47,000
- Ponderosa School Fencing - \$27,000
- Boys & Girls Club Water Line - \$22,000
- King & King State Ave Demolition & Parking Lot - \$209,000
- Optimist Parking Lot - \$300,000
- Optimist Park Playground Equipment - \$250,000

TOTAL - \$22,869,000

FUTURE PROJECTS

- King Ave E to Jackson St Reconstruction & Pedestrian Improvements
- Hallowell Ln Reconstruction & Pedestrian Improvements
- Unimproved Streets Annual Project
- South Billings Aquatics & Recreation Center



FROM THE DESK OF ANDY ZOELLER

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Finance Director
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MEMORANDUM

To: Honorable Mayor and City Council
CC: Chris Kukulski, City Administrator
Date: 1/24/19
Subject: FY19 Second Quarter Budget Report

Attached is the second quarter FY19 budget to actual report for your review. We are 50% of the way through the fiscal year, as such, funds should have used approximately 50% of their operating budget. This may not hold true for Debt Service and Capital Project funds, as the expenditures within these funds do not occur evenly throughout the year.

General & Public Safety Funds

Tax payments to the City are made twice per year, once in December and again in June. The first payment has been received, and tax revenues collected were 55% of the amount budgeted. This is anticipated, as tax revenues in the first payment are slightly more than the amounts received in the second payment. This is due to the fact that Personal Property Taxes are all paid in the first half of the year, and some property owners choose to pay their entire bill in one payment rather than two. License and Permit Revenue collected is currently at 19% of the budgeted amount. This is caused by the timing of the cable franchise fee payment from Charter. This payment is historically received in one lump sum at the end of January. Other revenues within the License and Permit category are trending right at 50% of the amount budgeted. All other revenues within the General and Public Safety Funds are near 50% of budget, as expected. Expenditures in both General and Public Safety funds are slightly less than 50%, but are still within a very reasonable range at 49% of budget for the General Fund and 47% in the Public Safety Fund.

Other Non-Major Funds

All other funds appear to be appropriately positioned for this time of year.

City of Billings
GENERAL FUND OPERATING
For Period Ending 12/31/2018
For fiscal year 2019, Periods 1 - 6

	Total 2019 Amended Budget	YTD 2019 Actual	2019 Encumbrance	Variance	%	YTD 2018 Actual
Revenues:						
TAXES	\$ 16,790,920	\$ 9,171,132	\$ -	\$ (7,619,788)	55	\$ 8,508,197
LICENSES & PERMITS	2,146,291	406,172	-	(1,740,119)	19	1,622,986
INTER-GOVERNMENTAL	11,430,866	5,797,650	-	(5,633,216)	51	5,697,572
CHARGES FOR SERVICES	4,032,642	2,161,157	-	(1,871,485)	54	2,075,212
FINES & FORFEITS	1,656,203	496,517	-	(1,159,686)	30	702,213
SPECIAL ASSESSMENTS	-	189	-	189	-	-
INVESTMENT EARNINGS	217,000	163,531	-	(53,469)	75	83,272
INTERFUND TRANSFERS	6,600	2,022	-	(4,578)	31	1,252,282
DEBT PROCEEDS	-	-	-	-	-	-
MISCELLANEOUS	-	190,088	-	190,088	-	371
Total Revenues	\$ 36,280,522	\$ 18,388,458	\$ -	\$(17,892,064)	51	\$ 19,942,105
Expenditures:						
By Category						
PERSONAL SERVICES	\$ 8,453,625	\$ 4,007,946	\$ -	\$ 4,445,679	47	\$ 3,776,905
OPERATIONS & MAINT	4,478,524	2,273,726	8,195	2,196,604	51	1,799,049
CAPITAL	-	60,764	-	(60,764)	-	8,239
DEBT SERVICE	-	-	-	-	-	-
INTERFUND TRANSFERS	31,652,085	15,465,910	-	16,186,175	49	13,404,929
Total Expenditures	\$ 44,584,234	\$ 21,808,346	\$ 8,195	\$ 22,767,693	49	\$ 18,989,123

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

City of Billings
GENERAL FUND-BY DEPT DIVISION

For Period Ending 12/31/2018
 For fiscal year 2019, Periods 1 - 6

	Total 2019 Amended Budget	YTD 2019 Actual	2019 Encumbrance	Variance	%	YTD 2018 Actual
Expenditures:						
By Department/Division						
MAYOR & COUNCIL	\$ 219,565	\$ 120,253	\$ -	\$ 99,312	55	\$ 101,782
CITY ADMINISTRATOR	767,520	341,353	0	426,167	44	307,028
HUMAN RESOURCES	733,345	330,217	0	403,128	45	320,471
CITY ATTORNEY	1,690,237	1,012,066	0	678,171	60	770,607
MUNICIPAL COURT	1,480,627	638,836	0	841,791	43	615,489
FINANCE	1,559,162	685,187	0	873,975	44	655,106
CODE ENFORCEMENT	548,621	234,142	0	314,479	43	219,020
PARKS & RECREATION	7,385,770	4,755,499	258	2,630,013	64	2,345,782
NON-DEPARTMENTAL	30,119,387	13,675,793	7,937	16,435,657	45	13,651,834
COUNCIL CONTINGENCY	80,000	15,000	0	65,000	19	2,003
Total Expenditures	\$ 44,584,234	\$ 21,808,346	\$ 8,195	\$ 22,767,693	49	\$ 18,989,123

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

City of Billings
PUBLIC SAFETY FUND

For Period Ending 12/31/2018
 For fiscal year 2019, Periods 1 - 6

	Total 2019 Amended Budget	YTD 2019 Actual	2019 Encumbrance	Variance	%	YTD 2018 Actual
Revenues:						
TAXES	\$ 12,938,519	\$ 7,096,841	\$ -	\$ (5,841,678)	55	\$ 6,844,521
LICENSES & PERMITS	27,700	16,996	-	(10,704)	61	17,255
INTER-GOVERNMENTAL	3,095,079	1,823,023	-	(1,272,056)	59	1,557,622
CHARGES FOR SERVICES	1,482,387	890,024	-	(592,363)	60	773,523
FINES & FORFEITS	2,400	1,200	-	(1,200)	50	1,200
INVESTMENT EARNINGS	300	447	-	147	149	525
INTERFUND TRANSFERS	27,837,918	12,424,100	-	(15,413,818)	45	12,573,560
DEBT PROCEEDS	-	-	-	-	-	-
MISCELLANEOUS	29,095	38,765	-	9,670	133	24,647
Total Revenues	\$ 45,413,398	\$ 22,291,396	\$ -	\$ (23,122,002)	49	\$ 21,792,853
Expenditures:						
By Category						
PERSONAL SERVICES	\$ 36,987,116	\$ 17,104,048	\$ -	\$ 19,883,068	46	\$ 16,098,608
OPERATIONS & MAINT	5,596,527	3,222,771	149,583	2,224,173	60	3,059,174
CAPITAL	1,800,604	225,288	127,968	1,447,349	20	47,421
DEBT SERVICE	-	-	-	-	-	236,502
INTERFUND TRANSFERS	1,387,562	542,866	-	844,697	39	438,467
Total Expenditures	\$ 45,771,809	\$ 21,094,973	\$ 277,551	\$ 24,399,286	47	\$ 19,880,173
By Department/Division						
POLICE	\$ 24,086,731	\$ 11,792,642	\$ 100,385	\$ 12,193,703	49	\$ 11,042,718
FIRE	21,685,078	9,302,330	177,165	12,205,583	44	8,837,454
Total Expenditures	\$ 45,771,809	\$ 21,094,973	\$ 277,551	\$ 24,399,286	47	\$ 19,880,173

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

City of Billings
PUBLIC WORKS-WATER FUND
 For Period Ending 12/31/2018
 For fiscal year 2019, Periods 1 - 6

	Total 2019 Amended Budget	YTD 2019 Actual	2019 Encumbrance	Variance	%	YTD 2018 Actual
Revenues:						
TAXES	\$ -	\$ -	\$ -	\$ -	-	\$ -
LICENSES & PERMITS	-	-	-	-	-	-
INTER-GOVERNMENTAL	-	-	-	-	-	-
CHARGES FOR SERVICES	25,805,700	13,332,540	-	(12,473,160)	52	13,343,657
FINES & FORFEITS	-	-	-	-	-	-
INVESTMENT EARNINGS	270,300	513,145	-	242,845	190	118,318
DEBT PROCEEDS	-	-	-	-	-	-
MISCELLANEOUS	7,200	143,851	-	136,651	1,998	11,887
Total Revenues	\$ 26,083,200	\$ 13,989,536	\$ -	\$ (12,093,664)	54	\$ 13,473,862
Expenditures:						
By Category						
PERSONAL SERVICES	\$ 5,095,928	\$ 2,359,008	\$ -	\$ 2,736,920	46	\$ 2,300,828
OPERATIONS & MAINT	7,752,200	3,779,181	253,775	3,719,244	52	4,105,897
CAPITAL	37,270,211	1,910,936	7,641,944	27,717,331	26	3,866,237
DEBT SERVICE	2,770,500	-	-	2,770,500	-	-
INTERFUND TRANSFERS	-	-	-	-	-	-
Total Expenditures	\$ 52,888,838	\$ 8,049,124	\$ 7,895,719	\$ 36,943,996	30	\$ 10,272,962

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

City of Billings
PUBLIC WORKS-WASTEWATER FUND

For Period Ending 12/31/2018
 For fiscal year 2019, Periods 1 - 6

	Total 2019 Amended Budget	YTD 2019 Actual	2019 Encumbrance	Variance	%	YTD 2018 Actual
Revenues:						
TAXES	\$ -	\$ -	\$ -	\$ -	-	\$ -
LICENSES & PERMITS	-	-	-	-	-	-
INTER-GOVERNMENTAL CHARGES FOR SERVICES	19,540,410	12,468,954	-	(7,071,456)	64	8,297,221
FINES & FORFEITS	-	-	-	-	-	-
INVESTMENT EARNINGS	725,000	532,103	-	(192,897)	73	361,181
DEBT PROCEEDS	-	-	-	-	-	-
MISCELLANEOUS	-	1,347	-	1,347	-	1,383
Total Revenues	\$ 20,265,410	\$ 13,002,404	\$ -	\$ (7,263,006)	64	\$ 8,659,785
Expenditures:						
By Category						
PERSONAL SERVICES	\$ 4,051,039	\$ 1,758,405	\$ -	\$ 2,292,634	43	\$ 1,753,085
OPERATIONS & MAINT	5,077,111	2,295,751	257,787	2,523,574	50	2,002,776
CAPITAL	55,997,558	14,220,988	27,737,249	14,039,322	75	15,684,847
DEBT SERVICE	5,330,000	-	-	5,330,000	-	-
INTERFUND TRANSFERS	-	-	-	-	-	-
Total Expenditures	\$ 70,455,709	\$ 18,275,143	\$ 27,995,035	\$ 24,185,530	66	\$ 19,440,708

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

City of Billings
PUBLIC WORKS-SOLID WASTE FUND
For Period Ending 12/31/2018
For fiscal year 2019, Periods 1 - 6

	Total 2019 Amended Budget	YTD 2019 Actual	2019 Encumbrance	Variance	%	YTD 2018 Actual
Revenues:						
TAXES	\$ -	\$ -	\$ -	\$ -	-	\$ -
LICENSES & PERMITS	-	-	-	-	-	-
INTER-GOVERNMENTAL CHARGES FOR SERVICES	14,487,500	7,278,701	-	(7,208,799)	50	7,060,130
FINES & FORFEITS	-	-	-	-	-	-
INVESTMENT EARNINGS	184,000	111,236	-	(72,764)	60	48,567
DEBT PROCEEDS	-	-	-	-	-	-
MISCELLANEOUS	-	8,259	-	8,259	-	1,333
Total Revenues	\$ 14,671,500	\$ 7,398,197	\$ -	\$ (7,273,303)	50	\$ 7,110,030
Expenditures:						
By Category						
PERSONAL SERVICES	\$ 5,154,308	\$ 2,526,714	\$ -	\$ 2,627,594	49	\$ 2,418,079
OPERATIONS & MAINT	5,025,633	2,360,995	246,218	2,418,420	52	2,762,621
CAPITAL	23,546,764	1,341,301	1,632,369	20,573,094	13	2,751,096
DEBT SERVICE	-	-	-	-	-	-
INTERFUND TRANSFERS	-	-	-	-	-	-
Total Expenditures	\$ 33,726,704	\$ 6,229,010	\$ 1,878,586	\$ 25,619,108	24	\$ 7,931,796

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

City of Billings
AIRPORT OPERATING FUND
For Period Ending 12/31/2018
For fiscal year 2019, Periods 1 - 6

	Total 2019 Amended Budget	YTD 2019 Actual	2019 Encumbrance	Variance	%	YTD 2018 Actual
Revenues:						
TAXES	\$ -	\$ -	\$ -	\$ -	-	\$ -
LICENSES & PERMITS	-	-	-	-	-	-
INTER-GOVERNMENTAL	2,931,037	1,181,873	-	(1,749,164)	40	1,420,674
CHARGES FOR SERVICES	12,472,699	6,013,350	-	(6,459,349)	48	5,810,192
FINES & FORFEITS	-	-	-	-	-	-
INVESTMENT EARNINGS	219,680	115,831	-	(103,849)	53	33,384
DEBT PROCEEDS	-	-	-	-	-	-
MISCELLANEOUS	79,420	33,472	-	(45,948)	42	49,080
Total Revenues	\$ 15,702,836	\$ 7,344,526	\$ -	\$ (8,358,310)	47	\$ 7,313,330
Expenditures:						
By Category						
PERSONAL SERVICES	\$ 4,711,596	\$ 2,090,307	\$ -	\$ 2,621,289	44	\$ 1,951,549
OPERATIONS & MAINT	3,361,909	1,267,010	90,505	2,004,394	40	1,266,143
CAPITAL	8,457,017	3,660,837	601,037	4,195,143	50	1,719,615
DEBT SERVICE	1,596,980	153,476	-	1,443,504	10	179,396
INTERFUND TRANSFERS	-	-	-	-	-	-
Total Expenditures	\$ 18,127,502	\$ 7,171,630	\$ 691,543	\$ 10,264,330	43	\$ 5,116,703

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

City of Billings
ALL FUND REVENUE & EXPENDITURE

For Period Ending 12/31/2018
 For fiscal year 2019, Periods 1 - 6

		Total 2019 Amended Budget	YTD 2019 Actual	2019 Encumbrance	Variance	%	YTD 2018 Actual
FUND:							
Non-Major Special Revenue Funds							
GAS TAX FUND 2050	REV	5,087,490	956,794	-	(4,130,696)	19	2,603,674
GAS TAX FUND 2050	EXP	6,955,331	3,272,435	131,839	3,551,057	49	1,887,864
EOC 911 FUND 2250,2260	REV	1,038,000	602,005	-	(435,995)	58	644,659
EOC 911 FUND 2250,2260	EXP	1,381,120	997,210	59,085	324,825	76	1,584,780
COMMUNITY DEVELOP FUNDS 2650-2990	REV	1,710,215	768,574	-	(941,641)	45	352,421
COMMUNITY DEVELOP FUNDS 2650-2990	EXP	2,108,426	1,077,651	49,410	981,365	53	878,640
LIBRARY FUNDS 2600-2610	REV	3,680,151	1,786,250	-	(1,893,901)	49	1,838,391
LIBRARY FUNDS 2600-2610	EXP	3,695,588	1,665,296	-	2,030,292	45	1,606,450
STREET MAINT DISTRICT FUNDS 8010-8020	REV	8,737,600	4,945,292	-	(3,792,308)	57	4,754,754
STREET MAINT DISTRICT FUNDS 8010-8020	EXP	8,724,410	2,189,078	-	6,535,332	25	3,644,134
ROAD MAINTENANCE DISTRICT FUND 8060	REV	2,875	1,647	-	(1,228)	57	1,437
ROAD MAINTENANCE DISTRICT FUND 8060	EXP	112	54	-	58	48	9
LIGHT MAINTENANCE FUND 8100	REV	2,360,000	1,303,238	-	(1,056,762)	55	1,276,273
LIGHT MAINTENANCE FUND 8100	EXP	2,525,499	1,042,519	-	1,482,980	41	958,687
PARK MAINT DISTRICTS FUND 8720	REV	1,051,536	630,639	-	(420,897)	60	580,639
PARK MAINT DISTRICTS FUND 8720	EXP	1,078,102	508,801	-	569,301	47	575,083

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

PARK DISTRICT 1 8730	REV	2,016,000	1,132,104	-	(883,896)	56	1,164,070
PARK DISTRICT 1 8730	EXP	2,162,454	493,160	26,647	1,642,647	24	1,550,968
STORM SEWER FUNDS 2070,8400	REV	4,375,452	2,500,069	-	(1,875,383)	57	2,350,737
STORM SEWER FUNDS 2070,8400	EXP	9,677,723	3,770,274	3,158,434	2,749,015	72	1,497,766
TAX INCREMENT FUNDS 1980-2030	REV	10,432,891	7,327,404	-	(3,105,487)	70	3,773,068
TAX INCREMENT FUNDS 1980-2030	EXP	16,381,416	6,995,049	1,253,323	8,133,044	50	2,906,014
PARKS PROGRAMS FUNDS 7690-7750	REV	184,160	177,280	-	(6,880)	96	52,370
PARKS PROGRAMS FUNDS 7690-7750	EXP	532,138	23,346	3,850	504,942	5	66,408
POLIC PROG 2490-2590,7080-7100,7170-7200	REV	999,445	431,624	-	(567,821)	43	170,965
POLIC PROG 2490-2590,7080-7100,7170-7200	EXP	1,126,832	498,607	3,446	624,778	45	324,142
CITY COUNTY PLANNING FUNDS 2380-2400	REV	1,607,463	742,807	-	(864,657)	46	621,515
CITY COUNTY PLANNING FUNDS 2380-2400	EXP	2,027,714	859,964	127,338	1,040,413	49	638,978
BUILDING INSPECTION FUND 2090	REV	1,206,850	1,050,303	-	(156,547)	87	784,261
BUILDING INSPECTION FUND 2090	EXP	1,957,112	866,393	-	1,090,719	44	778,785
STREET & TRAFFIC FUND 2110	REV	9,270,500	3,180,336	-	(6,090,164)	34	2,889,633
STREET & TRAFFIC FUND 2110	EXP	11,356,276	3,830,970	1,928,179	5,597,127	51	3,697,651
VICTIM WITNESS FUNDS 2410,2420,2430	REV	392,978	146,624	-	(246,354)	37	127,432
VICTIM WITNESS FUNDS 2410,2420,2430	EXP	391,997	150,144	-	241,853	38	140,527
FIRE/FEMA GRANT FUNDS 2190-2240	REV	6,675	42,910	-	36,235	643	49,368
FIRE/FEMA GRANT FUNDS 2190-2240	EXP	69,000	26,120	6,831	36,049	48	24,405
CEMETERY IMPROVEMENTS FUND 7020	REV	13,800	13,044	-	(756)	95	6,203
CEMETERY IMPROVEMENTS FUND 7020	EXP	45,000	18,500	7,500	19,000	58	4,900

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BALL PARK REPAIR FUND 7670	REV	30,000	30,152	-	152	101	30,000
BALL PARK REPAIR FUND 7670	EXP	-	-	-	-	-	-
BALL PARK DOANTIONS FUND 7680	REV	64,200	84,595	-	20,395	132	1,522
BALL PARK DOANTIONS FUND 7680	EXP	101,501	84,934	717	15,850	84	390
AN SHELTON DON FUNDS 7120-7130,7150-7160	REV	750	300	-	(450)	40	110
AN SHELTON DON FUNDS 7120-7130,7150-7160	EXP	6,000	-	-	6,000	-	-
AMEND PARK FUND 7580	REV	59,600	8,791	-	(50,809)	15	16,160
AMEND PARK FUND 7580	EXP	182,506	1,492	-	181,014	1	(277)
DOWNTOWN REVOLVING LOAN FUND 7230	REV	246,600	110,252	-	(136,348)	45	163,574
DOWNTOWN REVOLVING LOAN FUND 7230	EXP	408,833	229,192	-	179,641	56	61,744
ARTERIAL FEES FUND 8450	REV	4,255,000	2,445,320	-	(1,809,680)	57	2,303,373
ARTERIAL FEES FUND 8450	EXP	9,016,794	4,467,808	989,336	3,559,649	61	1,094,440
MUN COURT GRT FUND 2450-2480,7370-7380	REV	463,225	141,288	-	(321,937)	31	99,393
MUN COURT GRT FUND 2450-2480,7370-7380	EXP	434,125	156,704	-	277,421	36	157,352
Non-Major Debt Service Funds							
STORM SEWER BONDS 3350	REV	681,300	151,768	-	(529,532)	22	155,630
STORM SEWER BONDS 3350	EXP	679,944	526,022	-	153,922	77	519,622
STORM SEWER FUNDS 3360	REV	335,800	79,121	-	(256,679)	24	81,306
STORM SEWER FUNDS 3360	EXP	334,534	254,706	-	79,828	76	251,692
PARKS-G.O. BONDS FUND 3110	REV	115,017	62,709	-	(52,308)	55	61,689
PARKS-G.O. BONDS FUND 3110	EXP	124,380	116,498	-	7,882	94	117,524
BALL PK SERIES '15 REFUND 3120,3140-3150	REV	757,435	413,853	-	(343,582)	55	6,866,114
BALL PK SERIES '15 REFUND 3120,3140-3150	EXP	754,568	659,405	-	95,163	87	14,079,066

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

STREET IMPROV-G.O. BOND FUND 3130	REV	375,343	204,482	-	(170,861)	54	182,453
STREET IMPROV-G.O. BOND FUND 3130	EXP	342,906	309,916	-	32,990	90	308,440
DEBT SERV FUNDS-SIDS 2300,8200-8340	REV	1,352,200	483,210	-	(868,990)	36	655,374
DEBT SERV FUNDS-SIDS 2300,8200-8340	EXP	1,526,000	440,497	-	1,085,503	29	2,990,310
DEBT SERV SW FUNDS 8500-8690,8900-8990	REV	340,400	228,667	-	(111,733)	67	227,581
DEBT SERV SW FUNDS 8500-8690,8800-8990	EXP	386,750	258,742	-	128,008	67	229,551
LIBRARY G.O. DEBT 3040	REV	1,205,444	794,852	-	(410,592)	66	784,534
LIBRARY G.O. DEBT 3040	EXP	1,214,951	1,018,255	-	196,696	84	1,011,639
Non-Major Capital Projects Funds							
URBAN RENEWAL PROPERTY FUND 4280	REV	440	503	-	63	114	211
URBAN RENEWAL PROPERTY FUND 4280	EXP	59,997	397	-	59,600	1	1,264
SIDEWALK CONSTRUCT FUNDS 4340-4490	REV	467,000	4,216	-	(462,784)	1	138,298
SIDEWALK CONSTRUCT FUNDS 4340-4490	EXP	1,555,320	1,158,550	27,150	369,621	76	121,027
SID CONSTRUCTION FUNDS 4500-4890	REV	1,137,500	1,634,074	-	496,574	144	32,000
SID CONSTRUCTION FUNDS 4500-4890	EXP	3,696,899	1,702,003	188,286	1,808,610	51	31,695
CAPITAL REPLACEMENT FUND 6400-6410	REV	1,611,796	687,553	-	(924,243)	43	1,294,203
CAPITAL REPLACEMENT FUND 6400-6410	EXP	2,202,656	633,738	283,536	1,285,382	42	56,834
DOG PARK CONSTRUCTION FUND 4990	REV	500	30	-	(470)	6	300
DOG PARK CONSTRUCTION FUND 4990	EXP	500	-	-	500	-	-
PARK CONSTRUCTION FUND	REV	2,460,000	2,000,000	-	(460,000)	81	403,005
PARK CONSTRUCTION FUND	EXP	2,467,802	88,792	285,770	2,093,241	15	595,790
Enterprise Funds							
PARKING GARAGE FUND 5210	REV	1,757,210	876,018	-	(881,192)	50	1,143,882
PARKING GARAGE FUND 5210	EXP	2,101,449	995,980	129,728	975,742	54	1,404,313
TRANSIT FUNDS 2040,4100-4120,5710-5720	REV	6,368,323	2,771,848	-	(8,296,836)	44	2,716,660
TRANSIT FUNDS 2040,4100-4120,5710-5720	EXP	6,886,541	2,708,061	171,372	8,707,469	42	2,870,593

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Internal Service Funds								
FLEET SERVICES FUND 6010	REV	1,854,850	834,839	-	(1,020,011)	45	831,298	
FLEET SERVICES FUND 6010	EXP	1,837,960	896,134	1,450	940,376	49	790,824	
CENTRAL SERVICES FUND 6050	REV	100,380	58,393	-	(41,987)	58	53,633	
CENTRAL SERVICES FUND 6060	EXP	86,250	35,448	-	50,802	41	63,439	
TELEPHONE SYSTEM FUND 6060	REV	422,705	213,499	-	(209,206)	51	203,542	
TELEPHONE SYSTEM FUND 6060	EXP	441,472	231,231	-	210,241	52	165,268	
RADIO FUND 6070	REV	291,608	148,623	-	(142,985)	51	171,197	
RADIO FUND 6070	EXP	274,537	201,878	24,738	47,922	83	141,442	
INFORMATION TECHNOLOGY FUND 6200	REV	2,455,419	1,167,863	-	(1,287,556)	48	1,195,787	
INFORMATION TECHNOLOGY FUND 6200	EXP	2,522,669	1,144,393	79,854	1,298,422	49	1,299,367	
HEALTH INSURANCE FUND 6270	REV	13,116,600	6,556,132	-	(6,560,468)	50	6,193,103	
HEALTH INSURANCE FUND 6270	EXP	13,518,848	5,434,655	10,000	8,074,193	40	6,356,480	
PROPERTY INSURANCE FUND 6300	REV	1,539,938	1,513,627	-	(26,311)	98	2,094,928	
PROPERTY INSURANCE FUND 6300	EXP	2,304,109	1,695,580	-	608,530	74	1,582,561	
FACILITIES MANAGEMENT FUND 6500	REV	1,821,336	1,141,076	-	(680,260)	63	617,745	
FACILITIES MANAGEMENT FUND 6500	EXP	2,112,166	522,400	34,705	1,555,061	26	812,403	
PUBLIC WORKS ADMINISTRATION 6600	REV	1,460,639	731,226	-	(729,413)	50	537,519	
PUBLIC WORKS ADMINISTRATION 6600	EXP	1,457,668	734,539	-	723,129	50	597,375	
PUBLIC WORKS ENGINEERING FUND 6700	REV	3,089,118	1,347,296	-	(1,741,822)	44	918,865	
PUBLIC WORKS ENGINEERING FUND 6700	EXP	2,842,767	1,292,471	-	1,550,296	45	1,270,344	
Permanent Fund								
CEMET PERP TRUST FUNDS 7010,7030	REV	17,900	16,628	-	(1,272)	93	9,011	
CEMET PERP TRUST FUNDS 7010,7030	EXP	5,600	2,022	-	3,578	36	-	

Totals and variances may contain rounding differences. Budget numbers include prior year encumbrances/commitments and approved budget adjustments.

CITY OF BILLINGS, MONTANA
City Health Insurance Fund
Statement of Cash Flows
January 1 Thru December 31, 2018

	<u>2018</u>	<u>2017</u>	<u>2016</u>
Beginning available cash balance, as of January 1, 2018	\$5,509,152	\$ 5,536,257	\$6,970,213
Revenue			
Employer contributions	\$9,028,443		
Employee contributions	2,279,228		
Interest	101,829		
Claim overpayment	43,784		
Stop loss-insurance revenue	328,638		
RX rebates	455,016		
Wellness committee	672		
Revenue from health insurance activities	<u>12,237,610</u>	<u>11,509,603</u>	<u>9,891,122</u>
Expenses			
Self-funded medical	6,105,737		
Self-funded RX	1,989,990		
Occu. Health - Nurse Visit	25,704		
Occu. Health - Flu Shot	17,000		
Health Incentives	33,200		
Biometric Program	20,000		
Fiduciary Liability Insurance	3,595		
Employee Assistance Program	-		
Affordable Care Act (ACA - Annual Fee)	-		
ACA admin	20,345		
Stop loss-insurance premium	611,654		
Claims administration	284,763		
Prescription administration	-		
Pre-cert./case management	51,601		
All other	<u>352,359</u> ¹		
Expenses from health insurance activities	<u>9,515,948</u>	<u>11,581,357</u>	<u>11,298,973</u>
Net cash provided (used) from health insurance activities:	2,721,662	(71,754)	(1,407,851)
Cash flow from other activities:			
Revenue			
Flex	\$ 446,216		
Dental	585,745		
Life Insurance	120,752		
Revenue from other activities	<u>1,152,713</u>	<u>1,222,666</u>	<u>1,133,981</u>
Expenses			
Flex claims-medical	375,983		
Flex claims-child care	70,233		
Flex admin	16,330		
HSA admin	8,443		
Dental claims	567,924		
Life insurance premiums	120,122		
Expenses from other activities	<u>1,159,035</u>	<u>1,178,017</u>	<u>1,160,086</u>
Net cash provided (used) from other activities:	(6,322)	44,649	(26,105)
Ending available cash balance, as of December 31, 2018	<u>\$8,224,492</u>	<u>\$ 5,509,152</u>	<u>\$5,536,257</u>

¹ All other includes consultant fees, charge for services, supplies, etc. Report is on a calendar year basis and not a fiscal year basis.

**COUNCIL INITIATIVES
APPROVED SINCE OCTOBER 15, 2018**

Date	Sponsor/Initiative	Action	Resolved	Assigned To
02/12/07	COUNCILMEMBER BREWSTER: Moved to direct Staff to begin buying right-of-way (ROW) for the Inner Belt Loop to be completed in five (5) years, and beginning with the next budget cycle. APPROVED.	Phase 1 (Wicks to Alkali Creek) is complete. Public Works evaluated alternative route in CIP Amendment, report made 11/7/16. Phase II funded through Gas Tax increase.	Phase I Completed. Complete – waiting for New Gas Tax funding	Dave Mumford
12/14/15	COUNCILMEMBER PITMAN: Directed staff to begin discussions regarding the right of way purchase with the Morledge family and to bring a recommendation back to Council at a later date, seconded by Councilmember Yakawich. APPROVED.	Public Works evaluated routes under CIP Amendment approved 4/11/16. Discussions complete with the State, waiting for funding.	Complete – waiting for New Gas Tax funding	Dave Mumford
1/11/16	COUNCILMEMBER CLARK: Moved to direct staff to present information by the first work session in March on establishing a public safety district, seconded by Councilmember Sullivan. APPROVED.	Presentation made at 3/7/16 work session. Further research being conducted. Discussed at the 8/21/17 work session. Discussed at 9/17/18 work session. Additional work pending Council direction to staff.	Complete	Andy Zoeller
2/8/16	COUNCILMEMBER SULLIVAN: Made a motion to instruct Public Works to lead the Police Department, downtown businesses and the Traffic Control Board to propose improvements to downtown intersections to increase pedestrian and vehicle safety; the group shall discuss and suggest improvements to signage, signals, enforcement and traffic flow and bring forth an implementable plan to Council, seconded by Councilmember Brewster. APPROVED.	The first meeting of the Project Advisory Committee for the Downtown Area Traffic Circulation and Safety Study has met twice in September and December 2018. Coordination is also occurring with the OBSD Work Plan. The study is expected to finish in late spring. Police has enforcement underway.	In Progress	Dave Mumford Wyeth Friday

Date	Sponsor/Initiative	Action	Resolved	Assigned To
2/8/16	COUNCILMEMBER SULLIVAN: Made a motion to review all ordinances over four years with the opportunity to fast track any ordinances to match citizen/council needs, seconded by Councilmember McFadden. APPROVED.	Departments are reviewing Municode comments, questions, and recommendations and adding those of their own.	In Progress	Brent Brooks Denise Bohlman
4/25/16	COUNCILMEMBER YAKAWICH: Moved to direct staff to look into a minimal standard ordinance for Billings and to seek guidance from lobbyist Ed Bartlett, seconded by Councilmember Cimmino. APPROVED	Staff brought drafts of the Nuisance Ordinance to two work sessions in 2017 and two work sessions in 2018, the last on 8/6/18. A council working group met again on 8/29/18 to make final edits before bringing the code to a Regular meeting in November. Council adopted the amendments on first and second reading in December and January 2019. New Nuisance Code takes effect 2/14/19.	Complete	Bruce McCandless Wyeth Friday Brent Brooks
10/24/16	COUNCILMEMBER BREWSTER: Moved to direct staff to draft an ordinance for Council consideration concerning tree ownership to address damage to neighboring property owners, seconded by Councilmember Sullivan. APPROVED.	Memo by Assistant City Attorney Gina Dahl completed and emailed to Council. Memo may impact request for Ordinance.	Need Further Direction from Council	Dave Mumford Brent Brooks Mike Whitaker
11/14/16	COUNCILMEMBER FRIEDEL: Moved to direct staff to research placing on the next ballot changing the Charter to allow City Council to separate the legal department from administration to make the department independent of administration, seconded by Councilmember Brewster. APPROVED.	Was discussed at 9/5/17 work session. Pending direction from Council.	In Progress	Brent Brooks
07/24/17	COUNCILMEMBER CLARK: Moved to direct staff to provide Council with financing options for Centennial, Castle Rock and Optimist Parks toward completion of their projects at a work session prior to January pre-budgeting sessions, seconded by Councilmember Friedel. APPROVED.	\$2.46 million in FY19 budget for Phase I Centennial Park, currently in design and construction spring 2019. The FY19 budget also included amounts for improvements at Optimist Park. Additional	In Progress	Mike Whitaker Andy Zoeller

Date	Sponsor/Initiative	Action	Resolved	Assigned To
		phases and Centennial Park will be considered in future budget deliberations.		
11/27/17	COUNCILMEMBER SULLIVAN: Directed staff to research developing an ordinance eliminating spas and massage parlors that contribute to human trafficking, seconded by Councilmember Yakawich. APPROVED.	Staff is currently reviewing ordinances from cities across the country and will prepare a draft ordinance using the best practices of these ordinances.	In Progress	Brent Brooks Rich St. John
11/27/17	COUNCILMEMBER FRIEDEL: Directed staff to review the entire Special Review process and provide recommended improvements to the process at a future work session, seconded by Councilmember Sullivan. APPROVED.	Staff provided in depth information on local and state gambling and liquor license regulation at the 9/17/18 work session. Staff provided further information to the Council at its 11/23/18 work session. Council directed staff to address possible regulatory changes through project re: Code in 2019.	Complete	Wyeth Friday
12/10/18	COUNCILMEMBER YAKAWICH: Asked staff to solicit RFP's within the next six months, for building space to house the Administration, Finance, Planning and Public Works Departments and receive clarification from staff on how to proceed, seconded by Councilmember Cromley. APPROVED.			Chris Kukulski Kevin Iffland
12/10/18	COUNCILMEMBER CLARK: Directed staff to research options, as soon as possible, to amend the ordinance to acquire two Municipal judges instead of one, seconded by Councilmember Friedel. APPROVED.			Brent Brooks

Major Projects Update

2/13/2019



Major Projects, cont.

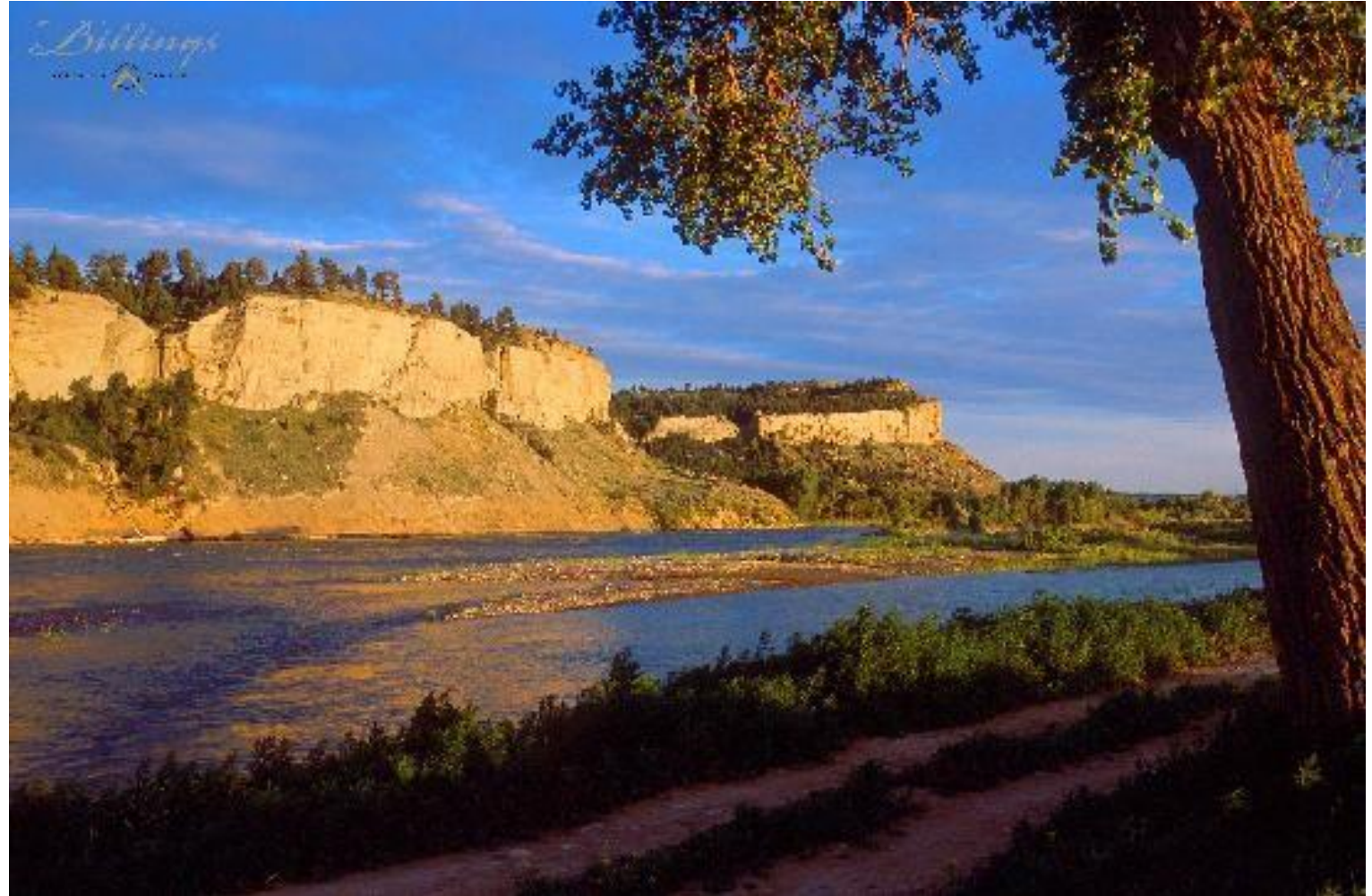
Optimist Park Playground Equipment Replacement



Major Projects, cont.

(Funded by Big Sky Economic Development and State of Montana)

Coulson Park Master Plan



Major Projects, cont.

Rose Park Playground Equipment Replacement



Major Projects, cont.

Rebuild Central Park Tennis Courts



Centennial Park Development Project

40% Design Development Estimate

Additive Alternates

- \$103,942.10 Electrical (wells, restrooms, shelters, etc.)
- \$174,001.00 Concrete pre-manufactured restroom (owner purchase contractor install)
- \$246,739.24 Parking Lot #1 (east lot)
- \$138,567.18 Parking Lot #2 (center lot)
- \$96,815.34 Internal sidewalks
- \$91,162.68 Parking Lot #3 (west lot)
- \$131,782.96 Dog Park sidewalks
- \$87,260.13 Dog Park fencing

Alternative Sources to Treated Water

- \$488,675.66 Arnold Drain Source
- \$153,730.60 Well Source (does not include electrical service to the site)



Centennial Park Development Project

40% Design Development Estimate

Park Master Plan



Base Bid







Code Enforcement Division

4th Quarter 2018 Report The Dirty Dozen

NICOLE CROMWELL, AICP
ZONING COORDINATOR
CODE ENFORCEMENT SUPERVISOR



Update on 2018 3rd Quarter Dirty Dozen

▶ Locations off the list:

▶ #12 – 3215 1st Ave South 4 years 8 months

- ▶ Squatter removed by BNSF – Sept/Oct 2018
- ▶ Debris and junk vehicles removed – Oct 2018
- ▶ Site secured and fenced – Nov 2018



Update on 2018 3rd Quarter Dirty Dozen

▶ Locations off the list:

▶ #10 – 901 Alderson – 2 years, 4 months

- ▶ Case opened August 2016
- ▶ **Court issued** abatement order **Oct 2018**
- ▶ City staff arranged for clean up of property **at no cost to land owner** (Judge's stipulation)
- ▶ Clean up completed **Nov 14, 2018**



Update on 2018 3rd Quarter Dirty Dozen

▶ Locations off the list:

▶ #8 – 42 Florine #9 - 5 months

- ▶ Case opened June 2018
- ▶ Previous complaints back to 2008
- ▶ MH abandoned by owner
- ▶ New MH Park owner removed the structure
- ▶ Clean up completed **Nov 9, 2018**



Update on 2018 3rd Quarter Dirty Dozen

▶ Locations off the list:

▶ #5 – 1709 St Johns – 6 months

- ▶ Case opened May 2018
- ▶ Previous complaints back to 2013
- ▶ Offered assistance to occupant
- ▶ Clean up completed **Nov 8, 2018**



Update on 2018 3rd Quarter Dirty Dozen

▶ Locations off the list:

▶ #11 – 1516 Wicks Lane – 6 months

- ▶ Case opened July 2018
- ▶ Previous complaints back to 2013
- ▶ Offered assistance to occupant
- ▶ Clean up completed **January 2019**



January 2019

To Be added before Feb 4

The Dirty Dozen – #12

- ▶ 37 ½ 12th St West – new to Dirty Dozen list
 - ▶ Case started in April 2017 - 1 year, 9 months
 - ▶ 1 Lot = 3 dwellings – center structure burned in 1998
 - ▶ Burned structure was open to access until June 2017
 - ▶ Building now boarded 18 months



June 2017



The Dirty Dozen – #11

- ▶ 702 N 16th St – new to Dirty Dozen list
 - ▶ Case started in Oct 2018
 - ▶ Open Storage & Junk Vehicles - Obstruction on Blvd



Nov 2018



The Dirty Dozen – #10

- ▶ 3520 Cook Avenue – previous rank #9
 - ▶ Open Storage – case opened June 2018
 - ▶ Real Estate Trust – owner deceased 2016
 - ▶ Trustee is local law firm



20 Washington

The Dirty Dozen – #9

- ▶ 20 Washington St & 46 Washington St – previous rank #7

- ▶ Dangerous Structures – Boarded Buildings

- ▶ 20 Washington – **Fire in 2001**

- ▶ Case opened **Oct 2016 – 2 years 3 months**
 - ▶ **Will serve cite by publication**

- ▶ 46 Washington – owner deceased **Dec 2015**

- ▶ No heirs – no probate – tax lien
 - ▶ Case opened **Sept 2016 – 2 years 4 months**
 - ▶ Attorney General – outlined procedure for escheat of real property – will work with AG to resolve ownership



46 Washington



The Dirty Dozen – #8

- ▶ 818 S 29th St – Dangerous Structure – previous rank #6
 - ▶ Case Opened Sept 2017 – 1 year, 4 months
 - ▶ Owner refused several offers from buyers
 - ▶ Will serve citation by publication



The Dirty Dozen – #7

- ▶ 1936 Phoebe Dr – new to list
 - ▶ Open Storage & Junk Vehicles
 - ▶ Case Opened – **May 2018 – 8 months**
 - ▶ Complaints date back to **2012**



The Dirty Dozen – #6

- ▶ 1015 McKenney Road – previous rank #4
 - ▶ Incomplete building – construction halted in 2007 – case opened June 2017
 - ▶ Owner failed to comply- Misdemeanor Citation Issued in June 2018
- ▶ Municipal Court Hearing July 25, 2018
 - ▶ Judge ordered owner to obtain building permit within 60 days – by Sept 19, 2018
 - ▶ Owner failed to obtain permit – Judge granted additional 60 days in Sept 2018
 - ▶ Status hearings: Nov 14, 2018; Dec 5, 2018 & Feb 6, 2019
 - ▶ No progress – owner failed to pay property taxes Nov 2018



The Dirty Dozen – #5

- ▶ 816 N 25th St – new to list
 - ▶ Boarded Building – case opened **Nov 2017 – 1 year & 2 months**
 - ▶ Vacant for over 10 years
 - ▶ Attempting to assist
 - ▶ No activity to un-board & remodel – No activity to demolish



The Dirty Dozen – #4

- ▶ 316 Miles Ave – new t list
 - ▶ Started construction w/o permit **2012**
 - ▶ Setback violations – Variance request denied **July 2016**
 - ▶ Public Nuisance case opened **Oct 2018**
 - ▶ New variance request or demolition permit



The Dirty Dozen – #3

- ▶ 120 S 29th St – same rank as 3rd Quarter
 - ▶ Utilities shut off in 2013
 - ▶ Open Storage of Junk & Debris – Boarded Building - case opened Sept 2018
 - ▶ Trespassing and Transients



The Dirty Dozen – #2

- ▶ **114 S 29th St (Jan 2017) & 118 S 29th St (Nov 2016)** – same rank as 3rd Quarter
 - ▶ Dangerous Structures & Open Storage – cases opened in 2016
 - ▶ Severe Impact on surrounding property
- ▶ **114 S 29th St - Civil Action Filed in Feb 2018**
 - ▶ **Jan 2019** - Waiting for Judge to Issue Trial Schedule
- ▶ Pending Civil Action on 118 S 29th St
- ▶ Nuisance has spread to 120 S 29th St



The Dirty Dozen – # 1

- ▶ 4116 State Avenue – previous rank #1
 - ▶ Dangerous Structure – case opened Aug 2015 – 4 years & 5 months
 - ▶ Severe Impact on surrounding property
 - ▶ Fire damaged
 - ▶ Inadequate & Improper Boarding of Doors and Windows
 - ▶ Owner died without assigning heirs
 - ▶ Requested City Legal assistance – Feb 2017
 - ▶ Jan 2019 – Received some info from AG on proposed process to escheat the property to the state then offered for sale to close the estate



Questions?



Billings Fire Department

IMPLEMENTATION OF THE ADVANCE LIFE SUPPORT PARAMEDIC PROGRAM



Overview of Key Performance Indicators:

- ▶ Equipment Procurement:

- ▶ Accessory equipment: Installed and operational
- ▶ KNOX MedVaults: In process of software/hardware install
- ▶ ALS Medications: Packed and in service



Overview of Key Performance Indicators:

▶ Training:

- ▶ Paramedic FTO class: Completed
- ▶ Current Credentialed Paramedic Class: Completed
- ▶ ALS Boot Camp: Completed
- ▶ Non-Credentialed Paramedics: Beginning FTO Process
 - ▶ 11 Currently Credentialed Paramedics operating at full ALS
 - ▶ 12 Non Credentialed Paramedics starting FTO process
 - ▶ 6 additional Paramedics on the hiring list set to start recruit school in March



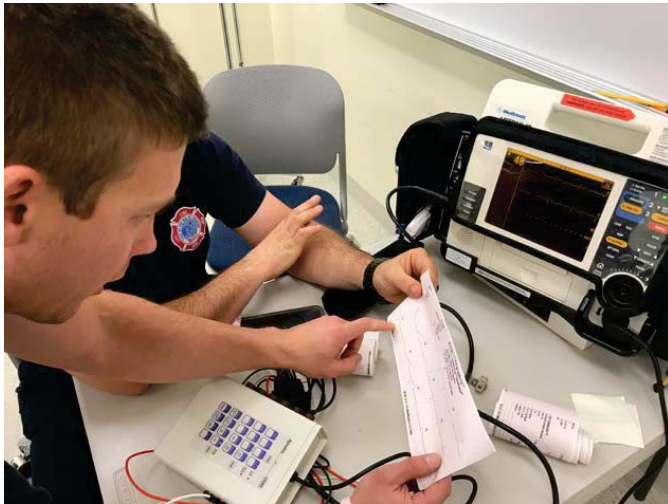
Training:

- ▶ Training for the FTO's and the Currently Credentialed medics has been completed:



Training:

- ▶ Paramedic "Non Credentialed" boot camp completed:



Training:

- ▶ Final Phase, FTO Process:
 - ▶ The FTO process is designed to pair a currently credentialed paramedic with a “non credentialed” paramedic for skills evaluation.
 - ▶ Similar to how new Police officers are evaluated before they are allowed to act independently
 - ▶ Mirrors Process that AMR uses



Operational Implementation

- ▶ At this time the currently Credentialed paramedics may operate at the ALS level.
- ▶ Non credentialed” paramedics may operate as a paramedic under an FTO or currently Credentialed Paramedic
- ▶ Paramedics do not have a “designated” home station, they me be placed anywhere in the system that Operations (BC’s) deems necessary.



Wrap Up:

- ▶ BFD is providing ALS care to the citizens of Billings and the BUFSA
- ▶ BFD Paramedic training is entering the final phase (FTO)
- ▶ Current vital stats:
 - ▶ All Equipment Purchased
 - ▶ All medications except Narcotics are purchased
 - ▶ 11 paramedics fully credentialed and operational
 - ▶ 12 paramedics entering the final phase of training



Council Work Session

2.

Meeting Date: 02/04/2019

TITLE: City and Urban Renewal District Memorandums of Understanding

Department: Planning & Community Services

Presentation: Yes

PROBLEM/ISSUE STATEMENT


City staff has been working with the three Urban Renewal District Advisory Boards to draft Memorandums of Understanding (MOUs) between the City and the advisory board organizations for the Districts. The organizations include the Billings Industrial Revitalization District (BIRD), the Downtown Billings Partnership (DBP), and the South Billings Urban Renewal Association (SBURA). The City has MOUs that are expiring with the BIRD and SBURA in February 2019 and has developed a new MOU with the DBP as the previous MOU has been expired for years. The City Council must review and approve these MOUs. This Work Session is to provide a briefing to City Council on the reason and content of the MOUs in preparation for bringing the final MOUs to Council at its February 25 meeting for formal action.

RECOMMENDATION

After review at this Work Session, staff is proposing to bring MOUs for the three urban renewal districts to the City Council for action at its February 25 Regular Meeting.

Attachments

- MOU Presentation
 - SBURA MOU Draft
 - Downtown 27th MOU Draft
 - BIRD MOU Draft
-



Urban Renewal District MOUs

EBURD (BIRD); North 27th Street (DBP); SBBURD (SBURA)

City Council Work Session

February 4, 2019

MOU Background

- City has historically had MOUs with all three Urban Renewal Districts
- Downtown District MOU has been expired for several years
- South Billings and East Billings MOUs expire this month – February 2019
- MOUs outline relationship, expectations and requirements of parties
- Under current City/District arrangement, MOUs are necessary
- While each MOU has elements specific to each District, the core elements are the same

MOU Core Elements

- All decision regarding TIF funds must be approved by the City Council
- Term – 5 years with not less than 90-day notice prior to any FY End
- Advisory Board may hire, contract, or coordinate with the City, to retain support to administer District activities
- City TIF Policy Elements Included
 - Coordination between City staff and District Advisory Board on TIF Application process
 - Advisory Board will have Conflict of Interest language in its By-Laws
 - Advisory Board and support staff will participate in biannual training with City staff

MOU Differences

- EBURD (BIRD)
 - BSEDA Partnership
 - EPA Brownfields Program
- Downtown (DBP)
 - DBP coordinates with DBA and the BID
 - Downtown Revolving Loan Fund
- SBBURD (SBURA)
 - SBURA Reorganization
 - South Billings Recreation Center Project

MOUs Next Steps

- Questions and Direction from Council tonight
- Complete any edits and changes in coordination with Districts
- Bring MOUs to February 25 Regular Council Meeting for action
- All three Districts are represented tonight and can answer questions

Questions

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BILLINGS
AND
THE SOUTH BILLINGS URBAN RENEWAL ASSOCIATION, INC.,
AN I.R.C. 501 (c)(4) MONTANA NON-PROFIT CORPORATION,
FOR PROGRAM COORDINATION AND TAX INCREMENT FINANCING
RECOMMENDATIONS AS PER MCA 7-15-4233 IN THE SOUTH
BILLINGS BOULEVARD URBAN RENEWAL DISTRICT**

This Memorandum of Understanding (“MOU”) is made and entered into on _____, 2019 (the “Effective Date”) by and between the City of Billings (“City”), and the South Billings Urban Renewal Association (“SBURA”), a 501 c (6) tax exempt organization that is managed with the purpose of assisting the City in revitalization of the South Billings Boulevard Urban Renewal District (SBBURD) for projects, regulations, planning, and to render opinions and give recommendations to the City Council as outlined in MCA 7-15-4233 on all financial assistance provided by Tax Increment Financing (TIF) in the SBBURD. For purposes of this MOU, the City, and the SBURA are each a “Party” and are sometimes collectively referred to as the “Parties.”

I. TERM & TERMINATION OF THIS MOU

This MOU shall be in effect for five (5) years from the Effective Date, and the parties agree to conduct an annual progress-review meeting to consider any necessary changes to the implementation strategies and roles and responsibilities as set forth in this Agreement. Any Party may terminate this MOU by giving the other party not less than 90-days notice prior to a fiscal year end of June 30. Days are defined in this Agreement to be business days.

II. BACKGROUND AND PURPOSE OF THIS MOU

- A. The SBBURD was created by the City of Billings in 2007 and expanded in 2008 (Ordinance No. 07-5441, Ordinance No. 08-5462, Ordinance No. 08-5484) and is defined in the attached Exhibit A map.
- B. The City of Billings has adopted a Tax Increment Finance Policy (Resolution #18-10750) to inform some elements of this MOU and to guide the City’s decisions related to TIF programs and projects.
- C. This MOU is a cooperative effort between the City of Billings and the SBURA, with the mutual objective of enhancing economic development opportunities in the SBBURD by promoting efforts that include, but are not limited to, commercial, residential and mixed-use development, public infrastructure improvement, and implementing the goals of the 2012 South Billings Master Plan, as well as other City-adopted ordinances, plans and programs affecting the SBBURD.

III. RELATIONSHIP OF THE PARTIES

A. For the life of this MOU, the SBURA will maintain itself as a non-profit advisory board to make recommendations to the City Council regarding all TIF expenditures.

B. The SBURA may hire, contract for, or coordinate with the City, for support for the implementation of this MOU. Support includes, but is not limited to, program coordination, application review and processing, tax increment financing recommendations, administration and implementation of the SBBURD Master Plan. TIF funding used for support positions must be approved by the City Council through its annual budgeting process as part of its review and approval of the SBBURD annual budget. If the SBURA does seek contract services, supplies, or expenditures for other capital costs that utilize TIF funds, the SBURA must follow City purchasing and procurement policies in effect at the time.

Commented [FW1]: This is revised per input from City Administration and Legal.

C. The SBURA Board By-Laws in Article 4 specifies the Board be made up of stakeholders that represent both business and residential interests in the SBBURD. As per the City TIF Policy Section 3 (a), this MOU refers to the SBURA By-Laws in outlining the members of the Board. The Board includes two members that are homeowners in the SBBURD, three members that own or represent businesses in the SBBURD, and two at-large members that may be from inside or outside the SBBURD. The Board must carry insurance for its members and provide proof of insurance to the City. The Board will ensure a current copy of its By-Laws is provided to the City.

Commented [FW2]: Need to ensure this matches the membership list in the SBURA Articles and By-Laws

D. This MOU is not intended to create or constitute any joint venture, partnership, joint powers agency, or other formal organization of any kind. However, SBURA Board By-Laws in Article 2 and Article 3 notes the SBURA could take on urban renewal powers as per the Montana Urban Renewal Laws if the City assigned them during this MOU.

Commented [FW3]: Thought reference here to the way the SUBRA Articles and By-Laws reference future Urban Renewal Authority was important.

E. No Party is authorized herein to act as the agent of the other.

F. Sections IV through XI of this MOU outline roles and responsibilities of the City and SBURA related to the SBBURD. The Parties shall collaborate to carry out these identified activities.

IV. TAX INCREMENT FINANCING AUTHORITY AND ADMINISTRATION

A. The City Council shall have the ultimate decision making authority regarding any expenditure of TIFD Funds related to the SBBURD.

B. The SBURA and the City will develop and maintain an application form and assistance guidelines for parties seeking the use of TIF Funds.

C. The SBURA will accept and review applications for TIF Funds related to the SBBURD and will provide a copy of the application to the City staff for review. The SBURA Board shall review the application and make a recommendation to the City Council regarding funding of the application. Recommendations for expenditures shall be presented to the City Council by the SBURA in coordination with City staff. Development Agreements for the applications for TIF funds will also be reviewed by the SBURA Board and City staff before presentation to City Council for approval.

V. SBURA TRAINING AND CONFLICT OF INTEREST

- A. Training – The SBURA Board will participate with all City URD advisory boards in biannual training conducted in coordination with City staff and URD support staff. The training must include, but is not limited to: review of URD and TIF laws, Administrative Rules, ethics, conflicts of interest, meeting management, and maintenance of minutes and records.
- B. Conflict of Interest – The SBURA By-Laws in Article XXXXXX specifically addresses conflicts of interest situations for board members. In addition to the conflict of interest provisions in the SBURA By-Laws, if the City finds an appearance of conflict of interest during review of a program or project seeking TIF funding, the matter will be reviewed by the City Attorney’s Office.

Commented [FW4]: Need to add Conflict of Interest language to the SBURA By-Laws.

VI. LAND USE DECISION AUTHORITY

- A. The City shall have final decision making authority regarding any land use or zoning decision related to the area of the SBBURD, provided those items are first reviewed by the SBURA which shall present its recommendation to the City Council.
- B. The City staff shall provide to the SBURA any proposed land use regulation changes related to property within the SBBURD for review by the SBURA. The SBURA shall submit its recommendation to the City Council.
- C. Subject to existing land use law, the City may develop and administer land use and design regulations with consideration to the 2012 South Billings Master Plan and other plans and ordinances adopted by the City. As referenced in Section II C. of this MOU, the City and the SBURA share the mutual objective of enhancing economic development opportunities in the SBBURD. These efforts include, but are not limited to, commercial, residential and mixed-use development, public infrastructure improvement, and implementing the goals in the 2012 South Billings Master Plan, as well as other City-adopted ordinances, plans and programs affecting the SBBURD.

VII. MAINTENANCE, PRIORITIZATION, AND IMPLEMENTATION OF THE 2012 SOUTH BILLINGS MASTER PLAN

- A. SBURA will work to maintain, prioritize, and implement the 2012 South Billings Master Plan as its staffing capacity will allow and in consultation with the City. This may include making updates to the 2012 South Billings Master Plan during this MOU as the Plan is already six years old at the time this MOU was adopted.
- B. SBURA will work with the City in developing annual goals and an associated proposed budget for the SBBURD for consideration and adoption by the City Council.
- C. SBURA will actively work to recruit private investment in the SBBURD in partnership with the City.

VIII. IDENTIFY FUNDING SOURCES AND FACILITATE PUBLIC INFRASTRUCUTRE IMPROVEMENTS

- A. The City will identify and make application for appropriate funding sources in order to facilitate necessary infrastructure improvements as identified in the City’s Capital Improvement Plan and other infrastructure master plans for projects within the SBBURD boundary. The SBURA will assist the City with funding applications, as appropriate.
- B. The SBURA will work with City staff and property owners to consider public infrastructure projects in the SBBURD and bring recommendations to City Council through processes, including the City’s Capital Improvement Plan.

IX. OTHER SERVICES

- ~~A. The SBURA may, at its sole option, contract professional services with an outside party or the City to provide support for program coordination, application review and processing, tax increment financing recommendations, administration and implementation of the SBBURD Master Plan, and other efforts. The SBURA also may contract for services for security and maintenance services within the SBBURD funded through property owner participation in a business improvement district or sub-district. However, the City Council shall have the ultimate decision making authority regarding any expenditure of TIFD Funds related to the SBBURD, including funds allocated to professional services.~~
~~SBURA may, at its sole option, contract professional services with an outside party or the City to provide planning, security and maintenance services within the SBBURD funded through property owner participation in a business improvement district or sub-district.~~
- B. SBURA will work in consultation with the Billings Chamber of Commerce, Big Sky Economic Development and the City to develop and maintain a marketing/branding program for the SBBURD, as staff and funding allows.

Commented [FW5]: Part A has been struck and consolidated in Section III B of this MOU. I am not sure if Part B is still needed or pertinent now but wanted to get SBURA input?

X. PUBLIC RELATIONS

Any news release, public announcement, advertisement or publicity proposed to be released by SBURA or the City regarding the work outlined in this MOU shall be subject to the approval of the other Parties prior to release. The Parties agree that such approval shall not be unreasonably withheld.

XI. NOTICE

The Parties have identified the following individuals as point persons for all communication and coordination. Any notice required hereunder shall be provided in writing.

City:	Wyeth Friday Director, Planning and Community Services Department 2825 3 rd Avenue North, 4 th Floor Billings, MT 59101 fridayw@ci.billings.mt.us (406) 657-8249
SBURA:	Carolyn Rukstad SBURA Board President

XII. AUTHORITY AND EXECUTION

Each Party represents that it has the authority to enter into this MOU and to perform the functions stated herein, and that the persons executing this MOU on their respective behalf are authorized by law, resolution or other requisite action of the Party's governing body.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU on the dates indicated below.

THE CITY OF BILLINGS:

By: _____
William A. Cole, MAYOR

ATTEST:

By: _____
Denise R. Bohlman, CITY CLERK

APPROVED AS TO FORM:

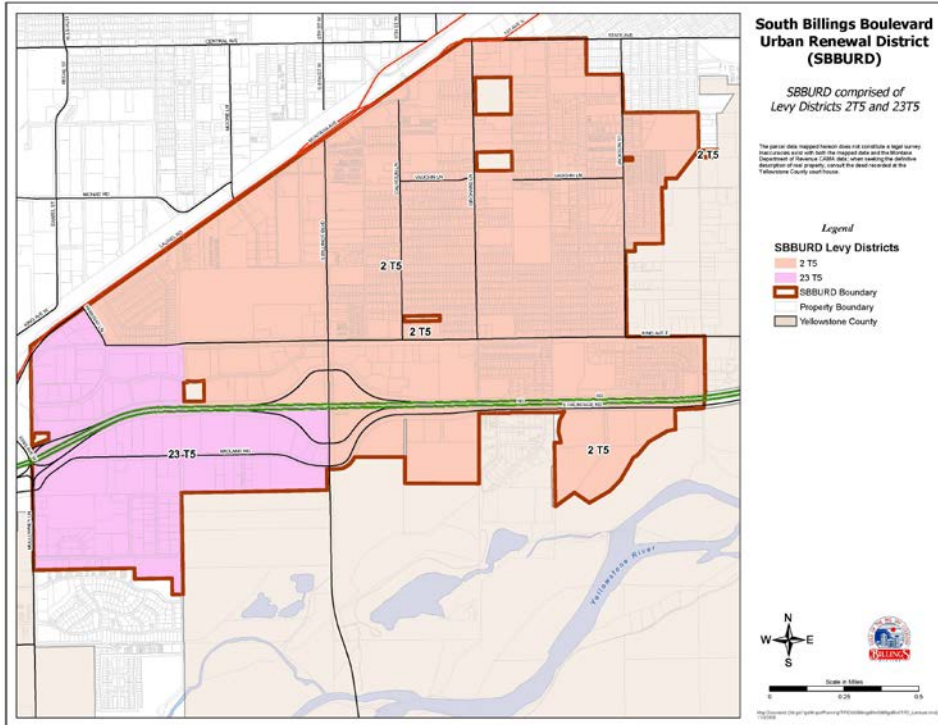
By: _____
Brent Brooks, CITY ATTORNEY

SOUTH BILLINGS URBAN RENEWAL ASSOCIATION, INCORPORATED

Dated: _____

By: _____
SBURA Board President

Exhibit A



**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BILLINGS
AND
THE DOWNTOWN BILLINGS PARTNERSHIP, INC.,
AN I.R.C. 501 (c)(4) MONTANA NON-PROFIT CORPORATION, (DBP)
FOR PROGRAM COORDINATION AND TAX INCREMENT FINANCING
RECOMMENDATIONS AS PER MCA 7-15-4233 IN THE EXPANDED
NORTH 27TH STREET URBAN RENEWAL DISTRICT**

This Memorandum of Understanding (“MOU”) is made and entered into on _____, 2018 (the “Effective Date”) by and between the City of Billings (“City”), and the Downtown Billings Partnership, Inc. (“DBP”), a 501 c(4) tax exempt corporation that is managed with the purpose of assisting the City in revitalization of the Expanded North 27th Street Urban Renewal District (27th Street URD) for projects, regulations, planning, and to render opinions and give recommendations to the City Council as outlined in MCA 7-15-4233 on all financial assistance provided by Tax Increment Financing (TIF) in the North 27th Street URD. For purposes of this MOU, the City, and the DBP are each a “Party” and are sometimes collectively referred to as the “Parties.”

I. TERM & TERMINATION OF THIS MOU

This MOU shall be in effect for five (5) years from the Effective Date, and the parties agree to conduct an annual progress-review meeting to consider any necessary changes to the implementation strategies and roles and responsibilities as set forth in this Agreement. Any Party may terminate this MOU by giving the other party not less than 90-days notice prior to a fiscal year end of June 30. Days are defined in this Agreement to be business days.

II. BACKGROUND AND PURPOSE OF THIS MOU

- A. The North 27th Street URD was created by the City of Billings in 2008 by Ordinance No. 08-5483 and is defined in the attached Exhibit A map. The 2008 modification of the downtown URD followed multiple amendments by the City to the boundary of the original URD first created by the City in 1976.
- B. The DBP works in cooperation with the Downtown Billings Alliance (DBA). This MOU is between the City and the DBP, and is focused on the work and operations of the DPB as they relate to the 27th Street URD and application of TIF funds in the District.
- C. The City of Billings has adopted a Tax Increment Finance Policy (Resolution #18-10750) to inform some elements of this MOU and to guide the City’s decisions related to TIF programs and projects.
- D. This MOU is a cooperative effort between the City of Billings and the DBP, with the mutual objective of enhancing economic development opportunities in the North 27th Street URD by promoting efforts that include, but are not limited to, commercial, residential and mixed-use development, public infrastructure improvement, and implementing the Goals for Downtown Billings as embodied in the 2018 Downtown

Billings Strategic Plan, 2008 Urban Renewal Plan, as well as other City-adopted ordinances, plans and programs affecting Downtown Billings.

III. RELATIONSHIP OF THE PARTIES

- A. For the life of this MOU, the DBP will maintain itself as a non-profit advisory board to make recommendations to the City Council regarding all TIF expenditures.
- B. The DBP working in cooperation with the DBA may hire, contract for, or coordinate with the City, for support for the implementation of this MOU. Support includes, but is not limited to, program coordination, application review and processing, tax increment financing recommendations, administration and implementation of the 2018 Downtown Billings Strategic Plan and 2008 Urban Renewal Plan. TIF funding used for support positions must be approved by the City Council through its annual budgeting process as part of its review and approval of the DBP annual budget. If the DBP does seek contract services, supplies, or expenditures for other capital costs that utilize TIF funds, the DBP must follow City purchasing and procurement policies in effect at the time.
- C. The DBP Board By-Laws in Article II, Section 1 (D) specify the Board be made up of Downtown Billings stakeholders that represent many organizations. As per the City TIF Policy Section 3 (a), this MOU refers to the DBP By-Laws in outlining the members of the Board. The Board includes representatives from the City of Billings that is voting member of the Board. The Board must carry insurance for its members and provide proof of insurance to the City. The Board will ensure a current copy of its By-Laws is provided to the City.
- D. This MOU is not intended to create or constitute any joint venture, partnership, joint powers agency, or other formal organization of any kind.
- E. No Party is authorized herein to act as the agent of the other.
- F. Sections IV through XI of this MOU outline roles and responsibilities of the City and DBP related to the North 27th Street URD. The Parties shall collaborate to carry out these identified activities.

Commented [FW1]: This is revised per input from City Administration and Legal.

IV. TAX INCREMENT FINANCING AUTHORITY AND ADMINISTRATION

- A. The City Council shall have the ultimate decision making authority regarding any expenditure of TIFD Funds related to the 27th Street URD and the DBP.
- B. The DBP and the City will develop and maintain an application form and assistance guidelines for parties seeking the use of TIF Funds.
- C. The DBP will accept and review applications for TIF Funds related to the North 27th Street URD and will provide a copy of the application to the City staff for review. The DBP Board shall review the application and make a recommendation to the City Council regarding funding of the application. Recommendations for expenditures shall be presented to the City Council by the DBP in coordination with City staff. Development Agreements for the applications for TIF funds will also be reviewed by the DBP Board and City staff before presentation to City Council for approval.

- D. The DBP staff will work with the City Administrator and City Finance Director to maintain and administer the City of Billings Downtown Revolving Loan Program as per Section 13-1100 of the Billings City Code.

V. DBP TRAINING AND CONFLICT OF INTEREST

- A. Training – The DBP Board will participate with all City URD advisory boards in biannual training conducted in coordination with City staff and URD support staff. The training must include, but is not limited to: review of URD and TIF laws, Administrative Rules, ethics, conflicts of interest, meeting management, and maintenance of minutes and records.
- B. Conflict of Interest – The DBP By-Laws in Article II, Section 14 specifically addresses conflicts of interest situations for board members. In addition to the conflict of interest provisions in the DBP By-Laws, if the City finds an appearance of conflict of interest during review of a program or project seeking TIF funding, the matter will be reviewed by the City Attorney’s Office.

VI. LAND USE DECISION AUTHORITY

- A. The City shall have final decision making authority regarding any land use or zoning decision related to the area of the 27th Street URD, provided those items are first reviewed by the DBP which shall present its recommendation to the City Council.
- B. The City staff shall provide to the DBP any proposed land use regulation changes related to property within the 27th Street URD for review by the DBP. The DBP shall submit its recommendation to the City Council.
- C. Subject to existing land use law, the City may develop and administer land use and design regulations with consideration to the 2018 Downtown Billings Strategic Plan and other plans and ordinances adopted by the City. As referenced in Section II D. of this MOU, the City and the DBP share the mutual objective of enhancing economic development opportunities in the North 27th Street URD. These efforts include, but are not limited to, commercial, residential and mixed-use development, public infrastructure improvement, and implementing the Goals for Downtown Billings as embodied in the 2018 Downtown Billings Strategic Plan, as well as other City-adopted ordinances, plans and programs affecting Downtown Billings.

VII. MAINTENANCE, PRIORITIZATION, AND IMPLEMENTATION OF THE 2018 DOWNTOWN BILLINGS STRATEGIC PLAN

- A. DBP will work to maintain, prioritize, and implement the 2018 Downtown Billings Strategic Plan and the DBP Board’s annual goals as its staffing capacity will allow and in consultation with the City.
- B. DBP will work with the City in developing annual goals and an associated proposed budget for the North 27th Street URD for consideration and adoption by the City Council.

- C. DBP will actively work to recruit private investment in the 27th Street URD in partnership with the City.

VIII. IDENTIFY FUNDING SOURCES AND FACILITATE PUBLIC INFRASTRUCUTRE IMPROVEMENTS

- A. The City will identify and make application for appropriate funding sources in order to facilitate necessary infrastructure improvements as identified in the City’s Current Capital Improvement Plan and other infrastructure master plans for projects within the 27th Street URD boundary. The DBP will assist the City with funding applications, as appropriate.
- B. The DBP also will work with City staff and property owners to consider public infrastructure projects in the 27th Street URD and bring recommendations to City Council through processes, including the City’s Capital Improvement Plan.

IX. OTHER SERVICES

- A. DBP may, at its sole option, contract professional services with an outside party or the City to provide security and maintenance services within the North 27th Street URD funded through property owner participation in a business improvement district or sub-district.
- B. DBP will work in consultation with the Downtown Billings Alliance, Billings Chamber of Commerce, Big Sky Economic Development and the City to develop and maintain a marketing/branding program for the North 27th Street URD, as staff and funding allows.

Commented [FW2]: Purchasing language in DBP By-Laws that might help here?

X. PUBLIC RELATIONS

Any news release, public announcement, advertisement or publicity proposed to be released by DBP or the City regarding the work outlined in this MOU shall be subject to the approval of the other Parties prior to release. The Parties agree that such approval shall not be unreasonably withheld.

XI. NOTICE

The Parties have identified the following individuals as point persons for all communication and coordination. Any notice required hereunder shall be provided in writing.

City:	Wyeth Friday Director, Planning and Community Services Department 2825 3 rd Avenue North, 4 th Floor Billings, MT 59101 fridayw@ci.billings.mt.us (406) 657-8249
DBP:	Katy Easton Chief Executive Officer DBA

Commented [FW3]: Katy is the logical choice here but she is Executive Director of the Alliance, which includes the DBP. Just need to make sure everyone understands this relationship.

XII. AUTHORITY AND EXECUTION

Each Party represents that it has the authority to enter into this MOU and to perform the functions stated herein, and that the persons executing this MOU on their respective behalf are authorized by law, resolution or other requisite action of the Party's governing body.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU on the dates indicated below.

THE CITY OF BILLINGS:

By: _____
William A. Cole, MAYOR

ATTEST:

By: _____
Denise R. Bohlman, CITY CLERK

APPROVED AS TO FORM:

By: _____
Brent Brooks, CITY ATTORNEY

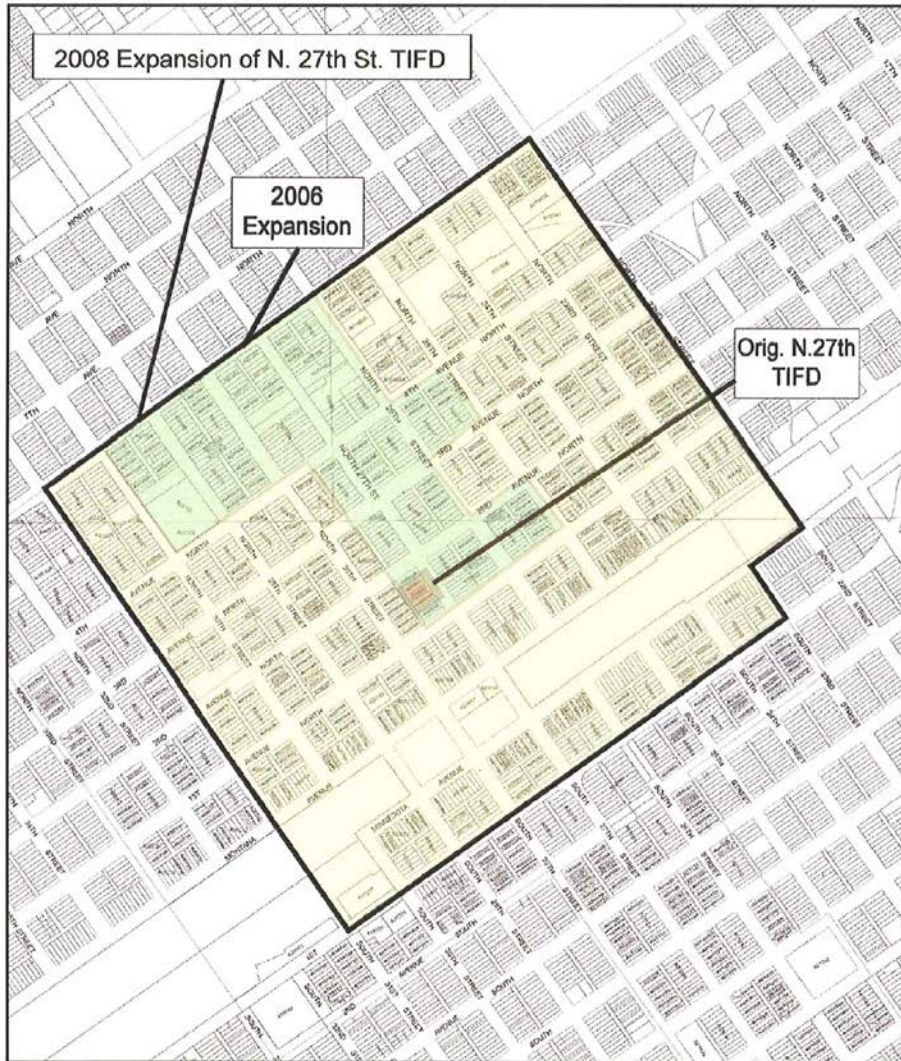
DOWNTOWN BILLINGS PARTNERSHIP, INCORPORATED

Dated: _____

By: _____
DBP Board President

Exhibit A

Map of entire Expanded N. 27th District



**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BILLINGS
AND
THE BILLINGS INDUSTRIAL REVITALIZATION DISTRICT, INC.,
AN I.R.C. 501 (c)(6) MONTANA NON-PROFIT CORPORATION,
AND
BIG SKY ECONOMIC DEVELOPMENT, FOR THE
IMPLEMENTATION OF THE MASTER PLAN FOR
REVITALIZATION, PROGRAM COORDINATION, AND TAX
INCREMENT FINANCING RECOMMENDATIONS AS PER MCA 7-15-
4233 IN THE EAST BILLINGS URBAN RENEWAL DISTRICT**

This Memorandum of Understanding (“MOU”) is made and entered into on _____, 2019 (the “Effective Date”) by and between the City of Billings (City), Big Sky Economic Development (BSED), a local port authority created by Yellowstone County, a political subdivision of the State of Montana, and the Billings Industrial Revitalization District, Inc. (BIRD), a 501 c(6) tax exempt corporation of the land owners with property located within the boundaries East Billings Urban Renewal District (EBURD), that is managed with the purpose of assisting the City in revitalization of the EBURD for all projects, regulations and planning done in the EBURD and to render opinions and give recommendations to the City Council as outlined in MCA 7-15-4233 on all financial assistance provided by Tax Increment Financing (TIF) in the EBURD. For purposes of this MOU, the City, BSED and the BIRD are each a “Party” and are sometimes collectively referred to as the “Parties.”

I. TERM & TERMINATION OF THIS MOU

This MOU shall be in effect for five (5) years from the Effective Date, and the parties agree to conduct an annual progress-review meeting to consider any necessary changes to the implementation strategies and roles and responsibilities as set forth in this Agreement. Any Party may terminate this MOU by giving the other party not less than 90-days notice prior to a fiscal year end of June 30. Days are defined in this Agreement to be business days.

II. BACKGROUND AND PURPOSE OF THIS MOU

- A. The EBURD was created by the City of Billings in 2006 and expanded in 2015 (Ordinance No. 06-5395, Ordinance No. 15-5652) and is defined in the attached Exhibit A map.
- B. The City of Billings has adopted a Tax Increment Finance Policy (Resolution #18-10750) to inform some elements of this MOU and to guide the City’s decisions related to TIF programs and projects.
- C. This MOU is a cooperative effort between the City of Billings BSED and the BIRD. The Parties share the mutual objective of eliminating blight and enhancing economic development opportunities in the EBURD by promoting the ideals of sustainable

industry, public infrastructure improvement, and predictable land use decision-making embodied in the 2009 EBURD Master Plan, 2012 EBURD Code (Ordinance No. 12-5581) 2013 Exposition Gateway Concept Plan, 2103 Hospitality Corridor Planning Study, as well as other City-adopted ordinances, plans and programs affecting the EBURD.

III. RELATIONSHIP OF THE PARTIES

- A. For the life of this MOU, the BIRD will maintain itself as a non-profit advisory board to make recommendations to the City Council regarding all TIF expenditures and land use in the EBURD. This MOU relates only to the cooperative efforts of BSED, the City, and the BIRD described herein in connection with the EBURD.
- B. The BIRD Board By-Laws in Article IV specifies the Board be made up of stakeholders that represent both business and property interests in the EBURD. As per the City TIF Policy Section 3 (a), this MOU refers to the BIRD By-Laws in outlining the members of the Board. The BIRD must carry E & O insurance for its board members and provide proof of insurance to the City. The Board will ensure a current copy of its By-Laws is provided to the City.
- C. This MOU is not intended to create or constitute any joint venture, partnership, joint powers agency, or other formal organization of any kind.
- D. No Party is authorized herein to act as the agent of the other.
- E. Sections IV through XIII of this MOU outline roles and responsibilities of the City, BSED and BIRD related to the EBURD. The Parties shall collaborate to carry out these identified activities. The attached Exhibit B outlines the EBURD administration.

IV. BIRD BOARD AND STAFF

- A. The BIRD board may hire, contract for, or coordinate with the City, for support for the implementation of this MOU. Support includes, but is not limited to, program coordination, application review and processing, tax increment financing recommendations, administration and implementation of the EBURD Master Plan. TIF funding used for support positions must be approved by the City Council through its annual budgeting process as part of its review and approval of the EBURD annual budget. If the BIRD does seek contract services, supplies, or expenditures for other capital costs that utilize TIF funds, the BIRD must follow City purchasing and procurement policies in effect at the time.
- B. The BIRD Board has adopted a policy that board members and staff cannot receive TIF funding for Development Incentives while in the employment of the BIRD or serving as a member of the board of directors of the BIRD.

Commented [FW1]: This is revised per input from City Administration and Legal.

V. TAX INCREMENT FINANCING AUTHORITY AND ADMINISTRATION

- A. The City Council shall have the ultimate decision making authority regarding any expenditure of TIFD Funds related to the EBURD. The BIRD will present recommendations for expenditures to the City Council.
- B. The BIRD and the City will develop and maintain an application form and assistance guidelines for parties seeking the use of TIF Funds.
- C. The BIRD will accept and review applications for TIF Funds related to the EBURD within ten (10) days of receipt of a fully completed application, and then will provide a copy of the application to the City staff for review. The City staff will return their comments within fifteen (15) days from the submittal of a complete application from the BIRD. The BIRD Board shall review and meet with the application applicant within twenty (20) days and then make a recommendation to the City Council regarding funding of the application. Recommendations for expenditures shall be presented to the City Council by the BIRD in coordination with City staff. Development Agreements for the applications for TIF funds will also be reviewed by the BIRD Board and City staff before presentation to City Council for approval. The application shall be processed and sent to the City Council within fifty (50) days after receipt of a properly completed application.

VI. BIRD TRAINING AND CONFLICT OF INTEREST

- A. Training – The BIRD Board will participate with all City URD advisory boards in biannual training conducted in coordination with City staff and URD support staff. The training must include, but is not limited to: review of URD and TIF laws, Administrative Rules, ethics, conflicts of interest, meeting management, and maintenance of minutes and records.
- B. Conflict of Interest – The BIRD will adopt a resolution stating it will follow the conflict of interest rules adopted by the City. The BIRD Board also addresses elements of conflict of interest in Section IV (B) of this MOU, If the City finds an appearance of conflict of interest during review of a program or project seeking TIF funding, the matter will be reviewed by the City Attorney’s Office.

VII. LAND USE DECISION AUTHORITY

- A. The City shall have final decision making authority regarding any land use or zoning decision related to the area of the EBURD, provided those items are first reviewed by the BIRD which shall present its recommendation to the City Council.
- B. The City staff shall provide to the BIRD any proposed land use regulation changes related to property within the EBURD for review by the BIRD within ten (10) days of receipt or consideration of such proposal for the review and approval of the BIRD. The BIRD shall submit its recommendation to the City Council within ten (10) days.

Commented [FW2]: I understand the need to ensure applications are moving through the process and everyone is doing their part. But I still think these time lines should be something addressed in an application form and process but not formalized in this MOU.

Commented [TG3R2]: The deadlines and time frames are to ensure timely resolutions for our applicants. We have had no issues using them and would like to retain them so they have been reinserted.

Commented [FW4]: In an effort to acknowledge that we all want applications to move through the process efficiently, I would suggest as an alternative to having all of these deadlines in the MOU, instead have a single time frame in the MOU for when an application is brought before City Council. I suggest 60 (equivalent to 3 months of working days) days from receipt of a complete application that is processed and sent to the City Council.

Commented [FW5]: Does the current BIRD By-Laws contain Conflict of Interest language? If so, we should reference the By-Law section here.

Commented [TG6R5]: It does not. We will adopt a resolution to follow the City’s conflict of interest rules.

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Commented [FW7]: Tim – I do not know what this means? Often, land use regulations are “considered” for months before a draft (one of many) is able to be reviewed by various parties. Further, if the draft code is not ready to go to the City Council, the BIRD having only 10 days to submit a recommendation to the Council would not be workable and would harm the BIRD’s ability to respond to changing drafts, etc. I have to push back on the day requirements in this section as not realistic in these kinds of processes for the BIRD or the City.

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- C. Subject to existing land use law, the City may develop and administer land use and design regulations with consideration to the EBURD Master Plan, EBURD Code and other plans and ordinances adopted by the City. As referenced in Section II C. of this MOU, the City and the BIRD share the mutual objective of eliminating blight and enhancing economic development opportunities in the EBURD by promoting the ideals of sustainable industry, public infrastructure improvement, and predictable land use decision-making

VIII. BROWNFIELDS ASSESSEMENT

- A. BSED is currently administering a grant from the Environmental Protection Agency to undertake brownfields assessments of petroleum and hazardous substance contamination on sites within and surrounding the EBURD and Downtown.
- B. BSED has assembled a steering committee to help make decisions about assessed sites. The City and BIRD have both contributed their time to this steering committee to help determine what criteria should be used to prioritize potential assessment sites. This steering committee will also apply these criteria in selecting assessment sites throughout the life of the project.

IX. MAINTENANCE, PRIORITIZATION, AND IMPLEMENTATION OF THE 2012 SOUTH BILLINGS MASTER PLAN

- A. The BIRD will work to maintain, prioritize, and implement the EBURD Master Plan, as its staffing capacity will allow and in consultation with the Parties.
- B. The BIRD Board will appoint a committee of all Parties to discuss and suggest recommendations regarding implementation of the EBURD Master Plan. This may include making updates to the 2009 EBURD Master Plan during this MOU as the Plan is already 10 years old at the time this MOU was adopted.

X. IDENTIFY FUNDING SOURCES AND FACILITATE PUBLIC INFRASTRUCUTRE IMPROVEMENTS

- A. The City will identify and make application for appropriate funding sources in order to facilitate necessary infrastructure improvements as identified in the City's Capital Improvement Plan and other infrastructure master plans for projects within the EBURD boundary. The BIRD will assist the City with funding applications, as appropriate.
- B. The BIRD will work with City staff and property owners to consider public infrastructure projects in the EBURD and bring recommendations to City Council through processes, including the City's Capital Improvement Plan.
- C. BSED will seek, apply for, and administer grant opportunities well-suited for

the EBURD. Specifically, in development projects where there will be an increase of additional new jobs, BSED will apply on behalf of, or assist in the preparation of, applications to the Montana Department of Commerce New Worker Training Grant and Big Sky Economic Development Trust Fund incentive programs. All applications for grants and any acceptance of any grant awards must be approved by the City Council, if TIF funds are used.

- D. When an appropriate grant or funding opportunity is not available to BSED, for eligibility reasons, BSED will identify a potential applicant among the Parties and will notify such Party of the funding opportunity. BSED will assist these Parties in preparing applications for these funding opportunities on a fee-for-service basis at the hourly rate normally charged by BSED for grant-writing services per hour through December 31, 2019.
- E. Whenever possible, funds secured by BSED for implementation of EBURD Master Plan recommendations should be matched with local dollars, including TIF funds, in order to maximize impact.

XI. OTHER SERVICES

- A. The BIRD may, at its sole option, contract professional services for security and maintenance services within the EBURD funded through property owner participation in a business improvement district or sub-district. However, the City Council shall have the ultimate decision making authority regarding any expenditure of TIFD Funds related to the EBURD, including funds allocated to professional services for a business improvement district or sub-district.
- B. The BIRD will participate in a marketing /branding plan and attendant materials for the EBURD, as staff and funding allows and in consultation with the Billings Chamber of Commerce and BSED.

Commented [FW8]: Tim – I updated this as per the changes in IV (A) above. The EBURD and Downtown are the only Districts that either have (Downtown) or might (EBURD) create a BID or other mechanism like that from the property owner associations in place (the BIRD in this case).

XII. PUBLIC RELATIONS

Any news release, public announcement, advertisement or publicity proposed to be released by BIRD, BSED or the City regarding the work outlined in this MOU shall be subject to the approval of the other Parties prior to release. The Parties agree that such approval shall not be unreasonably withheld.

XIII. NOTICE

The Parties have identified the following individuals as point persons for all communication and coordination. Any notice required hereunder shall be provided in writing.

BSED:	Dianne Lehm Director of Community Development 222 North 32nd Street, Suite 200 Billings, MT 59101 lehm@bigskyeda.org (406) 869-8409	Patrick Klugman Senior Community Development Project Manager 222 North 32nd Street, Suite 200 Billings, MT 59102 patrick@bigskyeda.org (406) 869-
City:	Wyeth Friday, Planning Director Planning and Community Services Dept. 2825 3 rd Ave. North, 4 th Floor Billings, MT 59101 fridayw@ci.billings.mt.us (406) 657-8249	Monica Plecker, Planning Manager City-County Planning Division 2825 3 rd Ave. North, 4 th Floor Billings, MT 59101 pleckerm@ci.billings.mt.us (406) 247-8660
BIRD:	Marshall Knick President, BIRD, Inc. 1413 4 th Ave. North, Ste C Billings, MT 59101 (406) 245-3133	Lenette Kosovich Treasurer BIRD, Inc. 1413 4 th Ave. North, Ste C Billings, MT 59101

XII. AUTHORITY AND EXECUTION

Each Party represents that it has the authority to enter into this MOU and to perform the functions stated herein, and that the persons executing this MOU on their respective behalf are authorized by law, resolution or other requisite action of the Party’s governing body.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU on the dates indicated below.

BILLINGS INDUSTRIAL REVITALIZATION DISTRICT, INCORPORATED

By: _____
Marshall Knick, President

BIG SKY ECONOMIC DEVELOPMENT AUTHORITY

By: _____
Steve Arveschoug, Executive Director

THE CITY OF BILLINGS:

By: _____

William A. Cole, MAYOR

ATTEST:

By: _____

Denise R. Bohlman, CITY CLERK

APPROVED AS TO FORM:

By: _____

Brent Brooks, CITY ATTORNEY

DRAFT

Exhibit A

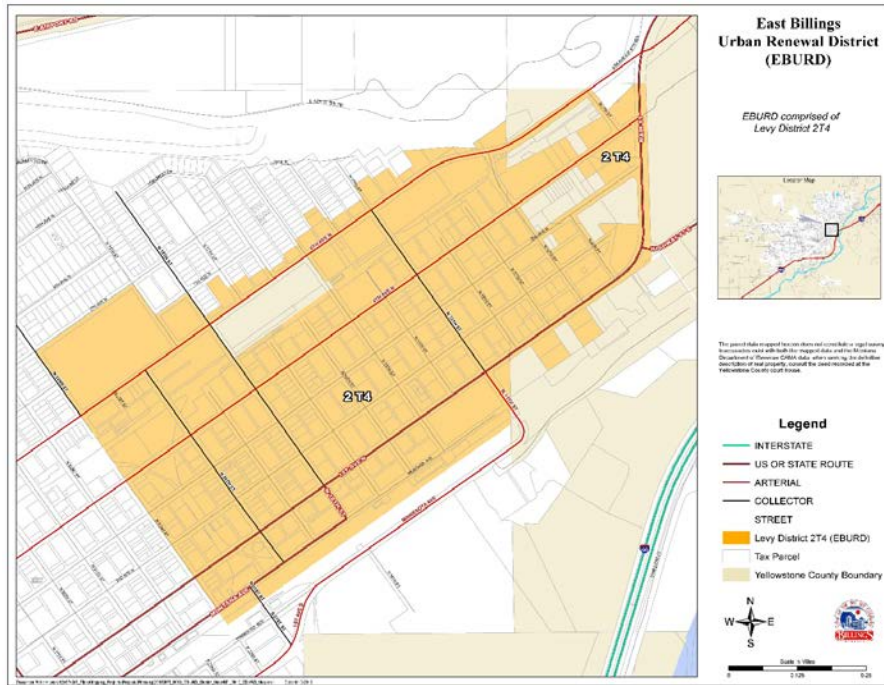


Exhibit B

EBURD ORGANIZATION

