

## Billings City Administration Weekly Report

February 15, 2019

- 1) **One Big Sky** – Thank you for your support and approval of the OBS Plan. Several of us left Billings after the council meeting and made our way to Helena to continue our education and lobbying efforts. We had meetings with the Governor's staff and hosted a lunch to update Billings area legislators on Tuesday. The bill draft is scheduled to be released on March 1, with a tentative hearing scheduled for March 11. We (Mayor Cole, Kevin Iffland & I) also took advantage of the Mayor/City Manager's conference and Government Day at the Capital to talk with Mayors, City Managers and County Commissioners throughout the state.
- 2) **Legislative Session** – Yesterday we testified against two (2) bills. HB-367 requiring local governments to create an additional oversight committee to monitor Tax Increment Finance districts. The bill was introduced by Representative Garcia from Billings and was prompted by our situation with SBURA. The one proponent was Kevin Nelson and several cities spoke against the bill.

We also spoke against a bill (sorry, I can't remember the bill #) that would take nearly \$500k from the City and Yellowstone County entitlement program to help pay for the public defender's office.

- 3) **Mayor/City Manager's conference** – All day Wednesday was spent in training and networking with Mayors and City Managers from around the state.
- 4) **SBURA** – see attached memo and supporting documents from Finance Director Zoeller.
- 5) **National Citizen Survey (NCS)** – Billings utilized the NCS in 2009, 2012 and 2016. This is a great tool to compare trends in citizen perceptions regarding public services as well as being able to compare Billings against peer cities around the US (I also used this tool in the past). I've attached the sections dealing with public safety as added information for our priorities discussion Tuesday afternoon. I plan to conduct the survey again in 2019.

I have also attached crime data information for the priorities discussion on Tuesday.

Enjoy President's Day!



**CITY OF BILLINGS  
2019 Montana Legislature  
Weekly Session Report – February 13, 2019**

## WEEKLY SESSION REPORT

City of Billings

February 13, 2019

- \* After the bill number denotes the bill is dead
- The governor must sign or veto a bill within 10 days of transmittal or it becomes law
- All green shaded bills have become law

### City of Billings INTRODUCED BILL DRAFTS

Bill Type - Number	LC Number	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
<a href="#">HB 2</a>  	LC0212	Nancy Ballance (R) HD 87	(H) Hearing -- (H) Joint Appropriations Subcommittee on Natural Resources and Transportation	02/13/2019; 8:30 AM, Rm 317C	General Appropriations Act	Monitor
<a href="#">HB 5</a>  	LC0215	Jim Keane (D) HD 73	(H) Hearing -- (H) Joint Appropriations Subcommittee on Long-Range Planning	02/07/2019; 9:30 AM, Rm 317B	Long-Range Building Appropriations	Monitor
<a href="#">HB 6</a>  	LC0216	Jim Keane (D) HD 73	(H) Hearing -- (H) Joint Appropriations Subcommittee on Long-Range Planning	02/07/2019; 9:30 AM, Rm 317B	Renewable Resource Grants	Monitor
<a href="#">HB 7</a>  	LC0217	Jim Keane (D) HD 73	(H) Hearing -- (H) Joint Appropriations Subcommittee on Long-Range Planning	02/07/2019; 9:30 AM, Rm 317B	Reclamation & Development Grants	Monitor

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<a href="#">HB 8</a>  	LC0218	Jim Keane (D) HD 73	(H) Hearing -- (H) Appropriations	01/29/2019; 3:00 PM, Rm 102	Renewable Resource Bonds & Loans	Monitor
<a href="#">HB 11</a>  	LC0221	Jim Keane (D) HD 73	(H) Hearing -- (H) Appropriations	01/23/2019; 3:00 PM, Rm 102	Treasure State Regional Water Program	Monitor
<a href="#">HB 14</a>  	LC0223	Ryan Lynch (D) HD 76	(H) Hearing -- (H) Joint Appropriations Subcommittee on Long-Range Planning	02/07/2019; 9:30 AM, Rm 317B	Long-Range Building Bonding Program	Monitor
<a href="#">HB 16</a>  	LC0131	Dave Fern (D) HD 5	(S) Hearing -- (S) Taxation	02/20/2019; 8:00 AM, Rm 405	Establish affordable housing loan program	Monitor
<a href="#">HB 18</a>  	LC0314	Sharon Stewart Peregoy (D) HD 42	(H) Tabled in Committee* -- (H) Education	02/08/2019	Providing funding for school district programs serving English Learners	Monitor
<a href="#">HB 20</a>  	LC0317	Rae Peppers (D) HD 41	(S) Returned to House	02/12/2019	Revising laws related to the report of missing children	Monitor
<a href="#">HB 21</a>  	LC0322	Rae Peppers (D) HD 41	(H) Scheduled for 2nd Reading	02/11/2019	Establishing "Hanna's Act"	Monitor
<a href="#">HB 27</a>  	LC0474	Moffie Funk (D) HD 82	(H) Hearing -- (H) Appropriations	02/12/2019; 3:00 PM, Rm 102	Generally revise special education funding	Monitor
<a href="#">HB 31</a>  	LC0427	Willis Curdy (D) HD 98	(H) Referred to Committee -- (H) Natural Resources	12/07/2018	Revise fire assessment fees	Monitor

Bill Type - Number	LC Number	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
<a href="#">HB 52</a>  	LC0271	Jim Keane (D) HD 73	(H) Hearing -- (H) Appropriations	02/19/2019; 3:00 PM, Rm 102	Revise and make permanent funding for various economic development programs	Monitor
<a href="#">HB 53</a>  	LC0272	Rae Peppers (D) HD 41	(H) Tabled in Committee* -- (H) Business and Labor	01/25/2019	Revise Big Sky Economic Development Trust Fund program	Monitor
<a href="#">HB 55</a>  	LC0415	Forrest Mandeville (R) HD 57	(S) Hearing -- (S) Local Government	02/11/2019; 3:00 PM, Rm 405	Revise Sanitation in Subdivisions Act	Monitor
<a href="#">HB 81</a>  	LC0084	Willis Curdy (D) HD 98	(H) Hearing -- (H) Transportation	01/21/2019; 3:00 PM, Rm 455	Eliminate aviation fuel refunds and revise allocations of aircraft reg. account	Oppose
<a href="#">HB 93</a>  	LC0353	Derek Skees (R) HD 11	(H) Transmitted to Senate	02/12/2019	Revise small water and sewer utility regulation	Monitor
<a href="#">HB 105</a>  	LC0280	Katie Sullivan (D) HD 89	(H) Scheduled for 3rd Reading	02/13/2019	Revise process for out-of-state licensure for professional licensing boards	Monitor
<a href="#">HB 109</a>  	LC0466	Mary Ann Dunwell (D) HD 84	(H) Hearing -- (H) Judiciary	01/16/2019; 8:00 AM, Rm 137	Revise statute of limitations for sex offenses	Monitor
<a href="#">HB 118</a>  	LC0439	Julie Dooling (R) HD 70	(H) Referred to Committee -- (H) Natural Resources	12/19/2018	Create grant program to remove lead from school water supplies	Monitor

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<a href="#">HB 120</a>  	LC1321	Willis Curdy (D) HD 98	(S) Referred to Committee -- (S) Highways and Transportation	02/12/2019	Revise local government authority of certain speed limits	Monitor
<a href="#">HB 124</a>  	LC1079	Forrest Mandeville (R) HD 57	(S) Hearing -- (S) Local Government	02/13/2019; 3:00 PM, Rm 405	Authorize county commissioners to lift agricultural covenants - limited situation	Monitor
<a href="#">HB 125</a>  	LC1528	Forrest Mandeville (R) HD 57	(H) Tabled in Committee* -- (H) Local Government	01/22/2019	Limit use of emergency ordinances by local government	Oppose
<a href="#">HB 129</a>  	LC1383	Ross H Fitzgerald (R) HD 17	(S) Referred to Committee -- (S) State Administration	01/25/2019	Generally revising local government laws regarding elections	Monitor
<a href="#">HB 134</a>  	LC1190	Kimberly Dudik (D) HD 94	(H) Hearing -- (H) Judiciary	01/16/2019; 8:00 AM, Rm 137	Revise prostitution statute to include non-penetrative sex acts	Monitor
<a href="#">HB 138</a>  	LC1193	Kimberly Dudik (D) HD 94	(H) Tabled in Committee* -- (H) Judiciary	01/23/2019	Include exposure to prostitution in acts constituting child abuse and neglect	Monitor
<a href="#">HB 144</a>  	LC1390	Alan Redfield (R) HD 59	(H) Hearing -- (H) Taxation	01/24/2019; 9:00 AM, Rm 152	Eliminate certain tax credits	Monitor
<a href="#">HB 146</a>  	LC1314	Kenneth L Holmlund (R) HD 38	(H) Transmitted to Senate	02/12/2019	Establish laws regarding sanctuary cities in Montana	Oppose

Bill Type - Number	LC Number	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
<a href="#">HB 147</a>  	LC1564	Kenneth L Holmlund (R) HD 38	(H) Scheduled for 2nd Reading	02/13/2019	Referendum to establish sanctuary city laws in Montana	Oppose
<a href="#">HB 148</a>  	LC1176	Forrest Mandeville (R) HD 57	(S) Hearing -- (S) Taxation	02/14/2019; 8:00 AM, Rm 405	Require 2/3 of legislature to enact a new tax or fee or a tax or fee increase	Monitor
<a href="#">HB 149</a>  	LC1204	Kimberly Dudik (D) HD 94	(H) Tabled in Committee* -- (H) Judiciary	01/31/2019	Limiting when certain individuals are capable of consenting to sexual activities	Monitor
<a href="#">HB 155</a>  	LC0493	Casey Knudsen (R) HD 33	(S) Referred to Committee -- (S) Judiciary	01/30/2019	Generally revise Montana weapons laws	Monitor with amendments
<a href="#">HB 169</a>  	LC1183	Marilyn Ryan (D) HD 99	(H) 2nd Reading Not Passed*	01/30/2019	Exempting certain cooperative purchasing agreements from competitive bidding	Monitor
<a href="#">HB 173</a>  	LC1495	Shane A Morigeau (D) HD 95	(H) Committee Report--Bill Passed as Amended -- (H) Judiciary	02/12/2019	Revise consent laws for elementary or high school students in a school setting	Monitor
<a href="#">HB 180</a>  	LC2062	Bradley Hamlett (D) HD 23	(H) Referred to Committee -- (H) Natural Resources	01/11/2019	Limiting transfers by water rights certificate holders	Monitor
<a href="#">HB 188</a>  	LC1191	Kimberly Dudik (D) HD 94	(H) Hearing -- (H) Judiciary	01/22/2019; 8:15 AM, Rm 137	Increase statute of limitations in civil	Monitor

Bill Type - Number	LC Number	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
					liability for crimes against a child	
<a href="#">HB 190</a>  	LC1596	Bruce Grubbs (R) HD 68	(S) Referred to Committee -- (S) Highways and Transportation	02/12/2019	Revise local government authority to set school zone speed limits	Monitor
<a href="#">HB 192</a>  	LC2899	Marilyn Ryan (D) HD 99	(H) Hearing -- (H) Judiciary	01/28/2019; 9:00 AM, Rm 137	Revise laws related to privacy in communications	Monitor
<a href="#">HB 194</a>  	LC0177	Mary Ann Dunwell (D) HD 84	(H) Hearing -- (H) Taxation	02/12/2019; 9:00 AM, Rm 152	Revise lodging and rental car taxes including local option	Support
<a href="#">HB 195</a>  	LC1565	Dave Fern (D) HD 5	(H) Tabled in Committee* -- (H) Taxation	02/01/2019	Provide for local option luxury sales tax to fund infrastructure	Support
<a href="#">HB 199</a>  	LC1181	Barry Usher (R) HD 40	(H) Tabled in Committee* -- (H) Judiciary	01/31/2019	Generally revise laws related to bullying	Monitor
<a href="#">HB 208</a>  	LC0098	Moffie Funk (D) HD 82	(H) Hearing -- (H) Business and Labor	02/11/2019; 10:00 AM, Rm 172	Establishing family medical leave insurance	Monitor
<a href="#">HB 215</a>  	LC1618	Kimberly Dudik (D) HD 94	(H) Tabled in Committee* -- (H) Judiciary	02/07/2019	Prohibit incarceration of juveniles in adult prisons	Monitor
<a href="#">HB 218</a>  	LC1297	Sue Vinton (R) HD 56	(H) Hearing -- (H) Education	02/01/2019; 3:00 PM, Rm 137	Generally revise laws related to career and technical education	Support

Bill Type - Number	LC Number	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
<a href="#">HB 223</a>  	LC1966	Wendy McKamey (R) HD 19	(H) Bill Withdrawn per House Rule H30-50(3)(b)*	02/01/2019	Deter the fraudulent use or theft of taxpayer funded resources	Oppose
<a href="#">HB 228</a>  	LC1275	Forrest Mandeville (R) HD 57	(S) Hearing -- (S) Judiciary	02/14/2019; 9:00 AM, Rm 303	Revise privacy in communication law to reflect MT Supreme Court decision	Monitor
<a href="#">HB 232</a>  	LC2402	Bill Mercer (R) HD 46	(H) Scheduled for 2nd Reading	02/13/2019	Revise assessment of taxes during condemnation proceedings	Oppose
<a href="#">HB 236</a>  	LC3012	Dave Fern (D) HD 5	(H) 2nd Reading Passed as Amended	02/12/2019	Generally revise building code program laws	Support
<a href="#">HB 243</a>  	LC1324	Kerry White (R) HD 64	(H) Hearing -- (H) Fish, Wildlife and Parks	02/07/2019; 3:00 PM, Rm 172	Revise laws related to the off-highway vehicle grant program	Monitor
<a href="#">HB 253</a>  	LC2054	Jacob Bachmeier (D) HD 28	(H) Tabled in Committee* -- (H) Local Government	02/12/2019	Adopt a vacant property registration act	Monitor
<a href="#">HB 258</a>  	LC1460	Jim Hamilton (D) HD 61	(H) Tabled in Committee* -- (H) Judiciary	02/05/2019	Revise laws for passing emergency vehicles	Support
<a href="#">HB 259</a>  	LC2945	David Bedey (R) HD 86	(S) Hearing -- (S) Local Government	02/15/2019; 3:00 PM, Rm 405	Generally revise special district laws	Monitor
<a href="#">HB 267</a>  	LC1533	Daniel Zolnikov (R) HD 45	(H) Committee Report--Bill Passed as Amended -- (H)	02/12/2019	Establish metering requirements for utilities	Monitor

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			Energy, Technology and Federal Relations			
<a href="#">HB 269</a>  	LC1874	Derek Skees (R) HD 11	(H) Committee Report--Bill Passed -- (H) Taxation	02/08/2019	Constitutional amendment for taxpayer protection act to limit tax types	Monitor
<a href="#">HB 292</a>  	LC0232	Barry Usher (R) HD 40	(H) Scheduled for 2nd Reading	02/13/2019	Extend funding to Coal Board	Support
<a href="#">HB 295</a>  	LC1296	Fred Anderson (R) HD 20	(H) Hearing -- (H) Education	02/01/2019; 3:00 PM, Rm 137	Create grant program to encourage work-based learning	Support
<a href="#">HB 299</a>  	LC2936	Jasmine Krotkov (D) HD 25	(H) Scheduled for 3rd Reading	02/13/2019	Generally revising laws related to improvement district bonds	Monitor
<a href="#">HB 300</a>  	LC0137	Kerry White (R) HD 64	(H) Hearing -- (H) Taxation	02/06/2019; 8:00 AM, Rm 152	Generally revise taxes and the distribution of revenue through sales tax	Oppose; Monitor
<a href="#">HB 317</a>  	LC2887	Jim Keane (D) HD 73	(H) Hearing -- (H) Legislative Administration	02/05/2019; 11:00 AM, Rm 335	Generally revise laws related to bill draft requests	Support
<a href="#">HB 319</a>  	LC2839	Thomas Winter (D) HD 96	(H) Hearing -- (H) State Administration	02/06/2019; 9:00 AM, Rm 455	Revise agency fund terminology	Monitor
<a href="#">HB 324</a>  	LC3126	Walt Sales (R) HD 69	(H) Hearing -- (H) Local Government	02/12/2019; 3:00 PM, Rm 472	Generally revise laws related to county water and/or sewer districts	Monitor

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<a href="#">HB 325</a>  	LC2922	Matt Regier (R) HD 4	(H) Hearing -- (H) Judiciary	02/01/2019; 8:00 AM, Rm 137	Generally revise firearm laws	Oppose
<a href="#">HB 328</a>  	LC1388	Alan Redfield (R) HD 59	(H) Hearing -- (H) Natural Resources	02/11/2019; 3:00 PM, Rm 172	Exempt conservation districts from certain fees	Monitor
<a href="#">HB 329</a>  	LC1721	Alan Redfield (R) HD 59	(H) Hearing -- (H) Local Government	02/12/2019; 3:00 PM, Rm 472	Provide funding for local emergency services	Monitor
<a href="#">HB 353</a>  	LC1770	Kathy Kelker (D) HD 47	(H) Scheduled for 2nd Reading	02/13/2019	Generally revise laws related to alcohol and drug addiction	Oppose
<a href="#">HB 354</a>  	LC1309	Rodney Garcia (R) HD 52	(H) Tabled in Committee* -- (H) Education	02/08/2019	Restrict sexually explicit materials and sexually oriented businesses	Monitor
<a href="#">HB 357</a>  	LC2997	Matt Regier (R) HD 4	(H) Hearing -- (H) Judiciary	02/01/2019; 8:00 AM, Rm 137	Revise concealed carry laws	Oppose
<a href="#">HB 367</a>  	LC1305	Rodney Garcia (R) HD 52	(H) Hearing -- (H) Taxation	02/14/2019; 9:00 AM, Rm 152	Require advisory committee for urban renewal districts that use TIF	Oppose
<a href="#">HB 372</a>  	LC2990	Tom Welch (R) HD 72	(H) Hearing -- (H) Taxation	02/14/2019; 9:00 AM, Rm 152	Increase inflation limitation on government entities for property tax levies	Support

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<a href="#">HB 384</a>  	LC1505	Tom Woods (D) HD 62	(H) Hearing -- (H) Judiciary	02/13/2019; 8:00 AM, Rm 137	Establish penalties for assaulting member of press	Monitor
<a href="#">HB 395</a>  	LC1293	Frank Garner (R) HD 7	(H) Hearing -- (H) Judiciary	02/13/2019; 8:00 AM, Rm 137	Revise bicycle passing laws	Support; Monitor
<a href="#">HB 435</a>  	LC1457	Laurie Bishop (D) HD 60	(H) Hearing -- (H) Taxation	02/27/2019; 9:00 AM, Rm 152	Provide for gateway local option tax	Monitor
<a href="#">HB 449</a>  	LC1566	Dave Fern (D) HD 5	(H) Referred to Committee -- (H) Taxation	02/12/2019	Revise population limit for resort tax	Monitor
<a href="#">HJ 9</a>  	LC1771	Kathy Kelker (D) HD 47	(H) Tabled in Committee* -- (H) Human Services	02/08/2019	Interim study on maintaining public safety while offering addiction treatment	Monitor
<a href="#">SB 2</a>  	LC0125	Margaret (Margie) MacDonald (D) SD 26	(H) 2nd Reading Not Concurred*	02/12/2019	Allow government accounting standards to include DOA framework	Support
<a href="#">SB 15</a>  	LC0132	Carlie Boland (D) SD 12	(S) Tabled in Committee* -- (S) Business, Labor, and Economic Affairs	01/17/2019	Allow certain state funds to be used for affordable housing infrastructure	Monitor
<a href="#">SB 17</a>  	LC0124	Margaret (Margie) MacDonald (D) SD 26	(S) Committee Report--Bill Passed -- (S) Local Government	01/24/2019	Authorize creation of regional fire protection service authorities	Oppose

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<a href="#">SB 18</a>  	LC0130	Margaret (Margie) MacDonald (D) SD 26	(S) Hearing -- (S) Taxation	01/23/2019; 8:00 AM, Rm 405	Establish workforce housing tax credits	Support
<a href="#">SB 19</a>  	LC0129	Roger Webb (R) SD 23	(S) Hearing -- (S) Judiciary	01/10/2019; 10:00 AM, Rm 422	Revise laws related to local government budgeting and accounting	Oppose
<a href="#">SB 20</a>  	LC0123	Roger Webb (R) SD 23	(H) Hearing -- (H) Local Government	02/14/2019; 3:00 PM, Rm 472	Allow certain municipalities to annex onto a rural fire district	Monitor
<a href="#">SB 22</a>  	LC0022	Roger Webb (R) SD 23	(S) Rerferred to Committee -- (S) Judiciary	01/29/2019	Increasing the victim and witness program surcharge	Support
<a href="#">SB 24</a>  	LC0154	Terry Gauthier (R) SD 40	(S) Hearing -- (S) Finance and Claims	02/19/2019; 2:00 PM, Rm 303	Increase optional light motor vehicle registration fee for parks and recreation	Support
<a href="#">SB 29</a>  	LC0126	Fred Thomas (R) SD 44	(S) Transmitted to House	01/29/2019	Require workers' comp for all volunteer firefighters	Monitor
<a href="#">SB 31</a>  	LC0313	Jason D Small (R) SD 21	(S) Tabled in Committee* -- (S) Business, Labor, and Economic Affairs	01/31/2019	Revising the big sky economic development program re: high unemployment counties	Monitor
<a href="#">SB 33</a>  	LC0564	Tom Richmond (R) SD 28	(S) Tabled in Committee* -- (S) Local Government	01/23/2019	Revise subdivision laws	Oppose

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<a href="#">SB 46</a>  	LC0437	Jill Cohenour (D) SD 42	(H) Referred to Committee -- (H) State Administration	01/24/2019	Revise laws related to distribution lists	Monitor
<a href="#">SB 48</a>  	LC0440	Tom Richmond (R) SD 28	(S) Hearing -- (S) Natural Resources	02/13/2019; 3:00 PM, Rm 303	Revise variances to water quality standards	Monitor
<a href="#">SB 53</a>  	LC0211	Jon C Sesso (D) SD 37	(S) Hearing -- (S) State Administration	01/11/2019; 2:30 PM, Rm 335	Revise meal reimbursement for public employees	Monitor
<a href="#">SB 65</a>  	LC0166	Keith Regier (R) SD 3	(S) Hearing -- (S) Finance and Claims	02/19/2019; 2:00 PM, Rm 303	Generally revise drug and alcohol laws	Monitor
<a href="#">SB 76</a>  	LC0085	Brian Hoven (R) SD 13	(H) Hearing -- (H) Transportation	02/04/2019; 3:00 PM, Rm 455	Regulate encroachments in highway right of way	Monitor
<a href="#">SB 88</a>  	LC1263	Diane Sands (D) SD 49	(H) Referred to Committee -- (H) Judiciary	01/23/2019	Generally revise laws related to term "crime of violence"	Monitor
<a href="#">SB 103</a>  	LC0692	Roger Webb (R) SD 23	(S) Tabled in Committee* -- (S) Energy and Telecommunications	02/12/2019	Revise laws on PSC regulation of municipalities	Oppose
<a href="#">SB 114</a>  	LC1763	Jen Gross (D) SD 25	(S) Hearing -- (S) Finance and Claims	02/14/2019; 2:00 PM, Rm 303	Generally revise stalking and orders of protection laws	Monitor
<a href="#">SB 121</a>  	LC0263	Sue Malek (D) SD 46	(S) Tabled in Committee* -- (S) Business, Labor, and Economic Affairs	02/06/2019	Establish a fee for disposable carryout bags	Monitor

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<a href="#">SB 132</a>  	LC0563	Keith Regier (R) SD 3	(S) Hearing -- (S) Education and Cultural Resources	01/28/2019; 3:00 PM, Rm 303	Creating a student safety accountability act	Monitor
<a href="#">SB 135</a>  	LC1221	Tom Jacobson (D) SD 11	(S) Bill Not Heard at Sponsor's Request -- (S) Taxation	01/22/2019	Remove school levies from calculation of tax increment after 15th year	Monitor
<a href="#">SB 136</a>  	LC0159	Fred Thomas (R) SD 44	(H) Referred to Committee -- (H) Judiciary	02/06/2019	Revise laws related to intimidation crimes	Monitor
<a href="#">SB 138</a>  	LC2490	Steve Hinebauch (R) SD 18	(S) Tabled in Committee* -- (S) Judiciary	02/07/2019	Revise fair market valuation with respect to eminent domain	Monitor
<a href="#">SB 147</a>  	LC1029	Margaret (Margie) MacDonald (D) SD 26	(S) Hearing -- (S) Judiciary	01/31/2019; 9:00 AM, Rm 303	Revising laws concerning human trafficking and sex crimes to protect victims	CM Ronning strongly supports this bill...
<a href="#">SB 151</a>  	LC1044	Steve Fitzpatrick (R) SD 10	(H) Referred to Committee -- (H) Natural Resources	02/12/2019	Clarify notice procedures for exempt right claims	Monitor
<a href="#">SB 160</a>  	LC1077	Nate McConnell (D) SD 48	(S) Scheduled for 3rd Reading	02/13/2019	Provide workers' compensation for presumptive diseases of firefighters	Support
<a href="#">SB 161</a>  	LC1223	Tom Jacobson (D) SD 11	(H) Referred to Committee -- (H) State Administration	02/08/2019	Allow concurrent service as water/sewer director and rural fire district trustee	Monitor

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<a href="#">SB 163</a>  	LC1057	Steve Fitzpatrick (R) SD 10	(H) Referred to Committee -- (H) Local Government	02/08/2019	Generally revise lighting improvement district laws	Monitor
<a href="#">SB 164</a>  	LC1472	Fred Thomas (R) SD 44	(S) Hearing -- (S) Education and Cultural Resources	01/28/2019; 3:00 PM, Rm 303	Generally revise school safety laws	Oppose
<a href="#">SB 179</a>  	LC2161	Douglas (Doug) Kary (R) SD 22	(S) Scheduled for 3rd Reading	02/13/2019	Prohibit expansion of prohibitions under Clean Air Act w/o approval by local gov	Monitor
<a href="#">SB 195</a>  	LC1264	Jill Cohenour (D) SD 42	(S) Referred to Committee -- (S) Energy and Telecommunications	01/30/2019	Generally revise energy performance contracting laws	Monitor
<a href="#">SJ 3</a>  	LC0519	Fred Thomas (R) SD 44	(H) Referred to Committee -- (H) Local Government	02/06/2019	Interim study on optional septic drain fields	Monitor

**City of Billings**  
**UNINTRODUCED BILL DRAFTS**

<b>Bill Draft No. (LC No.)</b>	<b>Request Date</b>	<b>Primary Sponsor</b>	<b>Status</b>	<b>Status Date</b>	<b>Short Title</b>	<b>Position: Support; Monitor; Oppose</b>
<a href="#">LC0043</a>	07/29/2018	Bridget Smith (D) HD 31	(C) Draft Request Received	07/29/2018	Generally revise human trafficking laws	CoB's CM is thus far unaware of this bill
<a href="#">LC0157</a>	07/23/2018	Steve Fitzpatrick (R) SD 10	(C) Draft On Hold	10/24/2018	Generally revise criminal justice laws	
<a href="#">LC0163</a>	07/23/2018	Scott Sales (R) SD 35	(C) Draft On Hold	10/31/2018	Revise laws related to anonymous tips and misdemeanor crimes	
<a href="#">LC0181</a>	08/24/2018	Terry Gauthier (R) SD 40	(C) Draft On Hold	11/07/2018	Generally revise human trafficking and child exploitation laws	CoB's CM not in favor, but hasn't seen specific language yet
<a href="#">LC0352</a>	09/12/2018	Scott Sales (R) SD 35	(C) Draft On Hold	01/15/2019	Revise laws on public defender assignments related to local ordinances	
<a href="#">LC0368</a>	09/13/2018	Llew Jones (R) HD 18	(C) Draft On Hold	10/16/2018	Generally revise laws related to criminal justice	
<a href="#">LC0509</a> 	10/08/2018	Frederick (Eric) Moore (R) HD 37	(C) Executive Director Final Review	01/19/2019	Revise statute of limitations for sex offenses	
<a href="#">LC0518</a>	10/08/2018	Jeffrey W Welborn (R) SD 36	(C) Draft Taken Off Hold	01/31/2019	Generally revise infrastructure laws to include alternative project delivery	

Bill Draft No. (LC No.)	Request Date	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
<a href="#">LC0635</a>  	11/02/2018	Denise Hayman (D) HD 66	(C) Draft Ready for Delivery	12/20/2018	Revise DUI laws	
<a href="#">LC0752</a>	11/02/2018	JP Pomnichowski (D) SD 33	(C) Draft On Hold	11/05/2018	Generally revise treatment court laws	
<a href="#">LC0759</a>	11/02/2018	JP Pomnichowski (D) SD 33	(C) Draft On Hold	11/06/2018	Generally revise drug paraphernalia laws	
<a href="#">LC0760</a>	11/02/2018	JP Pomnichowski (D) SD 33	(C) Draft On Hold	11/06/2018	Generally revise crime law	
<a href="#">LC0826</a>	11/05/2018	Tom Woods (D) HD 62	(C) Draft On Hold	11/14/2018	Generally revise laws regarding sexual consent	
<a href="#">LC0852</a>	11/05/2018	Tom Woods (D) HD 62	(C) Draft On Hold	12/31/2018	Generally revise driving under the influence laws	
<a href="#">LC0855</a>	11/05/2018	Tom Woods (D) HD 62	(C) Draft On Hold	12/31/2018	Generally revise driving under the influence laws	
<a href="#">LC0858</a>	11/05/2018	Tom Woods (D) HD 62	(C) Draft On Hold	12/31/2018	Generally revise impaired driving laws	
<a href="#">LC1168</a>  	11/13/2018	Jill Cohenour (D) SD 42	(C) Draft Ready for Delivery	01/18/2019	Generally revise zoning laws	Oppose
<a href="#">LC1173</a>  	11/13/2018	Jill Cohenour (D) SD 42	(C) Executive Director Final Review	02/08/2019	Generally revise subdivision and plating laws	Oppose
<a href="#">LC1182</a>	11/13/2018	Roger Webb (R) SD 23	(C) Draft Taken Off Hold	02/05/2019	Authorize statewide economic opportunity district	Support
<a href="#">LC1200</a>  	11/13/2018	Kimberly Dudik (D) HD 94	(C) Draft Ready for Delivery	12/28/2018	Lengthen time limitations related to crime victim compensation	

Bill Draft No. (LC No.)	Request Date	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
<a href="#">LC1203</a>	11/13/2018	Kimberly Dudik (D) HD 94	(C) Draft On Hold	01/03/2019	Require registration as a sexual offender if charge is pled down or changed	
<a href="#">LC1219</a>	11/14/2018	Tom Jacobson (D) SD 11	(C) Draft in Legal Review	02/13/2019	Revise definition of elder abuse	
<a href="#">LC1272</a>	11/14/2018	Nate McConnell (D) SD 48	(C) Draft On Hold	11/20/2018	Generally revise criminal sentencing	
<a href="#">LC1283</a>	11/15/2018	Frank Garner (R) HD 7	(C) Draft On Hold	11/15/2018	Generally revise criminal laws	
<a href="#">LC1288</a>	11/15/2018	Frank Garner (R) HD 7	(C) Draft On Hold	11/15/2018	Generally revise criminal laws	
<a href="#">LC1291</a>	11/15/2018	Frank Garner (R) HD 7	(C) Draft On Hold	12/11/2018	Generally revise DUI laws	
<a href="#">LC1341</a>	11/15/2018	Seth Berglee (R) HD 58	(C) Draft On Hold	11/26/2018	Generally revise criminal laws	
<a href="#">LC1342</a>	11/15/2018	Seth Berglee (R) HD 58	(C) Draft On Hold	11/26/2018	Generally revise criminal laws	
<a href="#">LC1347</a>	11/15/2018	Frank Garner (R) HD 7	(C) Draft On Hold	11/16/2018	Generally revise DUI laws	
<a href="#">LC1352</a>	11/15/2018	Frank Garner (R) HD 7	(C) Draft On Hold	11/16/2018	Generally revise criminal code	
<a href="#">LC1356</a>	11/15/2018	Frank Garner (R) HD 7	(C) Draft On Hold	11/16/2018	Generally revise crime laws	
<a href="#">LC1366</a>  	11/15/2018	Mary Caferro (D) HD 81	(C) Draft Ready for Delivery	01/17/2019	Generally revise laws related to the insanity plea	

Bill Draft No. (LC No.)	Request Date	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
<a href="#">LC1498</a>	11/21/2018	Shane A Morigeau (D) HD 95	(C) Draft Request Received	11/21/2018	Revise laws related to vaccinations	
<a href="#">LC1500</a>	11/21/2018	Shane A Morigeau (D) HD 95	(C) Draft Request Received	11/21/2018	Revise vehicle emission requirements and penalties	
<a href="#">LC1515</a>	11/21/2018	Dick Barrett (D) SD 45	(C) Draft On Hold	02/04/2019	Generally revise domestic violence protections	
<a href="#">LC1516</a>	11/21/2018	Dick Barrett (D) SD 45	(C) Draft in Edit	02/11/2019	Generally revise domestic violence protections	
<a href="#">LC1550</a>	11/26/2018	Daniel Zolnikov (R) HD 45	(C) Draft On Hold	12/06/2018	Generally revise human trafficking laws	Similar to 1029...Billings CM supports this bill
<a href="#">LC1579</a>	11/26/2018	Moffie Funk (D) HD 82	(C) Draft On Hold	12/17/2018	Generally revise domestic violence protection laws	
<a href="#">LC1598</a>	11/27/2018	Lola Sheldon-Galloway (R) HD 22	(C) Draft Taken Off Hold	02/09/2019	Generally revise sentencing laws	
<a href="#">LC1652</a>	11/28/2018	Zach Brown (D) HD 63	(C) Draft to Requester for Review	02/13/2019	Revise laws related to misdemeanor expungement	
<a href="#">LC1667</a>	11/28/2018	Kimberly Dudik (D) HD 94	(C) Draft On Hold	01/22/2019	Revise laws regarding testing of rape kits	
<a href="#">LC1685</a>  	11/28/2018	Janet Ellis (D) SD 41	(C) Draft Delivered to Requester	01/09/2019	Clarify that local governments can issue bonds for street maintenance projects	Support

Bill Draft No. (LC No.)	Request Date	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
<a href="#">LC1753</a>	11/29/2018	Ray L Shaw (R) HD 71	(C) Draft On Hold	12/18/2018	Generally revise DUI laws	
<a href="#">LC1861</a>	12/03/2018	Joel G Krautter (R) HD 35	(C) Draft in Legal Review	02/12/2019	Generally revise oil and gas tax and distribution laws	
<a href="#">LC1893</a>	12/03/2018	Derek Skees (R) HD 11	(C) Draft On Hold	12/06/2018	Revise TIF laws regarding use of tax increments	Monitor
<a href="#">LC2335</a>	12/05/2018	Kenneth Bogner (R) SD 19	(C) Draft On Hold	12/20/2018	Generally revise infrastructure funding laws	
<a href="#">LC2336</a>	12/05/2018	Kenneth Bogner (R) SD 19	(C) Draft On Hold	12/20/2018	Generally revise infrastructure laws	
<a href="#">LC2417</a>	12/05/2018	Gordon Vance (R) SD 34	(C) Draft On Hold	12/07/2018	Prohibit housing provisions in land use regulations	Monitor
<a href="#">LC2432</a>	12/05/2018	Dave Fern (D) HD 5	(C) Draft On Hold	02/01/2019	Allocate lodging tax revenue to fund affordable housing	
<a href="#">LC2784</a>	12/05/2018	Mike Hopkins (R) HD 92	(C) Draft in Legal Review	02/13/2019	Provide renewable resource bonds and loans laws	
<a href="#">LC2785</a>	12/05/2018	Mike Hopkins (R) HD 92	(C) Draft On Hold	12/20/2018	Revise the long range building bonding program	
<a href="#">LC2786</a>	12/05/2018	Mike Hopkins (R) HD 92	(C) Draft On Hold	12/20/2018	Revise treasure state endowment program	

Bill Draft No. (LC No.)	Request Date	Primary Sponsor	Status	Status Date	Short Title	Position: Support; Monitor; Oppose
<a href="#">LC2790</a>	12/05/2018	Mike Hopkins (R) HD 92	(C) Draft On Hold	12/20/2018	Generally revise infrastructure funding laws	
<a href="#">LC2872</a>	12/05/2018	Brian Hoven (R) SD 13	(C) Draft Request Received	12/05/2018	Revise laws pertaining to tax increment financing and other districts	Monitor
<a href="#">LC2875</a>	12/05/2018	Casey Schreiner (D) HD 26	(C) Draft On Hold	01/04/2019	Generally revise laws related to infrastructure funding	
<a href="#">LC3058</a>	01/07/2019	Shane A Morigeau (D) HD 95	(C) Draft Request Received	01/07/2019	Interim study for homelessness reduction	
<a href="#">LC3059</a>	01/07/2019	Andrea Olsen (D) HD 100	(C) Draft Request Received	01/07/2019	Ensuring transparency in prior authorization	
<a href="#">LC3086</a> 	01/07/2019	Jason W Ellsworth (R) SD 43	(C) Draft Delivered to Requester	02/11/2019	Allow exemptions for certain divisions in a subdivision	Monitor
<a href="#">LC3087</a> 	01/07/2019	Jason W Ellsworth (R) SD 43	(C) Draft Ready for Delivery	02/07/2019	Create fairness in subdivision exemption law	Monitor; Likely Oppose as drafted
<a href="#">LC3088</a>	01/07/2019	Jason W Ellsworth (R) SD 43	(C) Draft On Hold	01/07/2019	Objective review of subdivision exemptions	Monitor; Likely Oppose as drafted
<a href="#">LC3089</a>	01/07/2019	Steve Fitzpatrick (R) SD 10	(C) Draft in Legal Review	02/13/2019	Provide for innovative sewage disposal technology	



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email: zoellera@ci.billings.mt.us

## MEMORANDUM

**To:** Chris Kukulski, City Administrator  
**Date:** 02/13/19  
**Subject:** Zeier Consulting Payment Review

I have reviewed all payments from the City of Billings to Zeier Consulting, and provided my conclusions based upon the available information.

In 2014, the City of Billings entered into a Memorandum of Understanding (MOU) with South Billings Urban Renewal Association (SBURA). The purpose of the MOU is to define the role that SBURA will play in implementing the South Billings Urban Renewal District Master Plan. The MOU also allows for SBURA to contract with an outside party to assist them in meeting their objectives. In 2014, SBURA contracted with Zeier Consulting LLC to assist them in providing these services. The MOU also states that "recommendations for expenditures shall be presented by the SBURA to City Council". The Billings City Council, through adoption of the annual budget, sets the budget authority for the South Billings Tax Increment Fund (TIF). In doing so, authorizes the funding for the contract between SBURA and Zeier Consulting. As a result, the City of Billings pays Zeier Consulting for the services provided to SBURA.

Payments to Zeier Consulting began in January of 2014 in accordance with the contract with SBURA (attachment A). Payments of this contract occurred until October of 2015, when SBURA and Zeier Consulting entered into a new contract on 12/1/15 (attachment B). Payments under the new contract continued for 3 years until December of 2018.

A citizen of the city of Billings, Kevin Nelson, submitted a public records request on 1/9/2019 for a list of all payments made to Zeier Consulting. After receiving and reviewing the list of payments, Mr. Nelson contends that multiple overpayments occurred outside of the terms defined within the contracts.

**Allegation #1:** Overpayment of \$1,700 in calendar year 2014.

**Finding #1:** Part 6. COMPENSATION of the first contract says "SBURA shall pay the CONSULTANT the total annual sum of \$37,400. This amount represents 440 hours of service annually with a rate of \$85.00 per hour for services rendered under this contract."

The total amount paid in calendar year 2014 was \$39,100.00. The December payment (Attachment C) of \$4,101.25 was approved by the SBURA board chair (Attachment D), and paid at the hourly rate specified within the contract. These payments are reflected in the quarterly report given to council on 2-2-15 (Attachment E).

**Allegation #2:** Overpayment of \$3,017.50 in calendar year 2015.

**Finding #2:** Part 6. COMPENSATION of the first contract says "SBURA shall pay the CONSULTANT the total annual sum of \$37,400. This amount represents 440 hours of service annually with a rate of \$85.00 per hour for services rendered under this contract."

The total amount paid in calendar year 2015 under the first contract was \$40,417.50. The final payment made under this contract was mad in October of 2015 for \$5,078.75 (Attachment C) and was approved by the SBURA board chair (Attachment F), and paid at the hourly rate specified within the contract.

**Allegation #3:** The term of the new contract was for 3 years with an annual amount of \$153,690, or \$461,070 for the term of the whole contract. The total payments made to Zeier Consulting were \$550,762.50, this is an overpayment of \$89,692.50.

**Finding #3:** The compensation language under the new contract is the following:

"6. COMPENSATION: SBURA shall pay the CONSULTANT the total annual sum of \$153,690.00 payable in quarterly installments. This amount includes a portion for the provision of office and meeting space found in Section 5 (4)(c) of this document. SBURA agrees to reimburse CONSULTANT for printing and travel costs. Any reimbursement for printing or travel costs will be reimbursed to CONSULTANT at actual incurred cost. Reimbursements will be itemized and included on the appropriate quarterly invoice. CONSULTANT shall provide SBURA an invoice each quarter beginning January 1 of each year, for the proportionate amount. In the event that an invoice is for a partial quarter, a pro rata amount will be calculated. SBURA shall pay CONSULTANT within ten business days of receipt of the invoice. Disagreements or requests for clarification of invoices shall be resolved by the parties' respective designated Liaisons. CONSULTANT shall pay all required federal and state taxes incurred under this contract."

The total amounts actually paid over the term of the three year contract are \$571,205.76. This is a combination of costs for services and reimbursement for travel expenses, which are allowed under the language in the contract. The amount of travel expense is identified on each invoice, per the requirement of the contract, and totals \$20,483.26. The remaining amount is for services provided and totals \$550,722.50.

The City agrees that the amount paid over the term of the new contract is greater than what is specified within the contract. Based upon a review of the payments, it appears that there are two quarters (\$76,845) which are in excess of the amount specified within the contract. No party (Mr. Nelson, SBURA Board, Steve Zeier, or myself) disagree with

this assessment. The disagreement lies only within the very first payment made under the term of the new contract (Attachment C, Check #789927). The first invoice was received at the City on Dec. 2, 2015 in the amount of \$25,615.00 (Attachment G). This is equivalent to 2 months under the new contract (153,690/12\*2). The question is whether the first payment should be considered to cover the months of Nov. and Dec. of 2015 or Dec. 2015 and Jan. 2016. Section 4 of the contract states “CONSULTANT shall commence services under this contract upon execution of the contract and approval by the SBURA Board of Directors. The term of the contract is three (3) years from the date of execution...”. The contract was approved at the 12/1/15 SBURA Board meeting.

Other information surrounding these payments should be considered.

The first application for payment (Attachment G) is for “the pro-rated quarterly amount”, which is the same language used within the new contract in regards to quarterly invoices that are for partial quarters. The second application for payment was received by the City on January 4<sup>th</sup>, 2016, for an entire quarter \$38,422.50 (Attachment H). The second application for payment follows the language of the contract that an invoice is sent quarterly beginning on January 1 of each year. The payment frequency under the old contract was on a monthly basis, and ceased in October of 2015, as such there was no payment made in November 2015 under the old contract. The new contract was discussed during the City Council work session on November 16, 2015 (Attachments I and J). The new contract was also discussed with the SBURA board prior to Nov. 12, 2015 (Attachment K). The City is not a party to the contract, but does provide the funding for the contract through its budget process. The FY16 budget amount for Professional Services within the South TIF fund was \$150,000 (Attachment L).

### **Conclusion:**

#### **Allegation 1 and 2:**

While these payments were in excess of the total amount allowed within the letter of the contract, they were approved by the board, paid at the hourly rate specified within the contract, and for services rendered to the SBURA board. It is my opinion that these payments do not constitute an overpayment, as all parties have received and paid for the services they agreed to, at the rate they agreed to, within the contract.

#### **Allegation 3:**

It is my belief that the first payment made under the new contract was intended to cover November and December 2015 because:

- 1.) No payment was made for November of 2015 under the original contract
- 2.) The first application for payment uses the same language as the contract (“pro-rated amount”)
- 3.) The amount of the new contract was known by all parties in November of 2015
- 4.) The second application for payment was received within 30 days of the first application for payment and for a full quarterly amount
- 5.) The budgeted amount for the fiscal year 2016 was for nearly the full annual amount of the contract

It is therefore my opinion that there is a total overpayment to Zeier Consulting amounting to \$76,845 for the calendar years 2014-2018.

**Resolution:**

When the City enters into a contract for services, that contract amount and vendor are entered into the City's accounting system as a purchase order. Because the City is not a party to the SBURA contract, it was never put into the City's accounting system as a purchase order. If it had been, payments in excess of the purchase order amount would have been flagged for review. The City Finance Department will begin inputting these types of payment agreements into the City's accounting system.

SBURA and Zeier Consulting have entered into a new contract that covers December 1, 2018 through June 30, 2019. Zeier Consulting will not bill or be paid for the services provided from December through February. This leaves an overpayment of \$38,422.50. SBURA and Zeier Consulting have entered into a repayment agreement on February 6<sup>th</sup>, 2019 for this amount.

Attachment A

## **SOUTH BILLINGS URBAN RENEWAL ASSOCIATION PROFESSIONAL SERVICES CONTRACT**

The contract is agreed upon by and between the South Billings Urban Renewal Association (SBURA), a 501(c)(6) non-profit corporation incorporated in the State of Montana, hereinafter "SBURA," and Zeier Consulting, LLC, hereinafter "CONSULTANT," whose address is 1514 Lynn Avenue, Billings Montana 59102.

THE PARTIES AGREE AS FOLLOWS:

1. **EMPLOYMENT OF THE CONSULTANT:** The SBURA hereby employs CONSULTANT as an independent CONSULTANT to consult and assist SBURA as outlined in Section 5 herein.
2. **INDEPENDENT CONSULTANT:** The parties agree that CONSULTANT is the independent CONSULTANT of the SBURA and not an employee or agent of SBURA. As a consequence, CONSULTANT is not entitled to workers compensation or any benefit of employment with the SBURA. SBURA shall not control the specific performance of this contract by CONSULTANT or CONSULTANT'S employees. SBURA may specify or define deadlines for projects and request CONSULTANT'S attendance at meetings etc.
3. **LIAISON:** SBURA'S designated liaison with the CONSULTANT is the Chairman of the SBURA Board of Directors, Shawn Hanser. CONSULTANT'S designated liaison with the SBURA is Steve Zeier.
4. **EFFECTIVE DATE AND TERM:** CONSULTANT shall commence services under this contract upon execution of the contract and approval by the SBURA Board of Directors. The term of the contract is three (3) years unless otherwise terminated by either party as provided herein. The parties agree to meet and begin negotiating terms of a new contract 60 days prior to the termination date.
5. **SCOPE OF SERVICES:** CONSULTANT shall provide professional services to the SBURA and SBURA'S Board of Directors, hereinafter referred to as "SBURA Board." The Professional Services include but are not limited to:
  - 1) Property Owner Relations
    - a. In conjunction with the SBURA Board, identify existing relationships in the District and identify certain owners for an individualized contact based on priorities established by the SBURA Board.

- b. Work with potential project stakeholders to determine if any incentives or facilitation would be beneficial to a project and educating all parties as to the specific requirements of a tax increment finance (TIF) project.
- c. Ensure that any activity utilizing TIF resources complies with Montana Urban Renewal Law. Specifically, whether or not any activity would be in compliance with and appropriate for funding under the statutory guidelines provided in Montana Code Annotated 7-15-4233 and 7-15-4288.
- d. Identify and actively pursuing any potential parties that may benefit from information on and may be interested in locating in the District. Work with real estate brokers and developers to show the advantages of being in the District.
- e. Provide assistance to the applicant in completing the Tax Increment Assistance form and presenting the completed form with recommendations to the SBURA Board.

2) Recruitment of New and Retention of Existing Businesses

- a. Compile and maintain an interactive database of available commercial properties in the District. Attributes would include ownership, size, location, current use, utilities, redevelopment or sales potential, building location, etc.
- b. Work in conjunction with Big Sky Economic Development and State of Montana economic development organizations to share information as to potential recruitment or retention efforts.
- c. Maintain market demographics and information as it relates to the District. Provide this information to any and all interested parties.
- d. Create and distribute SBBURD marketing materials to new and existing businesses.

3) Reporting to SBURA Board of Directors

- a. Determine, in consultation with the SBURA Board, the form and content of deliverables and periodic reporting requirements. Provide an oral presentation, a written report, and a detailed report of all activity and time spent on these activities at the monthly SBURA meetings.
- b. Determine roles and expectations of SBURA Board members and City staff to ensure contract compliance.

- c. Establish performance measurements, in consultation with the SBURA Board, to ensure contractual obligations are being met.
- 6. **COMPENSATION:** SBURA shall pay the CONSULTANT the total annual sum of \$37,400. This amount represents 440 hours of service annually with a rate of \$85.00 per hour for services rendered under this contract. SBURA may agree to reimburse CONSULTANT for printing or travel costs. CONSULTANT shall provide SBURA an invoice each quarter. Quarterly invoices for the proportionate contract amount are to be submitted in January, April, July, and October of each year of the contract term. SBURA shall pay CONSULTANT within ten business days of receipt of the invoice. Monthly reports detailing time and activity will be submitted by CONSULTANT to SBURA at their monthly meeting of the Board of Directors. Disagreements or requests for clarifications of invoices shall be resolved by the parties' respective designated Liaisons. CONSULTANT shall pay all required federal and state taxes incurred under this contract.
- 7. **CONFLICT OF INTEREST:** CONSULTANT covenants that it presently has no interest and will not acquire any interest, direct or indirect, in any project that would conflict in any manner or degree with the performance the services hereunder. CONSULTANT further covenants, that in performing this contract, it will employ no person who has any such interest.
- 8. **MODIFICATION AND ASSIGNABILITY OF CONTRACT:** The contract contains the entire agreement between the parties, and no statements, promises, or inducements made by either party, or agents of either party that are not contained in the written contract, are valid or binding. The contract may not be enlarged, modified or altered except upon written agreement signed by both parties hereto, and approved by the SBURA. CONSULTANT may not subcontract or assign its rights, including the right to compensation, or duties arising hereunder without the prior written consent of SBURA. Board of Directors. Any subcontractor or assignee will be bound by all of the terms and conditions of this contract.
- 9. **OWNERSHIP AND PUBLICATION OF MATERIALS:** All reports, information, data, and other materials prepared by the CONSULTANT pursuant to this contract are the property of the SBURA which has the exclusive and unrestricted authority to release, publish or otherwise use, in whole or part, information relating thereto. Any reuse without written verification or adaptation by the CONSULTANT for the specific purpose intended will be at the SBURA'S sole risk and without liability or legal exposure to the CONSULTANT. No material produced in whole or in part under this contract may be copyrighted or patented in the United States or in any other country without the prior written approval of the SBURA.
- 10. **WARRANTY:** CONSULTANT warrants that all services will be performed in a professional manner. CONSULTANT will hold harmless the SBURA from any loss or

damage resulting from the actions of the CONSULTANT during the course of this contract. CONSULTANT acknowledges that it will be liable for any breach of this warranty.

11. **INDEMNIFICATION:** CONSULTANT agrees to indemnify and hold SBURA harmless from any liability, claims, or damages arising out of or connected with CONSULTANT'S performance of the work described in this agreement.
12. **INSURANCE:** CONSULTANT further agrees to maintain workers compensation insurance, if required pursuant to Montana Law, or provide a copy of an Independent Contractor exemption from the Montana Workers' Compensation Division.
13. **COMPLIANCE WITH LAWS:** CONSULTANT agrees to comply with all federal, state, and local laws, rules and regulations.
14. **PLACE OF PERFORMANCE, CONSTRUCTION, AND VENUE:** The parties understand and agree that performance of this contract is in the SBURA of Laurel or Yellowstone County, and that in the event of litigation concerning it, venue is the 13<sup>th</sup> Judicial District in and for the County of Yellowstone, State of Montana. This Contract will be construed under and governed by the laws of the State of Montana.
15. **ATTORNEY FEES:** Reasonable attorney fees will be awarded to the prevailing party in any action to enforce this agreement or to declare forfeiture or termination of this agreement.
16. **TERMINATION:** Either party upon thirty (30) days written notice to the other party may terminate this agreement, with or without cause. In the event of termination, the CONSULTANT will be compensated for services rendered prior to termination. This does not include any compensation for anticipated profit on the value of services not performed.
17. **DISPUTE RESOLUTION:** If a dispute arises under this contract, the Parties, through their designated Liaisons, shall meet and attempt to negotiate a resolution of the dispute in good faith no later than ten business days after the dispute arises. If negotiations fail, the Parties may utilize a third party mediator and equally share the costs of the mediator or file suit.

DATED this 10<sup>th</sup> day of January, 2014.

SBURA

By: Shawn Hanser  
Shawn Hanser, Chair

By: Floyd Martin  
Floyd Martin, Vice Chair

By: Richard Deis  
Richard Deis, Board Member

By: Tom Ruschkewicz  
Tom Ruschkewicz, Board Member

Zeier Consulting LLC

By: Steve Zeier  
Steve Zeier, President

## SOUTH BILLINGS URBAN RENEWAL ASSOCIATION PROFESSIONAL SERVICES CONTRACT MODIFICATION

The contract is hereby amended and agreed upon by and between the South Billings Urban Renewal Association (SBURA), a 501(c)(6) non-profit corporation incorporated in the State of Montana, hereinafter "SBURA," and Zeier Consulting, LLC, hereinafter "CONSULTANT," whose address is 1514 Lynn Avenue, Billings Montana 59102.

### THE PARTIES AGREE TO MODIFY THE AGREEMENT AS FOLLOWS:

6. **COMPENSATION:** SBURA shall pay the CONSULTANT the total annual sum of \$37,400. This amount represents 440 hours of service annually with a rate of \$85.00 per hour for services rendered under this contract. SBURA may agree to reimburse CONSULTANT for printing or travel costs. CONSULTANT shall provide SBURA an invoice each quarter month. ~~Quarterly invoices for the proportionate contract amount are to be submitted in January, April, July, and October of each year of the contract term.~~ SBURA shall pay CONSULTANT within ten business days of receipt of the invoice. Monthly reports detailing time and activity will be submitted along with the monthly invoice by CONSULTANT to SBURA at their monthly meeting of the Board of Directors. Disagreements or requests for clarifications of invoices shall be resolved by the parties' respective designated Liaisons. CONSULTANT shall pay all required federal and state taxes incurred under this contract.

DATED this 23<sup>rd</sup> day of January, 2014.

SBURA

By: Shawn Hanser

Shawn Hanser, Chair

By: Floyd L Martin

Floyd Martin, Vice Chair

By: Richard Deis

Richard Deis, Board Member

By: Tom Ruschke

Tom Ruschke, Board Member

Zeier Consulting LLC

By: Steve Zeier

Steve Zeier, President

## **SOUTH BILLINGS URBAN RENEWAL ASSOCIATION PROFESSIONAL SERVICES CONTRACT**

The contract is agreed upon by and between the South Billings Urban Renewal Association (SBURA), a 501(c)(6) non-profit corporation incorporated in the State of Montana, hereinafter "SBURA," and Zeier Consulting, LLC, hereinafter "CONSULTANT," whose address is PO Box 21462 , Billings Montana 59102.

### **THE PARTIES AGREE AS FOLLOWS:**

1. **EMPLOYMENT OF THE CONSULTANT:** The SBURA hereby employs CONSULTANT as an independent CONSULTANT to consult and assist SBURA as outlined in Section 5 herein.
2. **INDEPENDENT CONSULTANT:** The parties agree that CONSULTANT is the independent CONSULTANT of the SBURA and not an employee or agent of SBURA. As a consequence, CONSULTANT is not entitled to workers compensation or any benefit of employment with the SBURA. SBURA shall not control the specific performance of this contract by CONSULTANT or CONSULTANT'S employees. SBURA may specify or define deadlines for projects and request CONSULTANT'S attendance at meetings etc.
3. **LIAISON:** SBURA'S designated liaison with the CONSULTANT is the Chairman of the SBURA Board of Directors, Shawn Hanser. CONSULTANT'S designated liaison with the SBURA is Steve Zeier.
4. **EFFECTIVE DATE AND TERM:** CONSULTANT shall commence services under this contract upon execution of the contract and approval by the SBURA Board of Directors. The term of the contract is three (3) years from the date of execution unless otherwise terminated by either party as provided herein. The parties agree to meet and begin negotiating terms of a new contract 60 days prior to the termination date.
5. **SCOPE OF SERVICES:** CONSULTANT shall provide professional services to the SBURA and SBURA'S Board of Directors, hereinafter referred to as "SBURA Board." The Professional Services include but are not limited to:
  - 1) Property Owner Relations
    - a. In conjunction with the SBURA Board, identify existing relationships in the District and identify certain owners for an individualized contact based on priorities established by the SBURA Board.
    - b. Work with potential project stakeholders to determine if any incentives or

facilitation would be beneficial to a project and educating all parties as to the specific requirements of a tax increment finance (TIF) project.

- c. Ensure that any activity utilizing TIF resources complies with Montana Urban Renewal Law. Specifically, whether or not any activity would be in compliance with and appropriate for funding under the statutory guidelines provided in Montana Code Annotated 7-15-4233 and 7-15-4288.
- d. Identify and actively pursuing any potential parties that may benefit from information on and may be interested in locating in the District. Work with real estate brokers and developers to show the advantages of being in the District.
- e. Provide assistance to the applicant in completing the Tax Increment Assistance form and presenting the completed form with recommendations to the SBURA Board.

## 2) Recruitment of New and Retention of Existing Businesses

- a. Compile and maintain an interactive database of available commercial properties in the District. Attributes would include ownership, size, location, current use, utilities, redevelopment or sales potential, building location, etc.
- b. Work in conjunction with Big Sky Economic Development and State of Montana economic development organizations to share information as to potential recruitment or retention efforts. Identify the needs of certain businesses and any assistance available.
- c. Maintain market demographics and information as it relates to the District. Provide this information to any and all interested parties.
- d. Create and distribute SBBURD marketing materials to new and existing businesses.
- e. Actively market the district to local, regional, and national developers, non-government organizations, non-profits, and trade organizations. Work with real estate brokers and developers to show the advantages of being in the District.

## 3) Reporting to SBURA Board of Directors

- a. Determine, in consultation with the SBURA Board, the form and content of deliverables and periodic reporting requirements. Provide an oral presentation, a written report, and a detailed report of all activity and time spent on these activities at the monthly SBURA meetings.

- b. Determine roles and expectations of SBURA Board members and City staff to ensure contract compliance.
- c. Establish performance measurements, in consultation with the SBURA Board, to ensure contractual obligations are being met.
- d. Monthly reports detailing time and activity will be submitted by CONSULTANT to the SBURA Board of Directors.

#### 4) Administration & Project Management

- a. In collaboration with the City of Billings Planning Division, administer and oversee the South Billings Boulevard Urban Renewal District (SBBURD) under the direction of the South Billings Urban Renewal Association Board of Directors and the City of Billings Council.
- b. Provide project management services as it relates to the administration of the SBURD
- c. Secure adequate office and meeting space to meet the needs of the SBURA for the administration of the SBBURD. This space is for the exclusive use of the SBURA for activities related to the administration and management of the SBBURD. No other activity or business shall occur at said office and meeting space other than SBURA business.
- d. Facilitate information exchange and communication services to other City of Billings Departments as well as other community groups such as the Yellowstone County Commissioners, Big Sky Economic Development, School District #2, and the Montana Department of Transportation
- e. Track and report budget and financial data for City Council and SBURA Board quarterly reporting

6. COMPENSATION: SBURA shall pay the CONSULTANT the total annual sum of \$153,690.00 payable in quarterly installments. This amount includes a portion for the provision of office and meeting space found in Section 5 Subsection (4)(c) of this document. SBURA agrees to reimburse CONSULTANT for printing or travel costs. Any reimbursement for printing or travel costs will be reimbursed to CONSULTANT at actual incurred cost. Reimbursements will be itemized and included on the appropriate quarterly invoice. CONSULTANT shall provide SBURA an invoice each quarter, beginning January 1 of each year, for the proportionate amount.. In the event that an invoice is for a partial quarter, a pro rata amount will be calculated. SBURA shall pay CONSULTANT within ten business days of receipt of the invoice. Disagreements or requests for clarifications of invoices shall be resolved by the parties' respective designated Liaisons. CONSULTANT shall pay all required federal and state taxes incurred under this contract.

7. CONFLICT OF INTEREST: CONSULTANT covenants that it presently has no interest

and will not acquire any interest, direct or indirect, in any project that would conflict in any manner or degree with the performance the services hereunder. CONSULTANT further covenants, that in performing this contract, it will employ no person who has any such interest.

8. **MODIFICATION AND ASSIGNABILITY OF CONTRACT:** The contract contains the entire agreement between the parties, and no statements, promises, or inducements made by either party, or agents of either party that are not contained in the written contract, are valid or binding. The contract may not be enlarged, modified or altered except upon written agreement signed by both parties hereto, and approved by the SBURA. CONSULTANT may not subcontract or assign its rights, including the right to compensation, or duties arising hereunder without the prior written consent of SBURA. Board of Directors. Any subcontractor or assignee will be bound by all of the terms and conditions of this contract.
9. **OWNERSHIP AND PUBLICATION OF MATERIALS:** All reports, information, data, and other materials prepared by the CONSULTANT pursuant to this contract are the property of the SBURA which has the exclusive and unrestricted authority to release, publish or otherwise use, in whole or part, information relating thereto. Any reuse without written verification or adaptation by the CONSULTANT for the specific purpose intended will be at the SBURA'S sole risk and without liability or legal exposure to the CONSULTANT. No material produced in whole or in part under this contract may be copyrighted or patented in the United States or in any other country without the prior written approval of the SBURA.
10. **WARRANTY:** CONSULTANT warrants that all services will be performed in a professional manner. CONSULTANT will hold harmless the SBURA from any loss or damage resulting from the actions of the CONSULTANT during the course of this contract. CONSULTANT acknowledges that it will be liable for any breach of this warranty.
11. **INDEMNIFICATION:** CONSULTANT agrees to indemnify and hold SBURA harmless from any liability, claims, or damages arising out of or connected with CONSULTANT'S performance of the work described in this agreement.
12. **INSURANCE:** CONSULTANT further agrees to maintain workers compensation insurance, if required pursuant to Montana Law, or provide a copy of an Independent Contractor exemption from the Montana Workers' Compensation Division.
13. **COMPLIANCE WITH LAWS:** CONSULTANT agrees to comply with all federal, state, and local laws, rules and regulations.
14. **PLACE OF PERFORMANCE, CONSTRUCTION, AND VENUE:** The parties understand and agree that performance of this contract is in Yellowstone County, and that in the event of litigation concerning it, venue is the 13<sup>th</sup> Judicial District in and for the County of Yellowstone, State of Montana. This Contract will be construed under and

governed by the laws of the State of Montana.

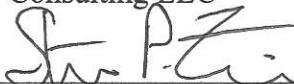
15. **ATTORNEY FEES:** Reasonable attorney fees will be awarded to the prevailing party in any action to enforce this agreement or to declare forfeiture or termination of this agreement.
16. **TERMINATION:** Either party upon thirty (30) days written notice to the other party may terminate this agreement, with or without cause. In the event of termination, the CONSULTANT will be compensated for services rendered prior to termination. This does not include any compensation for anticipated profit on the value of services not performed.
17. **DISPUTE RESOLUTION:** If a dispute arises under this contract, the Parties, through their designated Liaisons, shall meet and attempt to negotiate a resolution of the dispute in good faith no later than ten business days after the dispute arises. If negotiations fail, the Parties may utilize a third party mediator and equally share the costs of the mediator or file suit.

DATED this 1<sup>st</sup> day of December, 2015.

SBURA

By:   
Shawn Hanser, Chairman

Zeier Consulting LLC

By:   
Steve Zeier, Owner

Invoice #	Invoice Date	Effective Date	Vendor Invoice#	Department	Description	Total Amount	Check #	Check Date
I19-012104	12/05/2018	12/05/2018	1903	Finance	Consulting Services	27,049.90	819460	12/10/2018
I19-005285	09/13/2018	09/13/2018	1902	Finance	1902 - FY19 2nd Qtr Consulting Services	39,338.50	817072	09/17/2018
I19-000428	07/12/2018	07/12/2018	1901	Finance	1901, 1st Qtr FY 19	38,422.50	815147	07/16/2018
I18-019002	03/08/2018	03/08/2018	1804	Finance	FY18 3rd Qtr Consulting Services	41,120.73	812007	03/12/2018
I18-013939	01/03/2018	01/03/2018	1803	Finance	1803 - Consulting Services 3rd Qtr FY2018	40,577.00	810447	01/08/2018
I18-009170	11/01/2017	11/01/2017	1802	Finance	FY18 2nd Qtr Consulting Services	38,495.30	808943	11/06/2017
I18-002758	08/16/2017	08/16/2017	1801 1st Qtr FY18	Finance	1801 - 1st Quarter FY2018	43,621.65	807042	08/21/2017
I17-024562	05/17/2017	05/17/2017	1704	Finance	FY17 4th Qtr Consulting Services	39,538.85	804526	05/22/2017
I17-019625	03/09/2017	03/09/2017	1703	Finance	Quarterly Payment 3Q FY17	38,422.50	802752	03/13/2017
I17-012325	12/16/2016	12/16/2016	1702	Finance	1702 - 1st Qtr FY17	38,422.50	800638	12/19/2016
I17-005439	09/21/2016	09/21/2016	1701	Finance	Quarterly services	38,422.50	798449	09/27/2016
I17-005439	09/21/2016	09/21/2016	1701	Finance	Travel reimbursement	1,520.22	798449	09/27/2016
I16-026713	06/14/2016	06/14/2016	1603	Finance	Quarterly amount per contract plus travel reimbursement	38,422.50	795133	06/20/2016
I16-026713	06/14/2016	06/14/2016	1603	Finance	Travel reimbursement 1603	1,872.44	795133	06/20/2016
I16-019810	03/23/2016	03/23/2016	1602	Finance	1602 - 2nd Quarter 2016	38,422.50	792696	03/28/2016
I16-019810	03/23/2016	03/23/2016	1602	Finance	1602 - travel and printing reimbursement per contract	3,498.67	792696	03/28/2016
I16-013984	01/07/2016	01/07/2016	1601	Finance	1601 - SBURD, 1st Qtrr, 2016	38,422.50	790753	01/11/2016
I16-011275	12/02/2015	12/02/2015	1512	Finance	1512 - prorated 4th Qtr 2015 per new contract dated 12/1/2015, contract attached to vendor	25,615.00	789927	12/07/2015
I16-008804	10/28/2015	10/29/2015	1511	Planning	Professional Services for September 2015	5,078.75	789088	11/02/2015
I16-006153	09/30/2015	09/30/2015	1510	Finance	1510 - Services for September 2015	4,781.25	788376	10/05/2015
I16-003854	09/01/2015	09/02/2015	1509	Planning	Zeier Consulting, LLC Professional Services for August 2015	4,271.25	787590	09/08/2015
I16-001991	08/04/2015	08/05/2015	1508	Planning	Professional Services for July 2015	3,888.75	786872	08/10/2015
I15-027497	06/30/2015	06/30/2015	1507	Planning	Professional Services for June 2015	3,973.75	786102	07/13/2015
I15-025153	06/03/2015	06/04/2015	1506	Planning	Professional Services for May 2015	3,527.50	785054	06/08/2015
I15-023096	05/05/2015	05/06/2015	1505	Planning	Professional Services for April 2015	3,315.00	784361	05/11/2015
I15-020371	04/01/2015	04/01/2015	1504	Planning	Zeier Consulting, LLC professional Services for February 215	3,952.50	783613	04/13/2015
I15-018405	03/03/2015	03/04/2015	1503	Planning	Professional Services for February 2015	3,761.25	782760	03/09/2015
I15-017549	02/20/2015	02/20/2015	1502	Finance	1502 - Professional services for January 2015 per contract.	3,867.50	782461	02/23/2015
I15-014617	01/06/2015	01/07/2015	1501	Planning	Professional Services for December 2014	4,101.25	781499	01/12/2015
I15-012025	12/02/2014	12/03/2014	1412	Planning	Zeier Consulting LLC Professional Services for September 2014	3,782.50	780751	12/08/2014
I15-009574	11/04/2014	11/06/2014	1410	Planning	Zeier Consulting LLC, Professional Services for September 2014	3,442.50	780082	11/10/2014
I15-007434	10/09/2014	10/10/2014	1409	Planning	Zeier Consulting LLC Professional Services for Sept 2014	3,336.25	779390	10/14/2014
I15-004615	09/02/2014	09/05/2014	1408	Planning	Zeier Consulting Professional Services for July 2014	2,868.75	778388	09/08/2014
I15-000842	07/31/2014	08/01/2014	1407	Planning	Zeier Consulting Professional Services for July 2014	3,357.50	777478	08/04/2014
I14-027117	06/30/2014	06/30/2014	1406	Planning	Zeier Consulting LLC professional services for June 2014	3,017.50	776890	07/14/2014
I14-024137	06/02/2014	06/03/2014	1405	Planning	Zeier Consulting, LLC Professional Services for May 2014	2,975.00	775692	06/09/2014
I14-023070	05/08/2014	05/08/2014	1404	Planning	As per contract for services of 1/10/2014	2,592.50	775037	05/12/2014
I14-020497	04/04/2014	04/04/2014	1403	Planning	Professional Services for April 2014	3,910.00	774206	04/07/2014
I14-018694	03/12/2014	03/12/2014	1402	Planning	Professional Services for March 2014	2,953.75	773835	03/24/2014
I14-016577	02/10/2014	02/10/2014	1401	Planning	Zeier Consulting	2,762.50	773005	02/18/2014
					SBBURA professional services			
					South Billings Urban Renewal Association Professional Services for January 2014			
						650,723.26		

**Zoeller, Andy**

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**From:** millarc@ci.billings.mt.us  
**Sent:** Wednesday, January 7, 2015 10:40 AM  
**To:** shawnh@hansers.com; steve@zeierconsulting.com  
**Cc:** fmartin@tractorandequipment.com; downtownwrecker@bresnan.net; rjdeis15@ yahoo.com; shandley@mt.gov  
**Subject:** RE: Zeier Consulting Invoice

Thank you. I will have it processed.

*Candi Millar, AICP  
Director, Planning and Community Services Department  
2825 3<sup>rd</sup> Ave N., 4<sup>th</sup> Floor  
Billings, MT 59101*

*(406) 657-8249*

**From:** Shawn Hanser [mailto:[shawnh@hansers.com](mailto:shawnh@hansers.com)]  
**Sent:** Wednesday, January 07, 2015 10:27 AM  
**To:** Steve Zeier  
**Cc:** Floyd Martin; Tom Ruschkewicz; Richard Deis; Sammy Handley; Millar, Candi  
**Subject:** Re: Zeier Consulting Invoice

Thank you Steve. I approve. Shawn

On Wed, Jan 7, 2015 at 10:25 AM, Steve Zeier <[steve@zeierconsulting.com](mailto:steve@zeierconsulting.com)> wrote:  
Good Morning All,

Attached is the December invoice for those unable to attend the meeting last night.

Please contact me with any questions.

Thanks!  
Steve

**Steve Zeier, AICP  
Zeier Consulting, LLC**  
PO Box 21462  
Billings, MT 59102  
[406/670-6969](tel:4066706969)  
[steve@zeierconsulting.com](mailto:steve@zeierconsulting.com)

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# ZEIER CONSULTING, LLC

## INVOICE

Date: 1/6/2014  
Invoice No. 1501

**Please remit to:** Zeier Consulting, LLC  
PO Box 21462  
Billings, MT 59102

To: South Billings Urban Renewal Association  
430 S Billings Blvd  
Billings, MT 59101

Description	Rate	Hours Qty	Subtotal
Zeier Consulting, LLC Professional Services for December 2014	\$85.00	48.25	\$ 4,101.25
As per contract for services of 1/10/2014			
See attached for time detail			
<b>INVOICE TOTAL:</b>			<b>\$ 4,101.25</b>

## Zeier Consulting, LLC

## Daily Time Detail

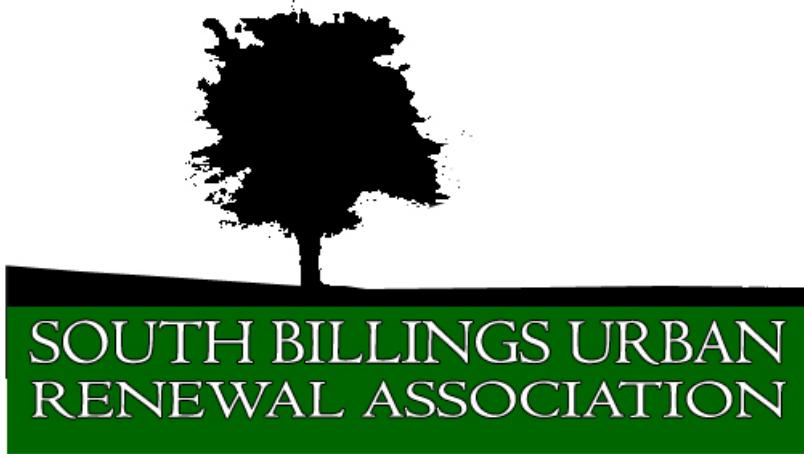
## South Billings Urban Renewal Association

## December 2014 Invoice

Date	Hours	Task Description	Work Detail
12/1/2014	1.5	Reporting to SBURA Board of Directors	Reporting and prep re: monthly meetings and activities
12/2/2014	2 2.5	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	December SBURA Meeting Contact information and research as to appropriate parties to the Miller property
12/3/2014	1	Reporting to SBURA Board of Directors	PC M Walker re: Miller Crossing contact follow ups and market activity
12/9/2014	3 0.5 1.25 1 2.5	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors Recruitment / Retention of Businesses Recruitment / Retention of Businesses	Miller Crossing owner contacts and identifying of respective parties Correspondence re: Amendment to the Miller Crossing Development Agreement CIP review re: Midland Rd A Carlson Meeting re: new project siting Plat and covenant review re: new development re: A Carlson meeting
12/11/2014	1	Reporting to SBURA Board of Directors	Council replay and reporting on activities
12/15/2014	1.5 2.5	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	Correspondence and discussion re: Ward I representative input and questions regarding council agenda items TIF Applications and City Council Approval, input and client representation
12/18/2014	1.5 2.5 1.5 2	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors Recruitment / Retention of Businesses Reporting to SBURA Board of Directors	Discussion re: CIP projects and planning for future projects Research and analysis re: Future fiscal years and currently budgeted funds Jerry Ray Meeting re: development of his Midland Road property Meeting re: Highlands Projects updates
12/19/2014	2 1.25	Recruitment / Retention of Businesses Reporting to SBURA Board of Directors	Signature gathering for BSK and Orchard School development agreements PC M Walker re: prospects and project details
12/22/2014	2.5	Recruitment / Retention of Businesses	Signatures re: Orchard and BSK , gathering docs and meeting arrangements
12/29/2014	4.5 1.75	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	Drafting and transmittal of Miller Crossing Memo to all property owners and interested parties re: method and expectations Follow us re: Q&A with above property owners
12/30/2014	2.5 1.75	Recruitment / Retention of Businesses Recruitment / Retention of Businesses	Site selection review and available properties Follow ups with all applicable commercial brokers and their respective interests
12/31/2014	2.75 1.5	Recruitment / Retention of Businesses Recruitment / Retention of Businesses	West Parkway Inquiry and site details for interested parties Inquiries as to DEQ status and the next steps, Stickton contact follow up

TOTAL: 48.25

**TOTAL CONTRACT HOURS:** 440  
**TOTAL HOURS BILLED PREVIOUSLY:** 0  
**CURRENT HOURS BILLED:** 48.25  
**TOTAL HOURS REMAINING:** 391.75  
**CONTRACT HOURS % REMAINING:** 89%



## CITY COUNCIL QUARTERLY REPORT

### SOUTH BILLINGS URBAN RENEWAL ASSOCIATION

FEBRUARY 2, 2015

Please see the information below for the FY 15 2<sup>nd</sup> Quarter Report from the SBURA related to activities in the South Billings Boulevard Urban Renewal District.

- TIF Bond Issue Discussion
  - Discussion scheduled for the February 2<sup>nd</sup> City Council Workshop
  - SBURA Board of Directors forwards a recommendation of approval
  - A win for all parties
    - Releases the city from further reimbursements
    - Removes the barrier that the current assessment creates
  - Competing with Shiloh Crossing, Montana Sapphire for the attraction of new retail development.
  - Additional bond proceeds to be utilized on projects to be included in the City CIP.
- TIF Assistance Project Updates
  - Popeye's Louisiana Chicken Grand Opening tentatively scheduled for February 28<sup>th</sup>.
  - Orchard School Health Clinic currently soliciting bids for construction. An advisory committee meeting scheduled for February 3<sup>rd</sup>
  - CLDI project underway, foundations in the ground, parking lot in place and off sites partially complete. Framing is underway as well.

- Optimist Park Master Plan
  - \$25,000 Council contingency obligated to Master Plan
  - SBURA recommendation to match with TIF Funds
- Calhoun Reconstruction Project
  - Project to be bid soon
  - Construction Spring 2015
- Orchard Lane Reconstruction Project
  - Design contract awarded to KLJ, design is underway.
  - Construction start TBD
- South Billings Sewer Project Phase 2
  - Talking to affected property owners to gauge interest in the second phase of the project.
  - Need a commitment from property owners to move forward

## SBURA Mid-year Budget Summary

28-Jan-15

	Budget	YTD
<b>Revenues</b>		
Property Tax	\$ 1,100,000.00	\$ 751,294.29
Delinq Property Tax	\$ -	\$ 9,397.25
Personal Property Tax	\$ 62,000.00	\$ 25,619.25
Delinq Real Tax	\$ -	\$ 1,307.19
SB-372 Entitlement	\$ 100,500.00	\$ 128,109.15
Accrued Interest	\$ 8,665.00	\$ 4,936.53
Interest on Loans	\$ -	\$ (199.93)
Total	\$ 1,271,165.00	\$ 920,463.73
<b>Expenditures</b>		
Postage	\$ -	\$ 6.24
Planning Charges	\$ 17,883.00	\$ 4,470.75
Cost Allocation	\$ 30,168.00	\$ 15,084.00
Prof. Svcs	\$ -	\$ 16,885.70
Capital Outlay	\$ 2,211,920.00	\$ 9,096.25
	\$ 2,259,971.00	\$ 45,542.94
<b>Balance</b>	<b>\$ 1,225,622.06</b>	<b>\$ 874,920.79</b>
<b>Outstanding Obligations</b>		
Pondorosa Trail	\$ 24,156.00	
CLDI	\$ 39,319.50	
Big Sky King	\$ 70,838.63	
Orchard School	\$ 47,907.00	
Total	\$ 182,221.13	

	YTD Balance
Cash Reserves	\$ 3,823,007.26
Revenue	\$ 920,463.73
Expenditures	\$ 45,542.94
Totals	\$ 4,697,928.05
	YTD Balance - Obligations
YTD Balance	\$ 4,697,928.05
Total Obligations	\$ 182,221.13
	\$ 4,515,706.92

## Zoeller, Andy

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**From:** millarc@ci.billings.mt.us  
**Sent:** Wednesday, October 28, 2015 10:45 AM  
**To:** shawnh@hansers.com; steve@zeierconsulting.com  
**Cc:** fmartin@tractorandequipment.com; downtownwrecker@bresnan.net; rjdeis15  
**Subject:** @yahoo.com; shandley@mt.gov  
 RE: SBURA October invoice

Okay, thank you. I'll get it processed.

*Candi Millar, AICP  
 Director, Planning and Community Services Department  
 2825 3<sup>rd</sup> Ave N., 4<sup>th</sup> Floor  
 Billings, MT 59101*

(406) 657-8249

**From:** Shawn Hanser [mailto:[shawnh@hansers.com](mailto:shawnh@hansers.com)]  
**Sent:** Wednesday, October 28, 2015 10:35 AM  
**To:** Steve Zeier  
**Cc:** Floyd Martin; Tom Ruschkewicz; Richard Deis; Sammy Handley; Millar, Candi  
**Subject:** Re: SBURA October invoice

I approve. Thank you Steve

On Wed, Oct 28, 2015 at 10:31 AM, Steve Zeier <[steve@zeierconsulting.com](mailto:steve@zeierconsulting.com)> wrote:  
 Candi,

Please see the attached for the October SBURA invoice.

Thanks!  
 Steve

**Steve Zeier, AICP**  
**Zeier Consulting, LLC**  
 PO Box 21462  
 Billings, MT 59102  
[406/670-6969](tel:4066706969)  
[steve@zeierconsulting.com](mailto:steve@zeierconsulting.com)

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# ZEIER CONSULTING, LLC

## INVOICE

Date: 10/28/2015  
Invoice No. 1511

**Please remit to:** Zeier Consulting, LLC  
PO Box 21462  
Billings, MT 59102

To: South Billings Urban Renewal Association  
430 S Billings Blvd  
Billings, MT 59101

Description	Rate	Hours Sty	Subtotal
Zeier Consulting, LLC Professional Services for September 2015 As per contract for services of 1/10/2014 See attached for time detail	\$85.00	59.75	\$ 5,078.75
<b>INVOICE TOTAL:</b>			<b>\$ 5,078.75</b>

## Zeier Consulting, LLC

## Daily Time Detail

South Billings Urban Renewal Association

October 2015 Invoice

Date	Hours	Task Description	Work Detail
10/1/2015	1.75 1	Recruitment / Retention of Businesses Reporting to SBURA Board of Directors	Info for T Yuzik re: Orchard Ln follow up and project details Info for Candidate re: parkway code enforcement issues and processes
10/2/2015	2 2.5	Recruitment / Retention of Businesses Recruitment / Retention of Businesses	Active commercial listings investigations and analysis Broker follow ups and reminders re: development information
10/6/2015	3 1.5 1.5	Recruitment / Retention of Businesses Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	Report generation, contact tracking, and calendar updates Site investigations and activity reporting October SBURA Board Meeting
10/8/2015	4.5 2	Reporting to SBURA Board of Directors Recruitment / Retention of Businesses	Orchard commercial owner follow ups re: cataloging and tracking, Market follow up and identification of relevant property interest
10/9/2015	1	Reporting to SBURA Board of Directors	PC Carl Jackson at KJL re: Orchard design and invitation to meeting
10/14/2015	0.5 0.5	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	PC J Brewer and S Wahrlich re: Holiday Inn, message and follow up PC D Keller re: Orchard project details
10/15/2015	0.75 1 1.5	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	PC G Warmer re: Popoelka property activity and interest Follow up w/ D Goodridge re: Highland Project owner transfer and potential for transfer Building permit activity and reporting
10/16/2015	4 2 2.5	Reporting to SBURA Board of Directors Recruitment / Retention of Businesses Recruitment / Retention of Businesses	Orchard follow ups re: ICS, Atomic Ind, MME, Precision Plumbing Site follow ups at active construction district Broker listing activities and contact updates
10/19/2015	0.75	Recruiting / Retention of Businesses	Follow ups re: Holiday Inn and sale of property
10/20/2015	2 1.5	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	PC Follow ups and tracking to volunteers re: Orchard Ln project Orchard owner check and info transmittal to volunteers
10/21/2015	0.75 3.25	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	Follow up re: Steve Stark at Arrow Striping Property owner follow ups re: FEI, HCL, and 3g's invites
10/22/2015	2.5 4.25 0.5	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	Draft of initial Council quarterly report for next CC work session Orchard commercial follow up calls and site visits (RWS, Classic Auto, Tire shop, Towing property) PC M Connell re: East tipping fee request and the implications in the other URD's in Billings
10/23/2015	2 0.5 0.75	Recruitment / Retention of Businesses Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	Revisit Northridge agreement and B Carlson input as to the changes from Pat, discussion PC B Carlson re: P Weber input and changing of the agreement Site investigation re: liquor license transfer and property identification
10/26/2015	1.5 0.5	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	Final draft re: quarterly report Correspondence w/ M Ferguson at BG re: Orchard Ln flyer
10/27/2015	3 2.5	Reporting to SBURA Board of Directors Reporting to SBURA Board of Directors	Property overview and owner info re: Orchard final touches and follow ups Clerk search re: property transfers relevant to new development
<b>TOTAL:</b>	<b>59.75</b>		

TOTAL CONTRACT HOURS: 440  
 TOTAL HOURS BILLED PREVIOUSLY: 378.5  
 CURRENT HOURS BILLED: 59.75  
 TOTAL HOURS REMAINING: 1.75  
 CONTRACT HOURS % REMAINING: 0%

**Zoeller, Andy**

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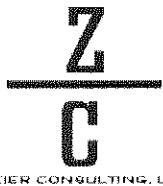
**From:** stevezeier@gmail.com  
**Sent:** Wednesday, December 2, 2015 9:20 AM  
**To:** Weber, Pat  
**Cc:** weberp@ci.billings.mt.us  
**Subject:** New contract and Invoice  
**Attachments:** Executed Amended Contract SBURA 12.1.2015.pdf; SBURA Zeier Consulting, LLC  
Invoice 4Q 2015 Partial.pdf

Pat,

As discussed, please see the attached for 1) a copy of the new contract and 2) the pro rated quarterly invoice.

Thanks!  
Steve

**Steve Zeier, AICP**  
**Zeier Consulting, LLC**  
PO Box 21462  
Billings, MT 59102  
406/670-6969  
[steve@zeierconsulting.com](mailto:steve@zeierconsulting.com)

**ZEIER CONSULTING, LLC**

PO Box 21462 - BILLINGS, MT 59102

406/670-6969 STEVE@ZEIERCONSULTING.COM

ZEIER CONSULTING, LLC

**INVOICE**

Date: 12/2/2015  
Invoice No. 1512

**Please remit to:** Zeier Consulting, LLC  
PO Box 21462  
Billings, MT 59102

To: South Billings Urban Renewal Association  
430 S Billings Blvd  
Billings, MT 59101

Description	Subtotal
Zeier Consulting, LLC Professional Services for 4Q 2015 Pro Rated Quarterly amount As per contract for services of 12/1/2015	\$ 25,615.00

*JK**EW*

**INVOICE TOTAL:** **\$ 25,615.00**

**Zoeller, Andy**

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**From:** stevezeier@gmail.com  
**Sent:** Monday, January 4, 2016 12:16 PM  
**To:** Weber, Pat  
**Cc:** weberp@ci.billings.mt.us  
**Subject:** 1Q Invoice  
**Attachments:** SBURA Zeier Consulting, LLC Invoice 1Q 2016.pdf

Good Afternoon Pat,

Please see the attached for the 1Q 2016 invoice.

Please let me know of any questions.

Thanks,  
Steve

**Steve Zeier, AICP**  
**Zeier Consulting, LLC**  
PO Box 21462  
Billings, MT 59102  
406/670-6969  
[steve@zeierconsulting.com](mailto:steve@zeierconsulting.com)



ZEIER CONSULTING, LLC

**ZEIER CONSULTING, LLC**PO Box 21462 - BILLINGS, MT 59102  
406/670-6969 STEVE@ZEIERCONSULTING.COM**INVOICE**

Date: 1/4/2016 Please remit to: Zeier Consulting, LLC  
Invoice No. 1601 PO Box 21462  
Billings, MT 59102

To: South Billings Urban Renewal Association  
430 S Billings Blvd  
Billings, MT 59101

Description	Subtotal
Zeier Consulting, LLC Professional Services for 1Q 2016	\$ 38,422.50
Quarterly amount	
As per contract for services of 12/1/2015	
INVOICE TOTAL:	\$ 38,422.50

**From:** millarc@ci.billings.mt.us  
**Sent:** Friday, November 13, 2015 12:02 PM  
**To:** volekc@ci.billings.mt.us  
**Subject:** SBURA and Steve Zeier

Tina,

This is a head's up on what Steve Zeier will be presenting on Monday night on the SBURA quarterly report. The SBURA Board would like to amend its contract with Steve and increase the TIF funds to cover a greater contract cost (\$37.5K to \$150K) in order for Steve to spend more time on SBURA business. Council will be introduced to this idea on Monday. Steve summarizes his new role in a single slide which I have transferred below. While I'm not against this move (it still would involve Planning Division oversight), it is a big advancement in Steve's duties. The contract is between Steve and SBURA but the Council must approve the expenditure which would presumably be presented at the end of this year or early next year. Please let me know if you have any thoughts on this. Thanks.

**INCREASED DISTRICT PRESENCE**

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Contact with business owners  
Identify business needs/assistance  
Residential owner outreach

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Local, regional, and national Developers  
NGO's  
Non-Profits  
Trade organizations

**Greater community visibility**

Office Space!  
BSED, Chamber, BOCC, MDT, DBP  
Planning Dept. Collaboration

**Administration**

Project management  
Funding prioritization  
Budgeting and Finance

*Candi Millar, AICP*

*Director, Planning and Community Services Department*

*2825 3<sup>rd</sup> Ave N., 4<sup>th</sup> Floor*

*Billings, MT 59101*

*(406) 657-8249*

# SBURA QUARTERLY UPDATE



SOUTH BILLINGS URBAN  
RENEWAL ASSOCIATION

Billings City Council  
November 16<sup>th</sup>, 2015

# UPDATES

## Prior TIF Assistance Project Updates

- ▶ Orchard School Health Clinic is proving to be an effective model for all parties
- ▶ CLDI project occupied at 80%, will be complete in 2015

## Future TIF Recruitment and Assistance Project

- ▶ Northridge Assets LLC TIF application for assistance related to the location of a new 84 room hotel has been approved by the SBURA Board.
- ▶ The project is investing \$7.9 million dollars into the district. The amount of assistance is \$370,847 in eligible improvements to be paid in four annual installments after completion
- ▶ A development agreement will be at a future City Council agenda in December.

# UPDATES

## **South Billings Sewer Phase II**

- ▶ Funds are programmed and included in the CIP
- ▶ Design contract awarded to DOWL, work will be in bid in early 2016
- ▶ Project on schedule to break ground in Spring 2016

## **SBURA Projects**

- ▶ Calhoun Lane is OPEN!
- ▶ Optimist Park Master Plan to begin late 2015
- ▶ Orchard Ln design at 70%, Public meeting held Nov 3<sup>rd</sup> with property owners, design team, city staff, and SBURA Board.

# LIST OF ACCOMPLISHMENTS

## Policy Documents:

- ▶ South Billings Master Plan
- ▶ Optimist Park Master Plan

## Infrastructure Projects:

- ▶ King Avenue East & South Billings Blvd.
- ▶ Newman Lane
- ▶ Ponderosa School Trail
- ▶ Sewer Project I & II

- ▶ Calhoun Lane Reconstruction

- ▶ Orchard Lane Reconstruction

## TIF Assistance Projects:

- ▶ Miller Crossing Improvements & SID bond issue - \$5.2 mil
- ▶ CLDI Orrel Cove - \$39,320
- ▶ Orchard Health Clinic - \$47,907
- ▶ Popeye's - \$70,838
- ▶ Northridge Assets Hotel- \$370,000

# INCREASED DISTRICT PRESENCE

## Property owner outreach

- ▶ Contact with business owners
- ▶ Identify business needs/assistance
- ▶ Residential owner outreach

## Actively marketing the district

- ▶ Local, regional, and national
  - ▶ Developers
  - ▶ NGO's
  - ▶ Non-Profits
  - ▶ Trade organizations

## Greater community visibility

- ▶ Office Space!
- ▶ BSED, Chamber, BOCC, MDT, DBP
- ▶ Planning Dept. Collaboration

## Administration

- ▶ Project management
- ▶ Funding prioritization
- ▶ Budgeting and Finance

# Questions?

Thank you!  
SBURA Board of Directors



SOUTH BILLINGS URBAN  
RENEWAL ASSOCIATION

**Zoeller, Andy**

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**From:** Steve Zeier <steve@zeierconsulting.com>  
**Sent:** Friday, February 8, 2019 3:50 PM  
**To:** Zoeller, Andy  
**Subject:** Fwd: Contract Update

**Steve Zeier**  
**Zeier Consulting, LLC**  
PO Box 21462  
Billings, MT 59102  
406/670-6969  
[steve@zeierconsulting.com](mailto:steve@zeierconsulting.com)

----- Forwarded message -----

From: **Steve Zeier** <[steve@zeierconsulting.com](mailto:steve@zeierconsulting.com)>  
Date: Thu, Nov 12, 2015 at 5:36 PM  
Subject: Contract Update  
To: Shawn Hanser <[shawnh@hansers.com](mailto:shawnh@hansers.com)>, Floyd Martin <[fmartin@tractorandequipment.com](mailto:fmartin@tractorandequipment.com)>, Tom Ruschkewicz <[downtownwrecker@bresnan.net](mailto:downtownwrecker@bresnan.net)>, Richard Deis <[rjdeis15@yahoo.com](mailto:rjdeis15@yahoo.com)>, Sammy Handley <[shandley@mt.gov](mailto:shandley@mt.gov)>

All,

I had a call with Candi this afternoon and have a few items to report.

- She is retiring effective July 1st.
- I informed her of the discussion related to contract renegotiation. She feels that this is a positive step.
- I told her we plan on rolling this out to council at the Monday quarterly update.
- She was planning on transferring some of her duties over to me as part of her transition plan anyway so our timing is impeccable.
- She feels that there still need to be some connection between SBURA and the city. I agreed and told her we were of the same opinion.
- The office space conversation brought up some good points as to how an office would be used and for what purposes. If I am doing other work there it needs to be clear that the TIF dollars are only being spent on that portion of the rent that is utilized for TIF business. Either SBURA is the leaseholder of an office space, I don't do any other consulting work at that location, or we specifically state in the contract what portion of the rent is TIF and what is not. Stays tuned.
- She is going to pass this info along to Tina.
- I also spoke with Pat Weber and he states that there will be a budget amendment needed at some point.

Thanks and please let me know of any questions.

Steve

**Steve Zeier, AICP**  
**Zeier Consulting, LLC**  
PO Box 21462  
Billings, MT 59102  
406/670-6969  
[steve@zeierconsulting.com](mailto:steve@zeierconsulting.com)

**City of Billings**  
**Authorized Spending Report**

To Date: 06/30/2016

From Account: 1990

To Account:

Run Date: 02/13/2019

User: zoellera

Report By: Class Detail

**Segments**

	<b>Total Budget</b>	<b>YTD Exp</b>
Bond Costs :	360,000.00	202,309.17
Non Building Improvements :	6,555,977.72	2,343,904.01
Communication & Transportation :	0.00	3.77
Professional Services :	150,000.00	164,595.01
Other Services :	62,105.00	62,105.00
Other Grants :	0.00	39,319.50
Bond Discount :	0.00	36.65
<b>Grand Total :</b>	<b>7,128,082.72</b>	<b>2,812,273.11</b>

# THE NCS™

The National Citizen Survey™

## Billings, MT

Trends over Time

FINAL  
2015



**NRC**

National Research Center Inc

2955 Valmont Road Suite 300  
Boulder, Colorado 80301  
[n-r-c.com](http://n-r-c.com) • 303-444-7863

**ICMA**

*Leaders at the Core of Better Communities*

777 North Capitol Street NE Suite 500  
Washington, DC 20002  
[icma.org](http://icma.org) • 800-745-8780

# Summary

The National Citizen Survey™ (The NCS™) is a collaborative effort between National Research Center, Inc. (NRC) and the International City/County Management Association (ICMA). The survey and its administration are standardized to assure high quality research methods and directly comparable results across The NCS communities. The NCS captures residents' opinions within the three pillars of a community (Community Characteristics, Governance and Participation) across eight central facets of community (Safety, Mobility, Natural Environment, Built Environment, Economy, Recreation and Wellness, Education and Enrichment and Community Engagement). This report discusses trends over time, comparing the 2016 ratings for the City of Billings to its previous survey results in 2009 and 2012. Additional reports and technical appendices are available under separate cover.

Trend data for Billings represent important comparison data and should be examined for improvements or declines. Deviations from stable trends over time, especially, represent opportunities for understanding how local policies, programs or public information may have affected residents' opinions.

Meaningful differences between survey years have been noted within the following tables as being "higher" or "lower" if the differences are greater than seven percentage points between the 2012 and 2016 surveys, otherwise the comparison between 2012 and 2016 are noted as being "similar." Additionally, benchmark comparisons for all survey years are presented for reference. Changes in the benchmark comparison over time can be impacted by various trends, including varying survey cycles for the individual communities that comprise the benchmarks, regional and national economic or other events, as well as emerging survey methodologies.

Overall, ratings in Billings for 2016 generally remained stable. Of the 91 items for which comparisons were available, 66 items were rated similarly in 2012 and 2016, 18 items showed a decrease in ratings and 7 showed an increase in ratings. Notable trends over time included the following:

- While most ratings within the pillar of Community Characteristics remained stable from 2012 to 2016, there were several that were trending down. Ratings that decreased included: feelings of safety in Billings' downtown/commercial area, ease of travel by bicycle, ease of walking, cleanliness of the City, new development, openness and acceptance of the community toward people of diverse backgrounds, the overall appearance of the City, Billings as a place to raise children and as a place to live. However, ratings that increased over time were employment opportunities, health care, preventative health services, opportunities to attend cultural/arts/music activities and availability of affordable quality child care/preschool.
- Within the pillar of Governance, several changes were noted from 2012 to 2016. Ratings decreased for traffic enforcement, bus or transit services, recycling, land use, planning and zoning, cable television and customer service by Billings employees. Ratings increased from 2012 to 2016 for drinking water.
- Within Participation, fewer residents reported that they had watched a local public meeting or contacted Billings employees. Ratings for the sense of community in Billings also decreased since 2012. However, more residents indicated that they had voted in local elections in 2016 compared to 2012.

The National Citizen Survey™

Table 1: Community Characteristics General

	Percent rating positively (e.g., excellent/good)			2016 rating compared to 2012	Comparison to benchmark		
	2009	2012	2016		2009	2012	2016
Overall quality of life	80%	73%	74%	Similar	Similar	Lower	Similar
Overall image	65%	61%	55%	Similar	Similar	Much lower	Lower
Place to live	88%	83%	75%	Lower	Similar	Similar	Similar
Neighborhood	80%	74%	75%	Similar	Similar	Lower	Similar
Place to raise children	82%	76%	68%	Lower	Similar	Similar	Similar
Place to retire	59%	65%	59%	Similar	Similar	Similar	Similar
Overall appearance	55%	61%	48%	Lower	Lower	Much lower	Lower

Table 2: Community Characteristics by Facet

		Percent rating positively (e.g., excellent/good, very/somewhat safe)			2016 rating compared to 2012	Comparison to benchmark		
		2009	2012	2016		2009	2012	2016
	Overall feeling of safety	NA	NA	55%	NA	NA	NA	Lower
	Safe in neighborhood	93%	90%	92%	Similar	Higher	Similar	Similar
Safety	Safe downtown/commercial area	79%	77%	68%	Lower	Lower	Much lower	Lower
	Overall ease of travel	NA	NA	72%	NA	NA	NA	Similar
	Paths and walking trails	40%	57%	58%	Similar	Much lower	Similar	Similar
	Ease of walking	46%	62%	53%	Lower	Much lower	Similar	Similar
	Travel by bicycle	26%	47%	35%	Lower	NA	NA	Lower
Mobility	Travel by public transportation	NA	NA	27%	NA	NA	NA	Lower
	Travel by car	59%	58%	65%	Similar	Similar	Similar	Similar
	Public parking	NA	NA	39%	NA	NA	NA	Similar
	Traffic flow	29%	38%	43%	Similar	Much lower	Much lower	Similar
	Overall natural environment	60%	65%	65%	Similar	Lower	Lower	Similar
Natural Environment	Cleanliness	49%	52%	39%	Lower	Much lower	Much lower	Much lower
	Air quality	53%	60%	64%	Similar	Lower	NA	Lower
	Overall built environment	NA	NA	43%	NA	NA	NA	Lower
	New development in Billings	68%	63%	55%	Lower	Higher	Similar	Similar
	Affordable quality housing	31%	38%	32%	Similar	Similar	Similar	Similar
Built Environment	Housing options	55%	50%	50%	Similar	Similar	Lower	Similar
	Public places	NA	NA	51%	NA	NA	NA	Similar
	Overall economic health	NA	NA	61%	NA	NA	NA	Similar
	Vibrant downtown/commercial area	NA	NA	42%	NA	NA	NA	Similar
	Business and services	71%	67%	65%	Similar	Higher	Similar	Similar
Economy	Cost of living	NA	NA	41%	NA	NA	NA	Similar
	Shopping opportunities	70%	66%	65%	Similar	Much higher	Much higher	Similar
	Employment opportunities	45%	41%	56%	Higher	Much higher	Much higher	Higher
	Place to visit	NA	NA	55%	NA	NA	NA	Similar
	Place to work	67%	64%	68%	Similar	Higher	Higher	Similar
Recreation and Wellness	Health and wellness	NA	NA	78%	NA	NA	NA	Similar
	Mental health care	NA	NA	45%	NA	NA	NA	Similar
	Preventive health services	62%	60%	69%	Higher	Higher	Higher	Similar
Recreation and Wellness	Health care	55%	57%	69%	Higher	Higher	Much higher	Similar
	Food	63%	60%	64%	Similar	Similar	Similar	Similar

The National Citizen Survey™

	Percent rating positively (e.g., excellent/good, very/somewhat safe)			2016 rating compared to 2012	Comparison to benchmark		
	2009	2012	2016		2009	2012	2016
Recreational opportunities	55%	54%	58%	Similar	Lower	Much lower	Similar
Fitness opportunities	NA	NA	71%	NA	NA	NA	Similar
Religious or spiritual events and activities	82%	78%	81%	Similar	Higher	Similar	Similar
Cultural/arts/music activities	54%	53%	65%	Higher	Similar	Similar	Similar
Adult education	NA	NA	61%	NA	NA	NA	Similar
Education and Enrichment	K-12 education	61%	55%	62%	Similar	Similar	Similar
	Child care/preschool	29%	37%	48%	Higher	Lower	Similar
	Social events and activities	62%	62%	65%	Similar	Similar	Similar
	Neighborhood	NA	NA	52%	NA	NA	Similar
Community Engagement	Openness and acceptance	48%	51%	43%	Lower	Lower	Lower
	Opportunities to participate in community matters	60%	58%	61%	Similar	Similar	Similar
	Opportunities to volunteer	83%	77%	74%	Similar	Higher	Similar

Table 3: Governance General

	Percent rating positively (e.g., excellent/good)			2016 rating compared to 2012	Comparison to benchmark		
	2009	2012	2016		2009	2012	2016
Services provided by Billings	58%	64%	65%	Similar	Lower	Lower	Similar
Customer service	73%	75%	61%	Lower	Similar	Similar	Lower
Value of services for taxes paid	41%	46%	44%	Similar	Lower	Lower	Similar
Overall direction	53%	57%	52%	Similar	Similar	Similar	Similar
Welcoming citizen involvement	40%	42%	43%	Similar	Much lower	Lower	Similar
Confidence in City government	NA	NA	41%	NA	NA	NA	Similar
Acting in the best interest of Billings	NA	NA	48%	NA	NA	NA	Similar
Being honest	NA	NA	46%	NA	NA	NA	Similar
Treating all residents fairly	NA	NA	45%	NA	NA	NA	Similar
Services provided by the Federal Government	44%	39%	37%	Similar	Similar	Similar	Similar

Table 4: Governance by Facet

	Percent rating positively (e.g., excellent/good)			2016 rating compared to 2012	Comparison to benchmark			
	2009	2012	2016		2009	2012	2016	
Safety	Police	66%	65%	61%	Similar	Lower	Much lower	Lower
	Fire	89%	91%	86%	Similar	Similar	Similar	Similar
	Ambulance/EMS	85%	86%	85%	Similar	Similar	Lower	Similar
	Crime prevention	48%	47%	42%	Similar	Much lower	Much lower	Lower
	Fire prevention	71%	69%	62%	Similar	Similar	Much lower	Lower
	Animal control	52%	56%	50%	Similar	Lower	Lower	Similar
	Emergency preparedness	45%	51%	46%	Similar	Lower	Much lower	Similar
	Traffic enforcement	42%	47%	36%	Lower	Much lower	Much lower	Much lower
	Street repair	21%	30%	33%	Similar	Much lower	Much lower	Lower
	Street cleaning	40%	46%	50%	Similar	Much lower	Much lower	Similar
	Street lighting	38%	46%	49%	Similar	Much lower	Much lower	Similar
	Snow removal	23%	31%	38%	Similar	Much lower	Much lower	Lower
	Sidewalk maintenance	29%	39%	35%	Similar	Much lower	Much lower	Lower
Mobility	Traffic signal timing	40%	43%	44%	Similar	Similar	Lower	Similar
	Bus or transit services	45%	56%	41%	Lower	Lower	Similar	Similar
	Garbage collection	84%	83%	85%	Similar	Similar	Similar	Similar
	Recycling	35%	47%	39%	Lower	Much lower	Much lower	Much lower
	Yard waste pick-up	49%	66%	69%	Similar	Much lower	Lower	Similar
	Drinking water	66%	68%	75%	Higher	Similar	Similar	Similar
Natural Environment	Natural areas preservation	36%	44%	44%	Similar	Much lower	Much lower	Lower

The National Citizen Survey™

	Percent rating positively (e.g., excellent/good)			2016 rating compared to 2012	Comparison to benchmark		
	2009	2012	2016		2009	2012	2016
Built Environment	Open space	NA	NA	44%	NA	NA	Similar
	Storm drainage	48%	52%	50%	Similar	Similar	Similar
	Sewer services	77%	73%	74%	Similar	Similar	Similar
	Utility billing	NA	NA	63%	NA	NA	Similar
	Land use, planning and zoning	31%	42%	35%	Lower	Lower	Similar
	Code enforcement	24%	27%	24%	Similar	Much lower	Lower
	Cable television	65%	53%	42%	Lower	Higher	Similar
	Economic development	47%	49%	54%	Similar	Similar	Similar
	City parks	75%	78%	75%	Similar	Similar	Lower
	Recreation programs	62%	69%	67%	Similar	Lower	Similar
Economy	Recreation centers	53%	57%	58%	Similar	Much lower	Similar
	Health services	74%	74%	75%	Similar	Much higher	Much higher
	Special events	NA	NA	52%	NA	NA	Similar
Recreation and Wellness	Public libraries	69%	76%	77%	Similar	Much lower	Similar
	Community Engagement	51%	58%	53%	Similar	Lower	Similar

Table 5: Participation General

	Percent rating positively (e.g., always/sometimes, more than once a month, yes)			2016 rating compared to 2012	Comparison to benchmark		
	2009	2012	2016		2009	2012	2016
Sense of community	59%	60%	49%	Lower	Similar	Similar	Similar
Recommend Billings	87%	86%	82%	Similar	Similar	Similar	Similar
Remain in Billings	87%	90%	83%	Similar	Higher	Much higher	Similar
Contacted Billings employees	55%	45%	36%	Lower	Similar	Much lower	Lower

Table 6: Participation by Facet

		Percent rating positively (e.g., always/sometimes, more than once a month, yes)			2016 rating compared to 2012	Comparison to benchmark		
		2009	2012	2016		2009	2012	2016
Safety	Stocked supplies for an emergency	NA	NA	31%	NA	NA	NA	Similar
	Did NOT report a crime	NA	NA	63%	NA	NA	NA	Lower
Mobility	Was NOT the victim of a crime	82%	80%	79%	Higher	Similar	Much higher	Similar
	Used public transportation instead of driving	NA	NA	11%	NA	NA	NA	Lower
Natural Environment	Carpooled instead of driving alone	NA	NA	43%	NA	NA	NA	Similar
	Walked or biked instead of driving	NA	NA	56%	NA	NA	NA	Similar
Built Environment	Conserved water	NA	NA	76%	NA	NA	NA	Similar
	Made home more energy efficient	NA	NA	76%	NA	NA	NA	Similar
Economy	Recycled at home	75%	73%	71%	Similar	Similar	Much lower	Lower
	Did NOT observe a code violation	NA	NA	37%	NA	NA	NA	Lower
Recreation and Wellness	NOT under housing cost stress	72%	73%	69%	Higher	Higher	Much lower	Similar
	Purchased goods or services in Billings	NA	NA	99%	NA	NA	NA	Similar
Education and	Economy will have positive impact on income	11%	24%	28%	Similar	Lower	Much higher	Similar
	Work in Billings	NA	NA	73%	NA	NA	NA	Much higher
Recreation and Wellness	Used Billings recreation centers	56%	55%	60%	Similar	Similar	Similar	Similar
	Visited a City park	92%	91%	89%	Similar	Higher	Higher	Similar
Education and	Ate 5 portions of fruits and vegetables	NA	NA	79%	NA	NA	NA	Similar
	Participated in moderate or vigorous physical activity	NA	NA	88%	NA	NA	NA	Similar
Education and	In very good to excellent health	NA	NA	56%	NA	NA	NA	Similar
	Used Billings public libraries	65%	56%	56%	Similar	Lower	Much	Similar

The National Citizen Survey™

	Percent rating positively (e.g., always/sometimes, more than once a month, yes)			2016 rating compared to 2012	Comparison to benchmark		
	2009	2012	2016		2009	2012	2016
Enrichment	Participated in religious or spiritual activities	66%	60%	58%	Similar	Much higher	lower
	Attended a City-sponsored event	NA	NA	55%	NA	NA	Much higher
	Campaigned for an issue, cause or candidate	NA	NA	24%	NA	NA	Similar
	Contacted Billings elected officials	NA	NA	17%	NA	NA	Similar
	Volunteered	60%	52%	52%	Similar	Much higher	Higher
	Participated in a club	37%	33%	38%	Similar	Higher	Similar
	Talked to or visited with neighbors	NA	NA	96%	NA	NA	Similar
	Done a favor for a neighbor	NA	NA	85%	NA	NA	Similar
	Attended a local public meeting	27%	20%	18%	Similar	Similar	lower
	Watched a local public meeting	59%	46%	37%	Lower	Much higher	Higher
Community Engagement	Read or watched local news	NA	NA	86%	NA	NA	Similar
	Voted in local elections	88%	69%	84%	Higher	Much higher	Lower

## PUBLIC SAFETY

Safety from violent or property crimes creates the cornerstone of an attractive community. No one wants to live in fear of crime, fire or natural hazards, and communities in which residents feel protected or unthreatened are communities that are more likely to show growth in population, commerce and property value.

Residents were asked to rate their feelings of safety from violent crimes, property crimes, fire and environmental dangers and to evaluate the local agencies whose main charge is to provide protection from these dangers. Many gave positive ratings of safety in the City of Billings. About 60% of those completing the questionnaire said they felt "very" or "somewhat" safe from violent crimes and 64% felt "very" or "somewhat" safe from environmental hazards. Daytime sense of safety was better than nighttime safety and neighborhoods felt safer than downtown. Compared to 2009, ratings decreased for safety in Billings' downtown area after dark, from violent crime and from property crimes.

FIGURE 34: RATINGS OF COMMUNITY AND PERSONAL PUBLIC SAFETY BY YEAR

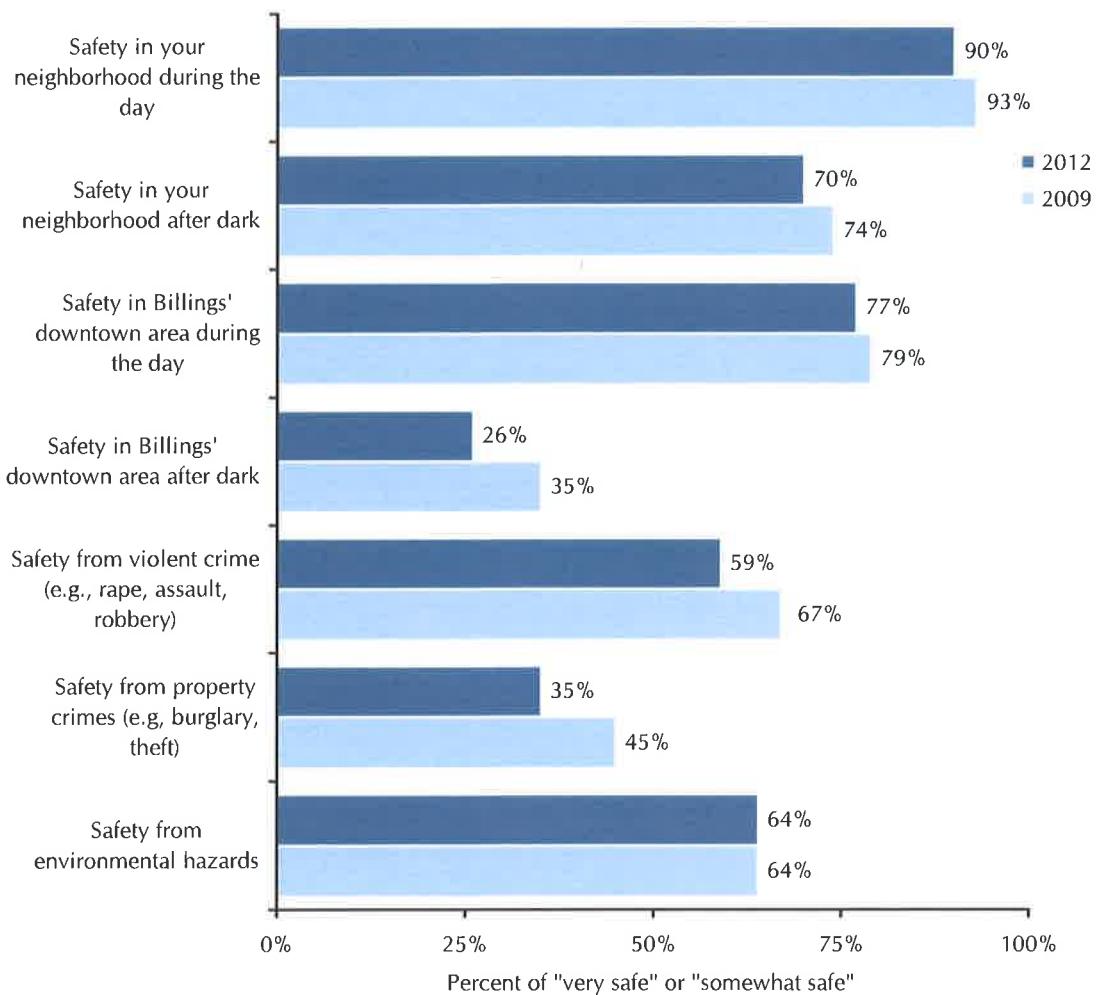


FIGURE 35: COMMUNITY AND PERSONAL PUBLIC SAFETY BENCHMARKS

	National comparison	Western region comparison
In your neighborhood during the day	Similar	Similar
In your neighborhood after dark	Below	Below
In Billings' downtown area during the day	Much below	Much below
In Billings' downtown area after dark	Much below	Much below
Violent crime (e.g., rape, assault, robbery)	Much below	Much below
Property crimes (e.g., burglary, theft)	Much below	Much below
Environmental hazards, including toxic waste	Much below	Much below

As assessed by the survey, 20% of respondents reported that someone in the household had been the victim of one or more crimes in the past year. Of those who had been the victim of a crime, 91% had reported it to police. Compared to other jurisdictions more Billings residents had been victims of crime in the 12 months preceding the survey and many more Billings residents had reported their most recent crime victimization to the police.

FIGURE 36: CRIME VICTIMIZATION AND REPORTING BY YEAR

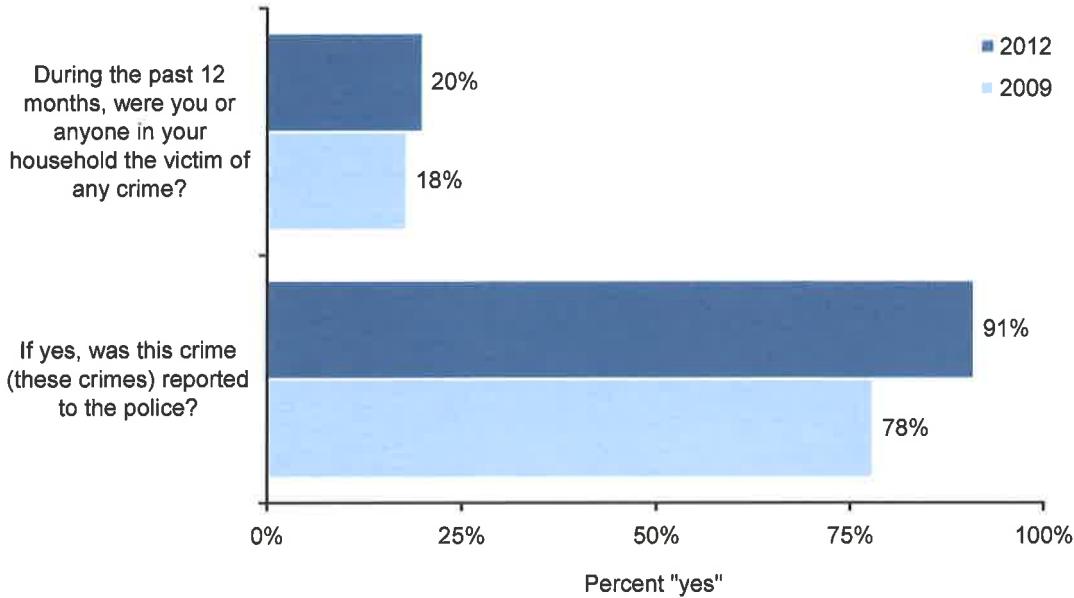


FIGURE 37: CRIME VICTIMIZATION AND REPORTING BENCHMARKS

	National comparison	Western region comparison
Victim of crime	Much more	More
Reported crimes	Much more	Much more

Residents rated eight City public safety services; of these, four were rated similar to the Western region benchmark comparison and four were rated below the Western region benchmark comparison. Fire services and ambulance or emergency medical services received the highest ratings, while crime prevention and traffic enforcement received the lowest ratings. All were rated similar compared to previous years.

FIGURE 38: RATINGS OF PUBLIC SAFETY SERVICES BY YEAR

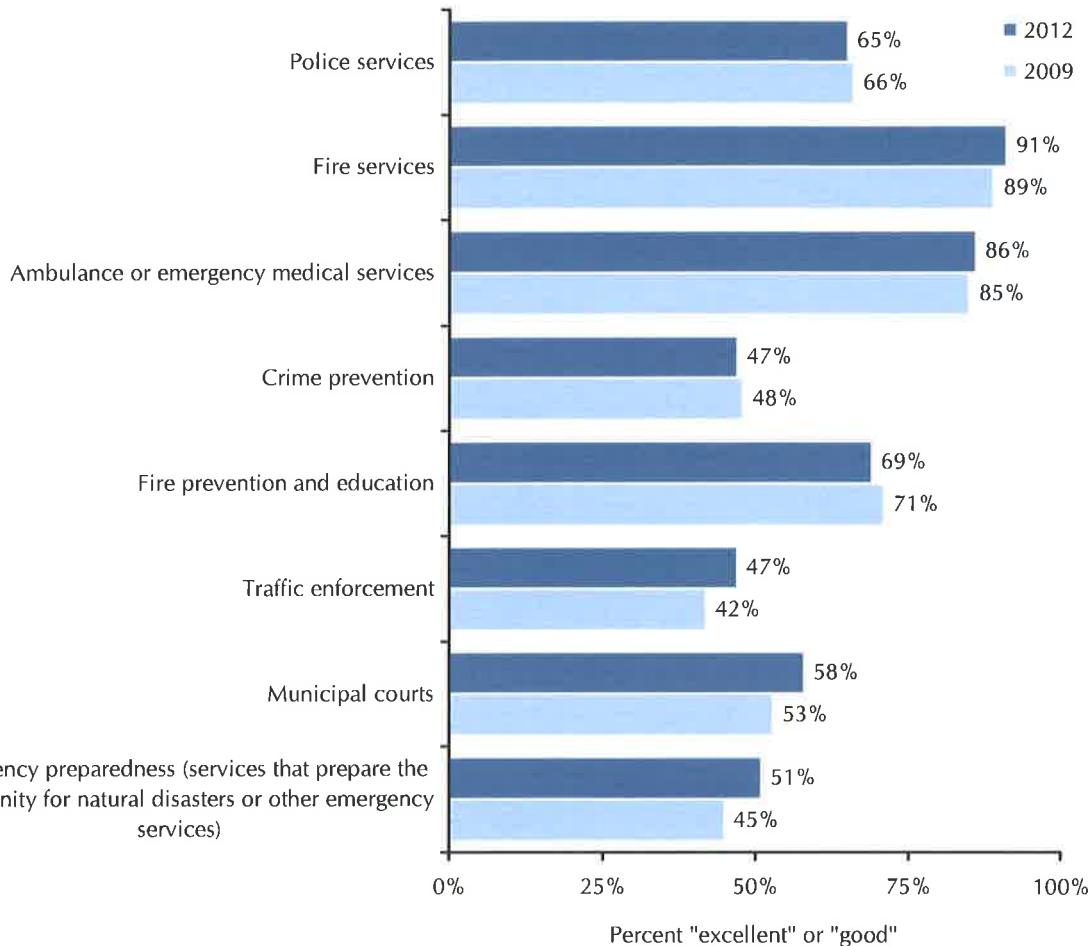


FIGURE 39: PUBLIC SAFETY SERVICES BENCHMARKS

	National comparison	Western region comparison
Police services	Much below	Below
Fire services	Similar	Similar
Ambulance or emergency medical services	Below	Similar
Crime prevention	Much below	Much below
Fire prevention and education	Much below	Below
Traffic enforcement	Much below	Much below
Courts	Below	Similar
Emergency preparedness (services that prepare the community for natural disasters or other emergency situations)	Much below	Similar

FIGURE 40: CONTACT WITH POLICE DEPARTMENT



FIGURE 41: CONTACT WITH FIRE DEPARTMENT

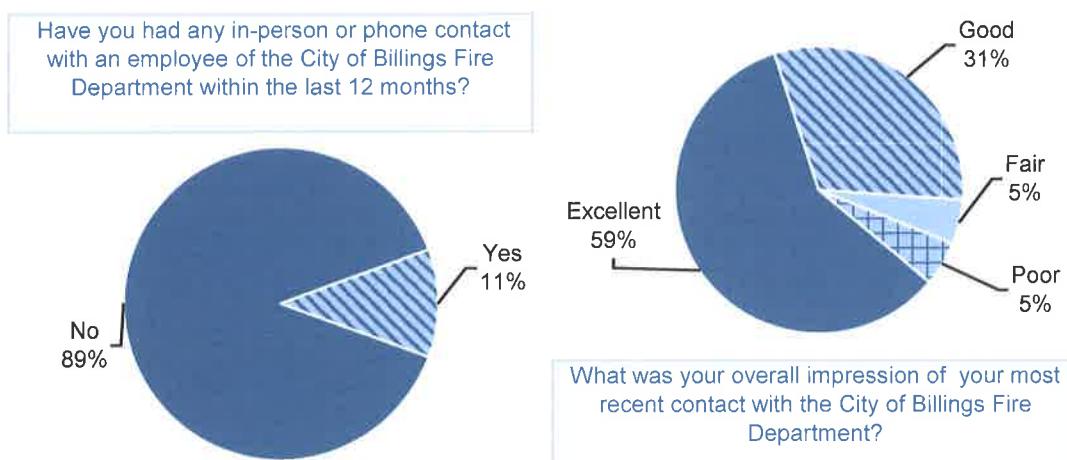


FIGURE 42: CONTACT WITH POLICE AND FIRE DEPARTMENTS BENCHMARKS

	National comparison	Western region comparison
Had contact with the City of Billings Police Department	Similar	Similar
Overall impression of most recent contact with the City of Billings Police Department	Much below	Much below
Had contact with the City of Billings Fire Department	Less	Less
Overall impression of most recent contact with the City of Billings Fire Department	Similar	Similar

## PUBLIC SAFETY

Safety from violent or property crimes creates the cornerstone of an attractive community. No one wants to live in fear of crime, fire or natural hazards, and communities in which residents feel protected or unthreatened are communities that are more likely to show growth in population, commerce and property value.

Residents were asked to rate their feelings of safety from violent crimes, property crimes, fire and environmental dangers and to evaluate the local agencies whose main charge is to provide protection from these dangers. Many gave positive ratings of safety in the City Billings. About 67% of those completing the questionnaire said they felt "very" or "somewhat" safe from violent crimes and 64% felt "very" or "somewhat" safe from environmental hazards. Daytime sense of safety was better than nighttime safety and neighborhoods felt safer than downtown.

FIGURE 33: RATINGS OF COMMUNITY AND PERSONAL PUBLIC SAFETY

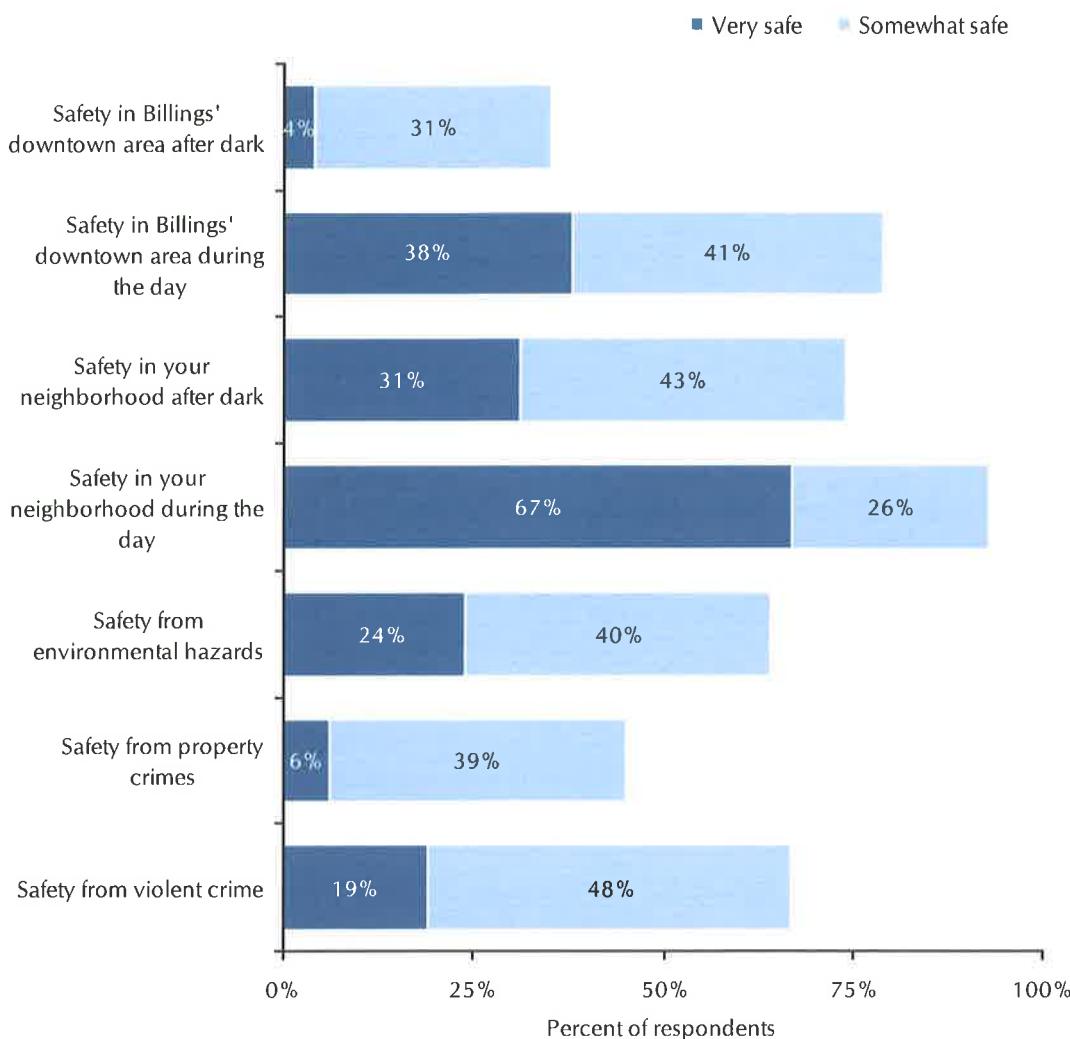


FIGURE 34: COMMUNITY AND PERSONAL PUBLIC SAFETY BENCHMARKS

	National comparison	Western region comparison
Safety in your neighborhood during the day	Above	Above
Safety in your neighborhood after dark	Similar	Similar
Safety in Billings' downtown area during the day	Below	Similar
Safety in Billings' downtown area after dark	Below	Below
Safety from violent crime (e.g., rape, assault, robbery)	Similar	Similar
Safety from property crimes (e.g., burglary, theft)	Below	Below
Toxic waste or other environmental hazard(s)	Below	Below

As assessed by the survey, 18% of respondents reported that someone in the household had been the victim of one or more crimes in the past year. Of those who had been the victim of a crime, 78% had reported it to police. Compared to other jurisdictions about the same percent of Billings residents had been victims of crime in the 12 months preceding the survey and about the same percent of Billings' residents had reported their most recent crime victimization to the police.

FIGURE 35: CRIME VICTIMIZATION AND REPORTING

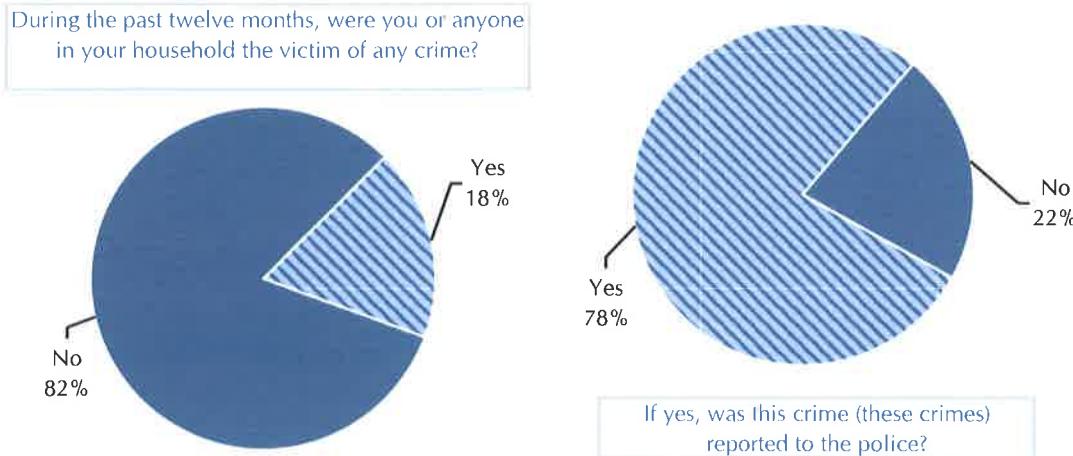


FIGURE 36: CRIME VICTIMIZATION AND REPORTING BENCHMARKS

	National comparison	Western region comparison
Victim of crime	Similar	Similar
Reported crimes	Similar	Similar

Residents rated eight City public safety services; of these, none were rated above the benchmarks comparison, three were rated similar to the benchmark comparisons and four were rated below the benchmark comparison. Emergency preparedness was rated below the nation and similar to the custom benchmark. Fire services and ambulance or emergency medical services received the highest ratings, while emergency preparedness and traffic enforcement received the lowest ratings.

FIGURE 37: RATINGS OF PUBLIC SAFETY SERVICES

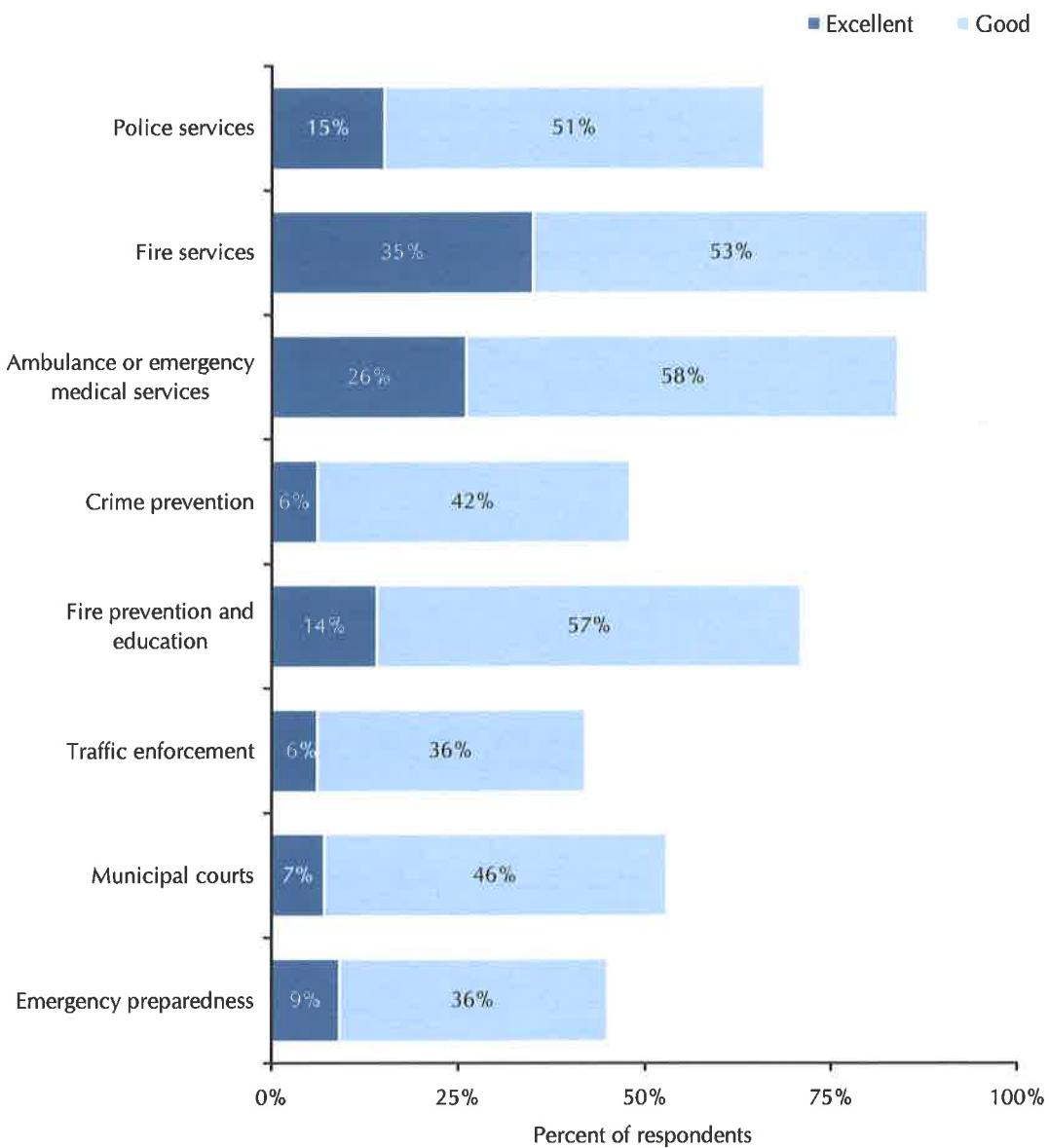
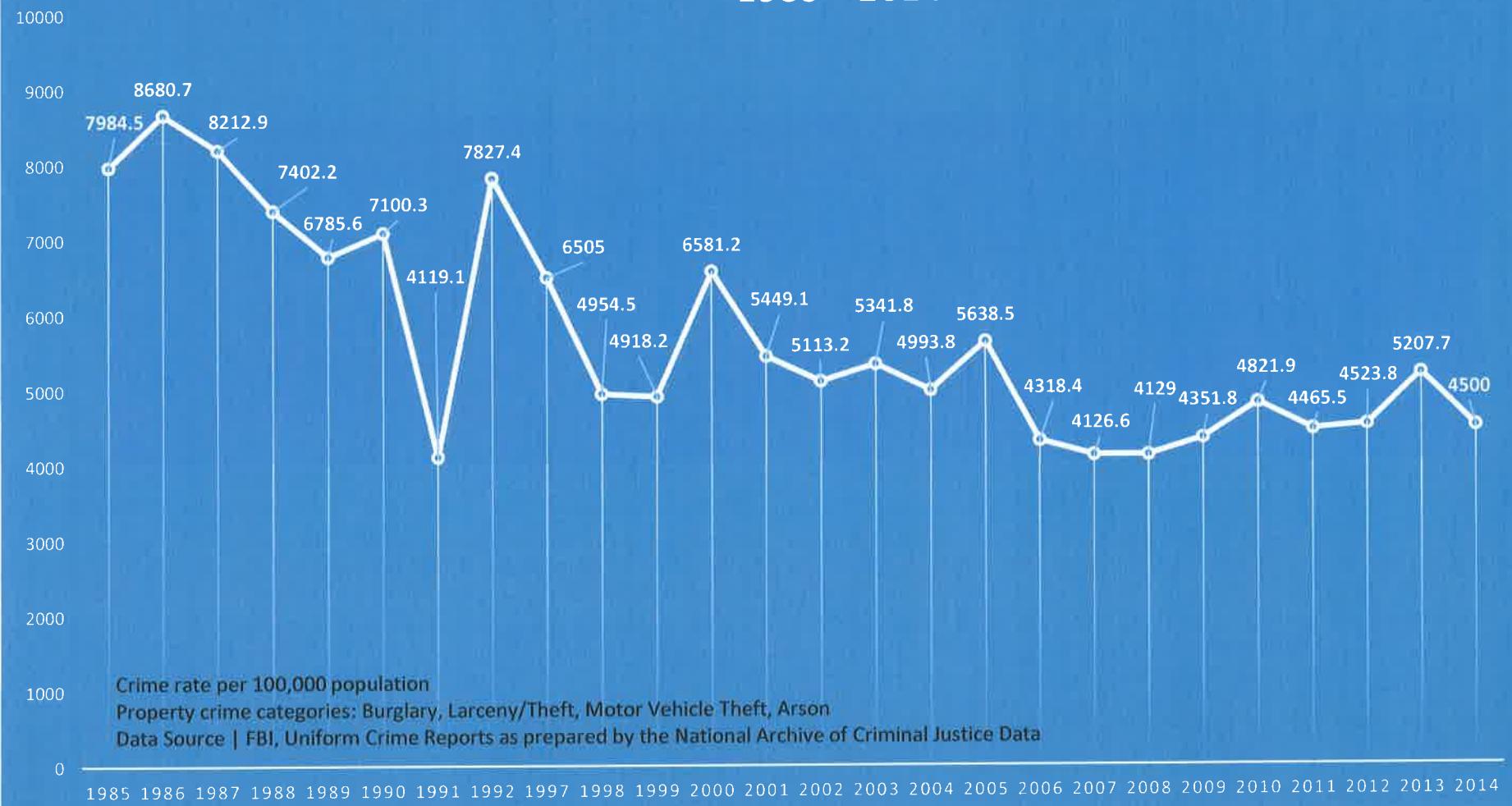


FIGURE 38: PUBLIC SAFETY SERVICES BENCHMARKS

	National comparison	Western region comparison
Police services	Below	Below
Fire services	Similar	Similar
EMS/ambulance	Similar	Similar
Crime prevention	Below	Below
Fire prevention and education	Similar	Similar
Traffic enforcement	Below	Below
Courts	Below	Below
Emergency preparedness	Below	Similar

## BILLINGS, MT: PROPERTY CRIME RATE 1985 - 2014



## BILLINGS, MT: VIOLENT CRIME RATE 1985 - 2014

